



# Leasehold and Freehold Reform Act 2024

## 2024 CHAPTER 22

### PART 1

#### LEASEHOLD HOUSES

PROSPECTIVE

#### *Key definitions*

#### **2 Long residential leases of houses**

- (1) A lease is a “long residential lease of a house” if conditions A to C are met in relation to the lease.
- (2) Condition A: the lease has a long term (see sections 3 and 4).
- (3) Condition B: the lease demises one house (see section 5), with or without appurtenant property, and nothing else.
- (4) Condition C: the lease is a residential lease (see section 6).

#### **Commencement Information**

II S. 2 not in force at Royal Assent, see [s. 124\(3\)](#)

#### **3 Leases which have a long term**

- (1) A lease has a “long term” in any of cases A to D.
- (2) Case A: the lease is granted for a term certain exceeding 21 years.

*Status: This version of this cross heading contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Leasehold and Freehold Reform Act 2024, Cross Heading: Key definitions. (See end of Document for details)*

- (3) Case B: section 149(6) of the Law of Property Act 1925 applies to the lease (lease granted for life or until marriage or civil partnership) and the lease accordingly takes effect with a term fixed by law.
- (4) Case C: the lease is granted with a covenant or obligation for perpetual renewal and accordingly takes effect with a term fixed by law - unless it is a sub-lease with a term fixed by law of 21 years or shorter.
- (5) Case D: the lease is capable of forming part of a series of leases whose terms would extend beyond 21 years (see section 4).
- (6) In determining whether a lease has a long term, it is irrelevant if the lease is, or may become, terminable by notice, re-entry or forfeiture.

#### Commencement Information

**I2** S. 3 not in force at Royal Assent, see [s. 124\(3\)](#)

#### 4 Series of leases whose term would extend beyond 21 years

- (1) A lease (“the original lease”) is “capable of forming part of a series of leases whose terms would extend beyond 21 years” if conditions A to C are met at the time when the original lease is granted.
- (2) Condition A: the original lease does not have a long term under section 3(2), (3) or (4).
- (3) Condition B: provision for the grant of another lease of the same house (the “new lease”) is included in—
  - (a) the original lease, or
  - (b) any related arrangements.
- (4) Condition C: the total duration of—
  - (a) the term of the original lease,
  - (b) the term of the new lease (if granted), and
  - (c) the term or terms of any subsequent leases (if granted),
 would exceed 21 years.
- (5) In a case where the provision for the grant of the new lease, or for the grant of any subsequent lease, allows for the possibility of the term of the lease being one of a number of differing durations, the reference in condition C to the term of the lease is to the longest of those possible durations.
- (6) A lease is a “lease of the same house” if the lease demises one house, being the house comprised in the original lease, with or without any appurtenant property, and nothing else.
- (7) Arrangements are “related arrangements” if they are entered into in connection with the grant of the original lease (whether or not they are entered into in writing).
- (8) A lease is a “subsequent lease” if—
  - (a) it is not the new lease,
  - (b) it is a lease of the same house, and
  - (c) provision for the grant of the lease—

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- (i) is included in the original lease or any related arrangements,
- (ii) would be included in the new lease (if granted), or
- (iii) would be included in any other lease that (if granted) would itself be a subsequent lease.

#### Commencement Information

**I3** S. 4 not in force at Royal Assent, see [s. 124\(3\)](#)

## 5 Houses

- (1) A “house” is a separate set of premises (on one or more floors) which—
  - (a) forms the whole, or part, of a building, and
  - (b) is constructed or adapted for use for the purposes of a dwelling.
- (2) But where the separate set of premises forms part of a building, it is not a house if the whole of or a material part of the set of premises lies above or below some other part of the building.

#### Commencement Information

**I4** S. 5 not in force at Royal Assent, see [s. 124\(3\)](#)

## 6 Residential leases

A lease is a “residential lease” if it is a lease of a house and the terms of the lease do not prevent the house from being occupied under that lease as a separate dwelling.

#### Commencement Information

**I5** S. 6 not in force at Royal Assent, see [s. 124\(3\)](#)

## 7 Permitted leases

A lease is a “permitted lease” if—

- (a) it is a long residential lease of a house, and
- (b) it falls into one or more of the categories set out in Schedule 1.

#### Commencement Information

**I6** S. 7 not in force at Royal Assent, see [s. 124\(3\)](#)

**Status:**

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**Changes to legislation:**

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