

## SCHEDULES

### SCHEDULE 8

#### LEASEHOLD ENFRANCHISEMENT AND EXTENSION: MISCELLANEOUS AMENDMENTS

##### PART 2

##### SHARED OWNERSHIP LEASES AND THE LRA 1967

*No right of enfranchisement for certain shared ownership leases*

13 Before section 36 insert—

**“33B Shared ownership leases which provide for 100% acquisition etc**

- (1) A notice of a person’s desire to have the freehold of a house and premises under this Part is of no effect if, at the relevant time, the tenancy—
  - (a) is a shared ownership lease, and
  - (b) meets conditions A to D.
- (2) But conditions C and D do not need to be met if the shared ownership lease is of a description prescribed for this purpose in regulations made by the Secretary of State.
- (3) *Condition A*: the tenancy allows for the tenant to increase the tenant’s share in the demised premises by increments of 25% or less (whether or not the tenancy also provides for increments of more than 25%).
- (4) *Condition B*: the tenancy provides—
  - (a) for the price payable for an increase in the tenant’s share in the demised premises to be proportionate to the market value of the premises at the time the share is to be increased, and
  - (b) if the tenant’s share is increased, for the rent payable by the tenant in respect of the landlord’s share in the demised premises to be reduced by an amount reflecting the increase in the tenant’s share.
- (5) *Condition C*: the tenancy allows for the tenant’s share in the demised premises to reach 100%.
- (6) *Condition D*: if and when the tenant’s share of the demised premises is 100%, the tenancy—
  - (a) allows for the tenant to acquire the freehold of the premises (if the landlord has the freehold), or
  - (b) provides that the terms of the lease which make the lease a shared ownership lease cease to have effect (if the landlord does not have the freehold),

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*Status: This is the original version (as it was originally enacted).*

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without the payment of any further consideration.

- (7) Regulations under this section are to be made by statutory instrument.
- (8) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) In this section “demised premises” means the premises demised under the shared ownership lease.”