

Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980, SCHEDULE 9. (See end of Document for details)

SCHEDULES

SCHEDULE 9

PROVISIONS SUPPLEMENTING SECTION 74

1 Paragraphs 2 to 6 below apply to any tenancy which was a protected or statutory tenancy but which, by virtue of the landlord becoming a “housing trust” within the meaning of section 15 of the 1977 Act, has ceased to be such a tenancy.

2 ^{F1}

Textual Amendments

F1 Sch. 9 para. 2 repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140, [Sch. 18](#)

3 Registration of a rent, or of a different rent, for the dwelling-house shall be effected in pursuance of section 87 of the 1977 Act; but until such time as a rent is so registered—

- (a) the rent recoverable under the tenancy; and
- (b) where a rent was registered for the dwelling-house under Part IV of the 1977 Act, the time at which an application for a different registered rent may be made;

shall be determined as if the tenancy had continued to be a regulated tenancy.

4 If the tenant was a successor within the meaning of Schedule 1 to the 1977 Act he shall not be treated as a successor for the purposes of [^{F2}Part IV of the Housing Act 1985 (secure tenancies)].

Textual Amendments

F2 Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, [Sch. 2 para. 44\(4\)\(a\)](#)

5 [^{F3}Section 83 [^{F4}or 83ZA] of the Housing Act 1985 (notice of proceedings for possession)] does not apply in any case where proceedings for possession were begun before the tenancy ceased to be a protected or statutory tenancy; but in such a case the court shall allow the parties to take such steps in relation to the proceedings as it considers appropriate in consequence of the tenancy becoming a secure tenancy.

Textual Amendments

F3 Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, [Sch. 2 para. 44\(4\)\(b\)](#)

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F4 Words in Sch. 9 para. 5 inserted (20.10.2014 for E., 21.10.2014 for W.) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1)(2)(c)(3)(c), [Sch. 11 para. 2](#) (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 2(h); S.I. 2014/2830, art. 2(g)(i)

- 6 (1) This paragraph applies in any case where—
- (a) the tenant died before the date on which the tenancy ceased to be a protected or statutory tenancy; and
 - (b) there was then more than one member of his family entitled to succeed him as statutory tenant but no decision had, by that date, been reached as to which of them was to succeed.
- (2) In a case to which this paragraph applies, the person who is to be the secure tenant of the dwelling-house on the tenancy becoming a secure tenancy shall be selected by the landlord from among those mentioned in sub-paragraph (1)(b) above notwithstanding that the question may have been referred to the county court in accordance with paragraph 1(7) of Schedule 1 to the 1977 Act.

Changes to legislation:

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