



Landlord and Tenant Act 1987

1987 CHAPTER 31

PART II

APPOINTMENT OF MANAGERS BY THE COURT

24 Appointment of manager by the court.

- (1) The court may, on an application for an order under this section, by order (whether interlocutory or final) appoint a manager to carry out in relation to any premises to which this Part applies—
 - (a) such functions in connection with the management of the premises, or
 - (b) such functions of a receiver,or both, as the court thinks fit.
- (2) The court may only make an order under this section in the following circumstances, namely—
 - (a) where the court is satisfied—
 - (i) that the landlord either is in breach of any obligation owed by him to the tenant under his tenancy and relating to the management of the premises in question or any part of them or (in the case of an obligation dependent on notice) would be in breach of any such obligation but for the fact that it has not been reasonably practicable for the tenant to give him the appropriate notice, and
 - ^{F1}(ii)
 - (iii) that it is just and convenient to make the order in all the circumstances of the case;
 - ^{F2}(ab) where the court is satisfied—
 - (i) that unreasonable service charges have been made, or are proposed or likely to be made, and
 - (ii) that it is just and convenient to make the order in all the circumstances of the case;
 - ^{F2}(ac) where the court is satisfied—

Status: Point in time view as at 24/09/1996. This version of this provision has been superseded.

Changes to legislation: Landlord and Tenant Act 1987, Section 24 is up to date with all changes known to be in force on or before 26 June 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)

- (i) that the landlord has failed to comply with any relevant provision of a code of practice approved by the Secretary of State under section 87 of the ^{M1}Leasehold Reform, Housing and Urban Development Act 1993 (codes of management practice), and
 - (ii) that it is just and convenient to make the order in all the circumstances of the case; or]
 - (b) where [the tribunal] is satisfied that other circumstances exist which make it just and convenient for the order to be made.
- [^{F3}(2A) For the purposes of subsection (2)(ab) a service charge shall be taken to be unreasonable—
- (a) if the amount is unreasonable having regard to the items for which it is payable,
 - (b) if the items for which it is payable are of an unnecessarily high standard, or
 - (c) if the items for which it is payable are of an insufficient standard with the result that additional service charges are or may be incurred.
- In that provision and this subsection “service charge” means a service charge within the meaning of section 18(1) of the ^{M2}Landlord and Tenant Act 1985, other than one excluded from that section by section 27 of that Act (rent of dwelling registered and not entered as variable).]
- (3) The premises in respect of which an order is made under this section may, if the court thinks fit, be either more or less extensive than the premises specified in the application on which the order is made.
 - (4) An order under this section may make provision with respect to—
 - (a) such matters relating to the exercise by the manager of his functions under the order, and
 - (b) such incidental or ancillary matters,
 as the court thinks fit; and, on any subsequent application made for the purpose by the manager, the court may give him directions with respect to any such matters.
 - (5) Without prejudice to the generality of subsection (4), an order under this section may provide—
 - (a) for rights and liabilities arising under contracts to which the manager is not a party to become rights and liabilities of the manager;
 - (b) for the manager to be entitled to prosecute claims in respect of causes of action (whether contractual or tortious) accruing before or after the date of his appointment;
 - (c) for remuneration to be paid to the manager by the landlord, or by the tenants of the premises in respect of which the order is made or by all or any of those persons;
 - (d) for the manager’s functions to be exercisable by him (subject to subsection (9)) either during a specified period or without limit of time.
 - (6) Any such order may be granted subject to such conditions as the court thinks fit, and in particular its operation may be suspended on terms fixed by the court.
 - (7) In a case where an application for an order under this section was preceded by the service of a notice under section 22, the court may, if it thinks fit, make such an order notwithstanding—

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- (a) that any period specified in the notice in pursuance of subsection (2)(d) of that section was not a reasonable period, or
 - (b) that the notice failed in any other respect to comply with any requirement contained in subsection (2) of that section or in any regulations applying to the notice under section 54(3).
- (8) The ^{M3}Land Charges Act 1972 and the ^{M4}Land Registration Act 1925 shall apply in relation to an order made under this section as they apply in relation to an order appointing a receiver or sequestrator of land.
- (9) The court may, on the application of any person interested, vary or discharge (whether conditionally or unconditionally) an order made under this section; and if the order has been protected by an entry registered under the ^{M5}Land Charges Act 1972 or the ^{M6}Land Registration Act 1925, the court may by order direct that the entry shall be cancelled.
- [^{F4}(9A) The court shall not vary or discharge an order under subsection (9) on a landlord's application unless it is satisfied—
- (a) that the variation or discharge of the order will not result in a recurrence of the circumstances which led to the order being made, and
 - (b) that it is just and convenient in all the circumstances of the case to vary or discharge the order.]
- (10) An order made under this section shall not be discharged by the court by reason only that, by virtue of section 21(3), the premises in respect of which the order was made have ceased to be premises to which this Part applies.
- (11) References in this section to the management of any premises include references to the repair, maintenance or insurance of those premises.

Textual Amendments

- F1** S. 24(2)(a)(ii) omitted (24.9.1996) by virtue of 1996 c. 52, ss. 85(2)(5), 232(2) and expressed to be repealed (1.10.1996) by 1996 c. 52, s. 227, Sch. 19 Pt. III; S.I. 1996/2212, art. 2(2) (with Sch.)
- F2** S. 24(2)(ab)(ac) inserted (24.9.1996) by 1996 c. 52, ss. 85(3)(5), 232(2)
- F3** S. 24(2A) inserted (24.9.1996) by 1996 c. 52, ss. 85(4)(5), 232(2)
- F4** S. 24(9A) inserted (24.9.1996) by 1996 c. 52, ss. 85(6), 232(2)

Marginal Citations

- M1** 1993 c. 28.
- M2** 1985 c. 70.
- M3** 1972 c. 61.
- M4** 1925 c. 21.
- M5** 1972 c. 61.
- M6** 1925 c. 21.

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