

Landlord and Tenant Act 1954 c. 56

s. 26 Tenant's request for a new tenancy.



Law In Force

Version 2 of 2

1 June 2004 - Present

Subjects

Landlord and tenant

Keywords

New business tenancies; New tenancy requests

26.— Tenant's request for a new tenancy.

(1) A tenant's request for a new tenancy may be made where the [current tenancy]¹ is a tenancy granted for a term of years certain exceeding one year, whether or not continued by [section twenty-four](#) of this Act, or granted for a term of years certain and thereafter from year to year.

(2) A tenant's request for a new tenancy shall be for a tenancy beginning with such date, not more than twelve nor less than six months after the making of the request, as may be specified therein:

Provided that the said date shall not be earlier than the date on which apart from this Act the current tenancy would come to an end by effluxion of time or could be brought to an end by notice to quit given by the tenant.

(3) A tenant's request for a new tenancy shall not have effect unless it is made by notice in the prescribed form given to the landlord and sets out the tenant's proposals as to the property to be comprised in the new tenancy (being either the whole or part of the property comprised in the current tenancy), as to the rent to be payable under the new tenancy and as to the other terms of the new tenancy.

(4) A tenant's request for a new tenancy shall not be made if the landlord has already given notice under the last foregoing section to terminate the current tenancy, or if the tenant has already given notice to quit or notice under the next following section; and no such notice shall be given by the landlord or the tenant after the making by the tenant of a request for a new tenancy.

(5) Where the tenant makes a request for a new tenancy in accordance with the foregoing provisions of this section, the current tenancy shall, subject to the provisions of [[sections 29B\(4\) and 36\(2\)](#)]² of this Act and the provisions of [Part IV](#) of this Act as to the interim continuation of tenancies, terminate immediately before the date specified in the request for the beginning of the new tenancy.

(6) Within two months of the making of a tenant's request for a new tenancy the landlord may give notice to the tenant that he will oppose an application to the court for the grant of a new tenancy, and any such notice shall state on which of the grounds mentioned in [section thirty](#) of this Act the landlord will oppose the application.

Notes

- 1 Words substituted by Regulatory Reform (Business Tenancies) (England and Wales) Order 2003/3096 [Sch.5 para.3](#) (June 1, 2004)
 - 2 Words substituted by Regulatory Reform (Business Tenancies) (England and Wales) Order 2003/3096 [art.12](#) (June 1, 2004)
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Part II SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND OTHER TENANTS > Continuation and renewal of tenancies > s. 26 Tenant's request for a new tenancy.

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