

## SCHEDULES

### SCHEDULE 29

#### RESIDENTIAL TENANCIES IN ENGLAND AND WALES: PROTECTION FROM EVICTION

##### *Rent Act 1977: protected tenancies and statutory tenancies*

- 2 (1) Section 5(1) of the Protection from Eviction Act 1977 (validity of notices to quit) is to be read, in relation to Rent Act notices to quit given by the landlord during the relevant period, as if the reference to 4 weeks were a reference to 3 months.
- (2) In sub-paragraph (1) “Rent Act notice to quit” means a notice to quit relating to a tenancy that is a protected tenancy for the purposes of the Rent Act 1977 (see section 1 of that Act).
- (3) Section 3 of the Rent Act 1977 (terms and conditions of statutory tenancies) is to be read as if after subsection (4) there were inserted—
- “(4A) Proceedings for an order for a landlord to obtain possession of a dwelling-house as against a statutory tenant may not be commenced during the relevant period (see paragraph 1(1) and (2) of Schedule 29 to the Coronavirus Act 2020) unless—
- (a) the landlord has given the statutory tenant a notice of intention to commence possession proceedings;
  - (b) the notice period is a period of at least three months; and
  - (c) the proceedings are commenced on or after the intended date for commencing proceedings.
- (4B) But the proceedings may be commenced without compliance with subsection (4A) if the court considers it just and equitable to dispense with the requirement to comply.
- (4C) For the purposes of this section a “notice of intention to commence possession proceedings”, in relation to a dwelling house and a statutory tenant, is a notice that—
- (a) is in writing;
  - (b) describes the statutory tenancy;
  - (c) states—
    - (i) the address of the dwelling-house,
    - (ii) the name of the statutory tenant, and
    - (iii) the name and address of the landlord;
  - (d) states that the landlord intends to commence proceedings to obtain possession of the dwelling-house as against the statutory tenant;
  - (e) states—
    - (i) the ground or grounds on which the landlord intends to seek possession of the dwelling-house, and

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*Status: This is the original version (as it was originally enacted).*

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- (ii) the reason or reasons why the landlord believes the ground or grounds to be applicable;
  - (f) states the date on or after which the landlord intends to commence the possession proceedings;
  - (g) explains that the landlord is prohibited from commencing those proceedings in reliance on the notice—
    - (i) unless that date falls at least three months after the date on which the notice is given, and
    - (ii) until that date.
- (4D) A notice of intention to commence possession proceedings may be given by leaving it at, or sending it by post to, the dwelling-house to which it relates.
- (4E) Where subsection (4A) applies and possession proceedings are commenced in reliance on a notice of intention to commence possession proceedings, the court must not make an order for the landlord to obtain possession of the dwelling-house as against the statutory tenant on a particular ground mentioned in Schedule 15 or 16 to this Act unless—
- (a) the notice states the ground and one or more reasons why the landlord believes that the ground is applicable, or
  - (b) the court gives permission for the ground to be raised in the proceedings.
- (4F) In this section, in relation to a notice of intention to commence possession proceedings—
- “intended date for commencing proceedings” means the date stated in accordance with subsection (4C)(f);
  - “notice period” means the period that—
    - (a) begins with the date on which the notice is given, and
    - (b) ends with the intended date for commencing proceedings.”