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Landlord and Tenant Law

Third edition

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Preface

The aim of this book is to give a sound basic knowledge of the law of landlord and tenant, a subject which is included in many professional courses and which is essential to practitioners in property management. It is intended to be an introductory text for those going on to study the subject in depth, as well as providing a ready and easily accessible first reference for many of the problems likely to arise.

The first part of the book deals with the nature of a lease in the context of land law and the basic obligations of the parties to it. It examines the position on the disposition of a lease, the validity of a lease against third parties and how a contractual lease is terminated. It also includes a chapter on the conveyancing aspects of a lease in unregistered and registered title and a short form of model lease.

The second part examines the impact of statute on leases. Residential, business and agricultural leases are all subject to detailed and complex legislation affecting one or more of security of tenure, terms and rent and control.

The second edition included recent cases of substantial import in various areas of the basic law, notably on repairs, rent review, liability on covenants and the House of Lords decision on relief against forfeiture under Law of Property Act 1925 s.146. It presented the opportunity to explore the ramifications of recent legislation such as the Housing Act 1988, not to mention the implications of new legislation, notably the Leasehold Reform Housing and Urban Development Act 1993.

The third edition again explores new legislation and precedent. To give a few examples of legislative change: the Agricultural Tenancies Act 1995 came into force on 1 September 1995 and introduced a brand new regime for such tenancies created on or after that date: the Landlord and Tenant (Covenants) Act 1995 makes radical changes to the continuing liability of original tenants under privity of contract from 1 January 1996: and the Housing Act 1996 makes important changes to the rights of residential tenants in the private and public sectors.

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