



Housing Act 1980

1980 CHAPTER 51

PART II

PRIVATE SECTOR TENANTS

Regulated tenancies

67 Lettings by servicemen

The following Case shall be added to the Cases in Part II of Schedule 15 to the 1977 Act (mandatory orders for possession) after the Case inserted in Part II by section 55 of this Act—

“Case 20

Where the dwelling-house was let by a person (in this Case referred to as "the owner") at any time after the commencement of section 67 of the Housing Act 1980 and—

- (a) at the time when the owner acquired the dwelling house he was a member of the regular armed forces of the Crown;
- (b) at the relevant date the owner was a member of the regular armed forces of the Crown ;
- (c) not later than the relevant date the owner gave notice in writing to the tenant that possession might be recovered under this Case ;
- (d) the dwelling-house has not, since the commencement of section 67 of the Act of 1980 been let by the owner on a protected tenancy with respect to which the condition mentioned in paragraph (c) above was not satisfied ;
and
- (e) the court is of the opinion that—
 - (i) the dwelling-house is required as a residence for the owner ; or
 - (ii) of the conditions set out in Part V of this Schedule one of those in paragraphs (c) to (f) is satisfied.

Status: This is the original version (as it was originally enacted).

If the court is of the opinion that, notwithstanding that the condition in paragraph (c) or (d) above is not complied with, it is just and equitable to make an order for possession of the dwelling-house, the court may dispense with the requirements of either or both of these paragraphs, as the case may require.

For the purposes of this Case " regular armed forces of the Crown " has the same meaning as in section 1 of the House of Commons Disqualification Act 1975.”