

## SCHEDULES

### SCHEDULE 10

#### SECURITY OF TENURE ON ENDING OF LONG RESIDENTIAL TENANCIES

##### *Preliminary*

- 2 (1) This paragraph has effect for the interpretation of certain expressions used in this Schedule.
- (2) Except where the context otherwise requires, expressions to which a meaning is assigned for the purposes of the 1988 Act or Part I of that Act have the same meaning in this Schedule.
- (3) “Long tenancy” means a tenancy granted for a term of years certain exceeding 21 years, whether or not subsequently extended by act of the parties or by any enactment, but excluding any tenancy which is, or may become, terminable before the end of the term by notice given to the tenant.
- (4) A tenancy is “at a low rent” if either no rent is payable under the tenancy or the maximum rent payable at any time is less than two-thirds of the rateable value for the time being of the dwelling-house under the tenancy.
- (5) Paragraph 3(2) of Schedule 1 to the 1988 Act applies to determine whether the rent under a tenancy falls within sub-paragraph (4) above and Part II of that Schedule applies to determine the rateable value of a dwelling-house for the purposes of that sub-paragraph.
- (6) “Long residential tenancy” and “qualifying condition” have the meaning assigned by paragraph 1 above and the following expressions shall be construed as follows—
- “the 1954 Act” means the Landlord and Tenant Act 1954;
  - “the 1988 Act” means the Housing Act 1988;
  - “assured periodic tenancy” shall be construed in accordance with paragraph 9(4) below;
  - “the date of termination” has the meaning assigned by paragraph 4(4) below;
  - “disputed terms” shall be construed in accordance with paragraph 11(1) (a) below;
  - “election by the tenant to retain possession” shall be construed in accordance with paragraph 4(7) below;
  - “former 1954 Act tenancy” means a tenancy to which, by virtue of section 186(3) of this Act, this Schedule applies on and after 15th January 1999;
  - “the implied terms” shall be construed in accordance with paragraph 4(5) (a) below;
  - “landlord” shall be construed in accordance with paragraph 19(1) below;

---

*Status: This is the original version (as it was originally enacted).*

---

“landlord’s notice” means a notice under sub-paragraph (1) of paragraph 4 below and such a notice is—

(a) a “landlord’s notice proposing an assured tenancy” if it contains such proposals as are mentioned in sub-paragraph (5)(a) of that paragraph; and

(b) a “landlord’s notice to resume possession” if it contains such proposals as are referred to in sub-paragraph (5)(b) of that paragraph;

“specified date of termination”, in relation to a tenancy in respect of which a landlord’s notice is served, means the date specified in the notice as mentioned in paragraph 4(1)(a) below;

“tenant’s notice” shall be construed in accordance with paragraph 10(1)(a) below;

“term date”, in relation to a tenancy granted for a term of years certain, means the date of expiry of that term;

“the terms of the tenancy specified in the landlord’s notice” shall be construed in accordance with paragraph 4(6) below; and

“undisputed terms” shall be construed in accordance with paragraph 11(2) below.