



# Distress for Rent Act 1737

1737 CHAPTER 19 11 Geo 2

An Act for the more effectual securing the Payment of Rents, and preventing Frauds by Tenants.

Whereas the several laws heretofore made for the better security of rents, and to prevent frauds committed by tenants, have not proved sufficient to obtain the good ends and purposes designed thereby, but rather the fraudulent practices of tenants, and the mischief intended by the said Acts to be prevented have of late years increased, to the great loss and damage of their lessors or landlords:

## Modifications etc. (not altering text)

C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)

**<sup>F1</sup>1 Landlords may distrain and sell goods fraudulently carried off the premises within 30 days,**

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## Textual Amendments

**F1** Ss. 1-10 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**<sup>F1</sup>2 unless sold to any person not privy to the fraud.**

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## Textual Amendments

**F1** Ss. 1-10 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

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*Changes to legislation: There are currently no known outstanding effects for the Distress for Rent Act 1737. (See end of Document for details)*

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**F13 Penalty on the said fraud, or assisting thereto.**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**F14 If the goods exceed not the value of £50, landlords to have recourse to 2 justices.**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**F15 Appeal to the quarter-sessions.**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**F16 Provided also, that where the party appealing shall enter into**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**F17 Landlords may break open houses to seize goods fraudulently secured therein;**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by Tribunals, Courts and Enforcement Act 2007 (c. 15), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**F18 and may distrain stock or cattle on the premisses, for arrears of rent.**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

- <sup>F1</sup>9** **Tenants to have notice of the place where the distress is lodged. Distress of corn, &c. to cease, if rent be paid before it be cut.**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

- <sup>F1</sup>10** **Distresses may be secured, and sold on the premisses.**

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**Textual Amendments**

- F1** Ss. 1-10 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, Sch. 14 para. 4(a), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

- 11** ..... **<sup>F2</sup>**

**Textual Amendments**

- F2** S. 11 repealed by [Law of Property Act 1925 \(c. 20\)](#), [Sch. 7](#)

- 12—** ..... **<sup>F3</sup>**  
**13.**

**Textual Amendments**

- F3** Ss. 12, 13 repealed by [Statute Law Revision Act 1867 \(c. 59\)](#)

- 14** ..... **<sup>F4</sup>**

**Textual Amendments**

- F4** S. 14 repealed by [Statute Law \(Repeals\) Act 1989 \(c.43\)](#), s. 1(1), [Sch. 1 Pt. I Gp. 5](#)

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**15** ..... <sup>F5</sup>

**Textual Amendments**

**F5** S. 15 repealed by [Statute Law \(Repeals\) Act 1977 \(c. 18\)](#), [Sch. 1 Pt. XVI](#)

<sup>F6</sup>**16** **Provision for landlords, where tenants desert the premisses.**

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**Textual Amendments**

**F6** S. 16 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 14 para. 4\(b\)](#), [Sch. 23 Pt. 4](#) (with s. 89); [S.I. 2014/768](#), art. 2(1)(b)

<sup>F7</sup>**17** **Tenants may appeal from the justices.**

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**Textual Amendments**

**F7** S. 17 repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007 \(c. 15\)](#), s. 148, [Sch. 14 para. 4\(b\)](#), [Sch. 23 Pt. 4](#) (with s. 89); [S.I. 2014/768](#), art. 2(1)(b)

**18** **Tenants holding after the time they notify for quitting, to pay double rent.**

And whereas great inconveniences have happened and may happen to landlords whose tenants have power to determine their leases, by giving notice to quit the premisses by them holden, and yet refusing to deliver up the possession when the landlord hath agreed with another tenant for the same: from and after the said twenty fourth day of June one thousand seven hundred and thirty eight, in case any tenant or tenants shall give notice of his, her, or their intention to quit the premisses by him, her, or them holden, at a time mentioned in such notice, and shall not accordingly deliver up the possession thereof at the time in such notice contained, that then the said tenant or tenants, his, her, or their executors or administrators, shall from thenceforward pay to the landlord or landlords, lessor or lessors, double the rent or sum which he, she, or they should otherwise have paid, to be levied, sued for, and recovered at the same times and in the same manner as the single rent or sum, before the giving such notice, could be levied, sued for, or recovered; and such double rent or sum shall continue to be paid during all the time such tenant or tenants shall continue in possession as aforesaid.

- [<sup>F8</sup>**18A.**
- (1) Section 18 does not apply if the lease is an occupation contract in relation to a dwelling in Wales.
  - (2) In this section, the following terms have the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1)
    - (a) “occupation contract” (see section 7 of that Act), and
    - (b) “dwelling” (see section 246 of that Act).]

*Changes to legislation: There are currently no known outstanding effects for the Distress for Rent Act 1737. (See end of Document for details)*

**Textual Amendments**

- F8** [S. 18A](#) inserted (W.) (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022](#) (S.I. 2022/1166), regs. 1(1), **2(2)**

**<sup>F9</sup>19 Distresses for rent not unlawful, &c. for any irregularity in the disposition of them;**

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**Textual Amendments**

- F9** [S. 19](#) repealed (6.4.2014) by [Tribunals, Courts and Enforcement Act 2007](#) (c. 15), s. 148, [Sch. 14 para. 4\(c\)](#), [Sch. 23 Pt. 4](#) (with s. 89); S.I. 2014/768, art. 2(1)(b)

**20 ..... <sup>F10</sup>**

**Textual Amendments**

- F10** [S. 20](#) repealed by [Statute Law \(Repeals\) Act 1986](#) (c.12), s. 1(1), [Sch. 1 Pt. I](#) Gp. 5

**21 ..... <sup>F11</sup>**

**Textual Amendments**

- F11** [S. 21](#) repealed by [Statute Law Revision Act 1958](#) (c. 46), [Sch. 3](#)

**22 ..... <sup>F12</sup>**

**Textual Amendments**

- F12** [S. 22](#) repealed by [Statute Law Revision and Civil Procedure Act 1883](#) (c. 49), [s. 4](#)

**23 ..... <sup>F13</sup>**

**Textual Amendments**

- F13** [S. 23](#) repealed by [Statute Law Revision and Civil Procedure Act 1881](#) (c. 59)

**Changes to legislation:**

There are currently no known outstanding effects for the Distress for Rent Act 1737.