



Law of Property Act 1925

1925 CHAPTER 20 15 and 16 Geo 5

PART III

MORTGAGES, RENTCHARGES, AND POWERS OF ATTORNEY

Mortgages

102 Provision as to mortgages of undivided shares in land.

- (1) A person who was before the commencement of this Act a mortgagee of an undivided share in land shall have the same power to sell his [^{F1}interest under the trust to which the land is subject], as, independently of this Act, he would have had in regard to the share in the land; and shall also have a right to require the [^{F1}trustees] in whom the land is vested to account to him for the income attributable to that share or to appoint a receiver to receive the same from such trustees corresponding to the right which, independently of this Act, he would have had to take possession or to appoint a receiver of the rents and profits attributable to the same share.
- (2) The powers conferred by this section are exercisable by the persons deriving title under such mortgagee.

Textual Amendments

- F1** Words in s. 102(1) substituted (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 4(13)(a)(b)** (with ss. 24(2), 25(4)); S.I. 1996/2974, **art.2**

Changes to legislation:

Law of Property Act 1925, Section 102 is up to date with all changes known to be in force on or before 04 April 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [2023 asc 3 s. 146\(5\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 52(2)(dc)(dd) inserted by [2016 c. 22 Sch. 7 para. 1\(2\)](#)