



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—
- 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,
 - the tenant has paid rent in advance for that period, and
 - 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.

- (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.”