

## Landlord and Tenant Act 1954 c. 56

### s. 29 Order by court for grant of new tenancy or termination of current tenancy



Law In Force

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#### Subjects

Landlord and tenant

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#### 29.— Order by court for grant of new tenancy or termination of current tenancy

- (1) Subject to the provisions of this Act, on an application under [section 24\(1\)](#) of this Act, the court shall make an order for the grant of a new tenancy and accordingly for the termination of the current tenancy immediately before the commencement of the new tenancy.
- (2) Subject to the following provisions of this Act, a landlord may apply to the court for an order for the termination of a tenancy to which this Part of this Act applies without the grant of a new tenancy—
  - (a) if he has given notice under [section 25](#) of this Act that he is opposed to the grant of a new tenancy to the tenant; or
  - (b) if the tenant has made a request for a new tenancy in accordance with [section 26](#) of this Act and the landlord has given notice under [subsection \(6\)](#) of that section.
- (3) The landlord may not make an application under subsection (2) above if either the tenant or the landlord has made an application under [section 24\(1\)](#) of this Act.
- (4) Subject to the provisions of this Act, where the landlord makes an application under subsection (2) above—
  - (a) if he establishes, to the satisfaction of the court, any of the grounds on which he is entitled to make the application in accordance with [section 30](#) of this Act, the court shall make an order for the termination of the current tenancy in accordance with [section 64](#) of this Act without the grant of a new tenancy; and
  - (b) if not, it shall make an order for the grant of a new tenancy and accordingly for the termination of the current tenancy immediately before the commencement of the new tenancy.

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(5) The court shall dismiss an application by the landlord under section 24(1) of this Act if the tenant informs the court that he does not want a new tenancy.

(6) The landlord may not withdraw an application under subsection (2) above unless the tenant consents to its withdrawal.

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### **Notes**

1 Substituted by Regulatory Reform (Business Tenancies) (England and Wales) Order 2003/3096 [art.5](#) (June 1, 2004)

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*Part II SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND OTHER TENANTS > Applications to court  
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