



Landlord and Tenant Act 1954

1954 CHAPTER 56 2 and 3 Eliz 2

PART I

SECURITY OF TENURE FOR RESIDENTIAL TENANTS

Provisions as to possession on termination of long tenancy

13 Landlord's application for possession.

- (1) Where a landlord's notice to resume possession has been served and either—
- the tenant elects to retain possession, or
 - at the end of the period of two months after the service of the landlord's notice the qualifying condition is fulfilled as respects the tenancy,
- the landlord may apply to the court for an order under this section on such of the grounds mentioned in the last foregoing section as may be specified in the notice:
- Provided that the application shall not be made later than two months after the tenant elects to retain possession, or, if he has not elected to retain possession, later than four months after the service of the notice.
- (2) Where the ground or one of the grounds for claiming possession specified in the landlord's notice was that mentioned in paragraph (a) of subsection (1) of the last foregoing section, then if on such an application the court is satisfied that the landlord has established that ground as respects premises specified in the application, and is further satisfied,—
- that on the said ground possession of the specified premises will be required by the landlord on the termination of the tenancy; and
 - that the landlord has made such preparations (including the obtaining, or, if that is not reasonably practicable in the circumstances, preparations relating to the obtaining, of any requisite permission or consent, whether from any authority whose permission or consent is required under any enactment or from the owner of any interest in any property) for proceeding with the redevelopment as are reasonable in the circumstances,

Changes to legislation: Landlord and Tenant Act 1954, Section 13 is up to date with all changes known to be in force on or before 24 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

the court shall order that the tenant shall, on the termination of the tenancy, give up possession of all the property then comprised in the tenancy.

- (3) Where in a case falling within the last foregoing subsection the court is not satisfied as therein mentioned, but would be satisfied if the date of termination of the tenancy had been such date (in this subsection referred to as “the postponed date”) as the court may determine, being a date later, but not more than one year later, than the date of termination specified in the landlord’s notice, the court shall, if the landlord so requires, make an order specifying the postponed date and otherwise to the following effect, that is to say:—
- (a) that the tenancy shall not come to an end on the date of termination specified in the landlord’s notice but shall continue thereafter, as respects the whole of the property comprised therein, at the same rent and in other respects on the same terms as before that date;
 - (b) that unless the tenancy comes to an end before the postponed date, the tenant shall on that date give up possession of all the property then comprised in the tenancy.
- (4) Where the ground or one of the grounds for claiming possession specified in the landlord’s notice was one mentioned in the Third Schedule to this Act, then if on an application made in accordance with subsection (1) of this section the court is satisfied that the landlord has established that ground and that it is reasonable that the landlord should be granted possession, the court shall order that the tenant shall, on the termination of the tenancy, give up possession of all the property then comprised in the tenancy.
- (5) Nothing in the foregoing provisions of this section shall prejudice any power of the tenant under section five of this Act to terminate the tenancy; and subsection (2) of that section shall apply where the tenancy is continued by an order under subsection (3) of this section as it applies where the tenancy is continued by virtue of section three of this Act.

Modifications etc. (not altering text)

C1 S. 13 amended by [Leasehold Reform Act 1967 \(c. 88\)](#), s. 38(1)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34(5) inserted by [2022 c. 46 s. 61\(5\)](#)
- s. 34A inserted by [2022 c. 46 s. 61\(2\)](#)
- s. 34B34C inserted by [2022 c. 46 s. 63](#)
- s. 63(2A)-(2C) inserted by [2022 c. 46 s. 65](#)