



# Deregulation Act 2015

## 2015 CHAPTER 20

### *Housing and development*

#### **40 Repayment of rent where tenancy ends before end of a period**

After section 21B of the Housing Act 1988 insert—

##### **“21C Repayment of rent where tenancy ends before end of a period**

- (1) A tenant under an assured shorthold tenancy of a dwelling-house in England is entitled to a repayment of rent from the landlord where—
  - (a) as a result of the service of a notice under section 21 the tenancy is brought to an end before the end of a period of the tenancy,
  - (b) the tenant has paid rent in advance for that period, and
  - (c) the tenant was not in occupation of the dwelling-house for one or more whole days of that period.
- (2) The amount of repayment to which a tenant is entitled under subsection (1) is to be calculated in accordance with the following formula—

$$R \times \frac{D}{P}$$

where—

R is the rent paid for the final period;

D is the number of whole days of the final period for which the tenant was not in occupation of the dwelling-house; and

P is the number of whole days in that period.

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**Changes to legislation:** Deregulation Act 2015, Section 40 is up to date with all changes known to be in force on or before 29 February 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](#)

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- (3) If the repayment of rent described in subsections (1) and (2) has not been made when the court makes an order for possession under section 21, the court must order the landlord to repay the amount of rent to which the tenant is entitled.
- (4) Nothing in this section affects any other right of the tenant to a repayment of rent from the landlord.”

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**Commencement Information**

**II** S. 40 in force at 1.10.2015 by S.I. 2015/994, art. 11(m)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2015/994 art. 13 Sch. by [S.I. 2015/1405 art. 2\(3\)](#)

**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. 110A inserted by [2016 c. 12 s. 16\(1\)](#)