

Landlord and Tenant Act 1954 c. 56

s. 44 Meaning of “the landlord” in Part II, and provisions as to mesne landlords, etc.



Law In Force

Version 2 of 2

1 June 2004 - Present

Subjects

Landlord and tenant

Keywords

Landlords; Mesne landlords; New business tenancies; Security of tenure; Statutory definition

[

44.— Meaning of “*the landlord*” in Part II, and provisions as to mesne landlords, etc.

(1) Subject to [subsections (1A) and (2) below,]² in this Part of this Act the expression “the landlord”, in relation to a tenancy (in this section referred to as “*the relevant tenancy*”), means the person (whether or not he is the immediate landlord) who is the owner of that interest in the property comprised in the relevant tenancy which for the time being fulfils the following conditions, that is to say—

(a) that it is an interest in reversion expectant (whether immediately or not) on the termination of the relevant tenancy, and

(b) that it is either the fee simple or a tenancy which will not come to an end within fourteen months by effluxion of time and, if it is such a tenancy, that no notice has been given by virtue of which it will come to an end within fourteen months or any further time by which it may be continued under [section 36\(2\)](#) or [section 64](#) of this Act,

and is not itself in reversion expectant (whether immediately or not) on an interest which fulfils those conditions.

[

(1A) The reference in subsection (1) above to a person who is the owner of an interest such as is mentioned in that subsection is to be construed, where different persons own such interests in different parts of the property, as a reference to all those persons collectively.

]³

(2) References in this Part of this Act to a notice to quit given by the landlord are references to a notice to quit given by the immediate landlord.

(3) The provisions of the [Sixth Schedule](#) to this Act shall have effect for the application of this Part of this Act to cases where the immediate landlord of the tenant is not the owner of the fee simple in respect of the holding.

]'

Notes

- 1 S. 44 substituted by virtue of Law of Property Act 1969 (c. 59), s. 15, Sch. 1
 - 2 Words substituted by Regulatory Reform (Business Tenancies) (England and Wales) Order 2003/3096 [art.27\(1\)](#) (June 1, 2004)
 - 3 Added by Regulatory Reform (Business Tenancies) (England and Wales) Order 2003/3096 [art.27\(2\)](#) (June 1, 2004)
-

Part II SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND OTHER TENANTS > General and supplementary provisions > s. 44 Meaning of “the landlord” in Part II, and provisions as to mesne landlords, etc.

Crown Copyright material is reproduced with the permission of the Controller of HMSO and the Queen’s Printer for Scotland