

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Housing and Planning Act 2016, Paragraph 17 is up to date with all changes known to be in force on or before 24 April 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

SCHEDULES

PROSPECTIVE

SCHEDULE 7

SECURE TENANCIES ETC: PHASING OUT OF TENANCIES FOR LIFE

Housing Act 1985 (c. 68)

17 (1) Schedule 1 (tenancies which are not secure tenancies) is amended as follows.

(2) After paragraph 1 insert—

“Certain English tenancies that were not secure tenancies when originally granted

1ZA A tenancy of a dwelling-house in England cannot become a secure tenancy if—

- (a) it was granted on or after the day on which paragraph 4 of Schedule 7 to the Housing and Planning Act 2016 came fully into force,
- (b) it was not a secure tenancy or an introductory tenancy at the time it was granted, and
- (c) it is a periodic tenancy or a tenancy for a fixed term of less than 2 years or more than 5 years.”

(3) In paragraph 4ZA, after sub-paragraph (2) insert—

“(2A) A notice under sub-paragraph (2) that relates to a tenancy of a dwelling-house in England must—

- (a) state that the tenancy is to become a secure tenancy for a fixed term of a length specified in the notice, and
- (b) set out the other express terms of the tenancy.

(2B) The length of the term specified in a notice in accordance with sub-paragraph (2A) must not be—

- (a) less than 2 years, or
- (b) more than the permitted maximum length.

(2C) The permitted maximum length is 10 years, unless sub-paragraph (2D) applies.

(2D) If the landlord has been notified in writing that a child aged under 9 will live in the dwelling-house, the permitted maximum length is the period—

- (a) beginning with the day on which the tenancy becomes a secure tenancy, and
- (b) ending with the day on which the child will reach the age of 19.

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- (2E) In deciding what length to specify in a notice under sub-paragraph (2A)(a) the landlord must have regard to any guidance given by the Secretary of State.
- (2F) Where a notice is given in accordance with sub-paragraph (2A) the length of the secure tenancy, and the other terms, are those set out in the notice.
- (2G) Sub-paragraphs (2A) to (2F) do not apply to notices given before the day on which paragraph 4 of Schedule 7 to the Housing and Planning Act 2016 comes fully into force.”

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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. 95(1)(ia) inserted by [2023 c. 36 Sch. 1 para. 2](#)
- s. 100(7)(aa) inserted by [2023 c. 36 Sch. 1 para. 3](#)
- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)