



Landlord and Tenant Act 1987

1987 CHAPTER 31

PART I

TENANTS' RIGHTS OF FIRST REFUSAL

Enforcement by tenants of rights against new landlords

15 Right of qualifying tenants to compel grant of new tenancy by superior landlord

(1) Where—

- (a) paragraphs (a) and (b) of section 11(1) apply to a relevant disposal affecting any premises to which at the time of the disposal this Part applied, and
- (b) the disposal consisted of the surrender by the landlord of a tenancy held by him ("the relevant tenancy"), and
- (c) those premises are still premises to which this Part applies,

the requisite majority of qualifying tenants of the constituent flats may, before the end of the period specified in section 12(2), serve a notice on the new landlord requiring him (except as provided by the following provisions of this Part) to grant a new tenancy of the premises subject to the relevant tenancy, on the terms referred to in subsection (2) below and expiring on the date on which that tenancy would have expired, to a person or persons nominated for the purposes of this section by any such majority of qualifying tenants of those flats.

(2) Those terms are—

- (a) the terms of the relevant tenancy; and
- (b) if the new landlord paid any amount to the landlord as consideration for the surrender by him of that tenancy, that any such amount is paid to the new landlord by the person or persons so nominated.

(3) A notice under this section—

- (a) shall, where the premises subject to the relevant tenancy included premises other than those to which this Part applied at the time of the original disposal—

Status: This is the original version (as it was originally enacted).

- (i) require the new landlord to grant a new tenancy only of the premises to which this Part so applied, and
 - (ii) require him to do so on the terms referred to in subsection (2) subject to such modifications as are necessary or expedient in the circumstances;
 - (b) may, instead of specifying the premises to be demised under the new tenancy or any particular terms on which that tenancy is to be granted by the new landlord (whether doing so expressly or by reference to the relevant tenancy), provide for those premises, or (as the case may be) for any such terms, to be determined by a rent assessment committee in accordance with section 13 (as applied by subsection (4) below).
- (4) The following provisions, namely—
section 12(7) to (9),
sections 13 and 14, and
sections 16 and 17,
shall apply in relation to a notice under this section as they apply in relation to a purchase notice (whether referred to as such or as a notice served under section 12(1)) but subject to the modifications specified in subsection (5) below.
- (5) Those modifications are as follows—
- (a) any reference to the purposes of section 12 shall be read as a reference to the purposes of this section;
 - (b) the reference in section 13(1)(b) to section 12(3)(b) shall be read as a reference to subsection (3)(b) above;
 - (c) the references in section 16 to the estate or interest that was the subject-matter of the original disposal shall be read as a reference to the estate or interest which, prior to the surrender of the relevant tenancy, constituted the reversion immediately expectant on it; and
 - (d) the references in sections 16 and 17 to sections 12 to 14 shall be read as references to sections 12(7) to (9), 13 and 14 (as applied by subsection (4) above) and this section.