

# How The Coronavirus Act 2020 can protect tenants in the UK

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The Coronavirus Act 2020 came into force on 25 March 2020 and contains a package of measures to deal with the Coronavirus crisis. As promised by the government, there are provisions to protect tenants from the impact of the crisis.

In relation to statutory residential tenancies (protected by the Rent Act 1977 and Housing Act 1988), the notice period for terminating tenancies or giving the tenant prior notice of proceedings for possession has been extended to 3 months in most cases. For assured and assured shorthold tenancies (protected by the Housing Act 1988), the notice period is now 3 months (whether the basis for seeking possession is based on 'fault', or not). In the case of statutory tenancies protected by the Rent Act 1977, there is a new requirement to give 3 months' notice of the landlord's intention to commence proceedings before doing so. These measures are temporary and apply for a period of 6 months (expiring on 30 September 2020), although the legislation envisages that this period might be extended, and that the new 3 month notice period might be extended to a period of up to 6 months. Contractual residential tenancies are not caught by the new provisions.

In relation to commercial premises, the Act provides a moratorium on commencing forfeiture proceedings for non-payment of rent and any other sums due under the lease for a period of 3 months (until 30 June 2020). The moratorium is a general prohibition and applies whether or not the tenant's failure to pay rent relates to COVID-19. The Act therefore enables a commercial tenant to avoid paying rent and other sums due to the landlord for the March quarter until the end of June. In relation to proceedings already on foot, the courts will not be able to order that the tenant gives up possession before 30 June 2020. In cases where an order for possession has been made and the date for possession falls before 30 June, the date can and will be extended to fall after 30 June 2020. The provisions protect all commercial tenants.

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