



# Leasehold Reform, Housing and Urban Development Act 1993

## 1993 CHAPTER 28

### PART I

#### LANDLORD AND TENANT

#### CHAPTER I

#### COLLECTIVE ENFRANCHISEMENT IN CASE OF TENANTS OF FLATS

##### *The initial notice*

#### **13 Notice by qualifying tenants of claim to exercise right.**

- (1) A claim to exercise the right to collective enfranchisement with respect to any premises is made by the giving of notice of the claim under this section.
- (2) A notice given under this section (“the initial notice”)—
  - (a) must
    - [<sup>F1</sup>(i) in a case to which section 9(2) applies,] be given to the reversioner in respect of those premises; [<sup>F2</sup>and
    - (ii) in a case to which section 9(2A) applies, be given to the person specified in the notice as the recipient;] and
  - (b) must be given by a number of qualifying tenants of flats contained in the premises as at the relevant date which—
    - (i) <sup>F3</sup> .....
    - (ii) is not less than one-half of the total number of flats so contained;

<sup>F4</sup> .....

[<sup>F5</sup>(2A) In a case to which section 9(2A) applies, the initial notice must specify—

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- (a) a person who owns a freehold interest in the premises, or
  - (b) if every person falling within paragraph (a) is a person who cannot be found or whose identity cannot be ascertained, a relevant landlord,
- as the recipient of the notice.]

(3) The initial notice must—

- (a) specify and be accompanied by a plan showing—
  - (i) the premises of which the freehold is proposed to be acquired by virtue of section 1(1),
  - (ii) any property of which the freehold is proposed to be acquired by virtue of section 1(2)(a), and
  - (iii) any property <sup>F6</sup> . . . over which it is proposed that rights (specified in the notice) should be granted <sup>F6</sup> . . . in connection with the acquisition of the freehold of the specified premises or of any such property so far as falling within section 1(3)(a);
- (b) contain a statement of the grounds on which it is claimed that the specified premises are, on the relevant date, premises to which this Chapter applies;
- (c) specify—
  - (i) any leasehold interest proposed to be acquired under or by virtue of section 2(1)(a) or (b), and
  - (ii) any flats or other units contained in the specified premises in relation to which it is considered that any of the requirements in Part II of Schedule 9 to this Act are applicable;
- (d) specify the proposed purchase price for each of the following, namely—
  - (i) the freehold interest in the specified premises, [<sup>F7</sup>or, if the freehold of the whole of the specified premises is not owned by the same person, each of the freehold interests in those premises]
  - (ii) the freehold interest in any property specified under paragraph (a)(ii), and
  - (iii) any leasehold interest specified under paragraph (c)(i);
- (e) state the full names of all the qualifying tenants of flats contained in the specified premises and the addresses of their flats, and contain <sup>F8</sup> . . . in relation to each of those tenants, <sup>F9</sup> . . . —
  - (i) such particulars of his lease as are sufficient to identify it, including the date on which the lease was entered into, the term for which it was granted and the date of the commencement of the term,
  - (ii) <sup>F10</sup> . . . . .
  - (iii) <sup>F11</sup> . . . . .
- (f) state the full name or names of the person or persons appointed as the nominee purchaser for the purposes of section 15, and an address in England and Wales at which notices may be given to that person or those persons under this Chapter; and
- (g) specify the date by which the reversioner must respond to the notice by giving a counter-notice under section 21.

<sup>F12</sup>(4) . . . . .

(5) The date specified in the initial notice in pursuance of subsection (3)(g) must be a date falling not less than two months after the relevant date.

<sup>F12</sup>(6) . . . . .

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<sup>F12</sup>(7) .....

(8) Where any premises have been specified in a notice under this section, no subsequent notice which specifies the whole or part of those premises may be given under this section so long as the earlier notice continues in force.

(9) Where any premises have been specified in a notice under this section and—

- (a) that notice has been withdrawn, or is deemed to have been withdrawn, under or by virtue of any provision of this Chapter or under section 74(3), or
- (b) in response to that notice, an order has been applied for and obtained under section 23(1),

no subsequent notice which specifies the whole or part of those premises may be given under this section within the period of twelve months beginning with the date of the withdrawal or deemed withdrawal of the earlier notice or with the time when the order under section 23(1) becomes final (as the case may be).

(10) In subsections (8) and (9) any reference to a notice which specifies the whole or part of any premises includes a reference to a notice which specifies any premises which contain the whole or part of those premises; and in those subsections and this “specifies” means specifies under subsection (3)(a)(i).

(11) Where a notice is given in accordance with this section, then for the purposes of this Chapter the notice continues in force as from the relevant date—

- (a) until a binding contract is entered into in pursuance of the notice, or an order is made under section 24(4)(a) or (b) or 25(6)(a) or (b) providing for the vesting of interests in the nominee purchaser;
- (b) if the notice is withdrawn or deemed to have been withdrawn under or by virtue of any provision of this Chapter or under section 74(3), until the date of the withdrawal or deemed withdrawal, or
- (c) until such other time as the notice ceases to have effect by virtue of any provision of this Chapter.

(12) In this Chapter “the specified premises”, in relation to a claim made under this Chapter, means—

- (a) the premises specified in the initial notice under subsection (3)(a)(i), or
- (b) if it is subsequently agreed or determined under this Chapter that any less extensive premises should be acquired in pursuance of the notice in satisfaction of the claim, those premises;

and similarly references to any property or interest specified in the initial notice under subsection (3)(a)(ii) or (c)(i) shall, if it is subsequently agreed or determined under this Chapter that any less extensive property or interest should be acquired in pursuance of the notice, be read as references to that property or interest.

(13) Schedule 3 to this Act (which contains restrictions on participating in the exercise of the right to collective enfranchisement, and makes further provision in connection with the giving of notices under this section) shall have effect.

#### Textual Amendments

- F1** Words in s. 13(2)(a) inserted (1.10.1996) by 1996 c. 52, s. 107, **Sch. 10 para. 6(2)(a)**; S.I. 1996/2212, **art. 2(2)** (with savings in **Sch.**)

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- F2** S. 13(2)(a)(ii) and preceding word inserted (1.10.1996) by 1996 c. 52, s. 107, **Sch. 10 para. 6(2)(b)**; S.I. 1996/2212, **art. 2(2)** (with saving in Sch.)
- F3** S. 13(2)(b)(i) repealed (26.7.2002 for E. and 1.1.2003 for W.) by **Commonhold and Leasehold Reform Act 2002 (c. 15), ss. 119, 180, Sch. 14**; S.I. 2002/1912, **art. 2(b)**, Sch. 1 Pt. 1 (subject to Sch. 2); S. I. 2002/3012, **art. 2(b)**, Sch. 1 Pt. 1 (subject to Sch. 2)
- F4** Words in s. 13(2) repealed (26.7.2002 for E. and 1.1.2003 for W.) by **Commonhold and Leasehold Reform Act 2002 (c. 15), ss. 120, 180, Sch. 14**; S.I. 2002/1912, **art. 2(b)**, Sch. 1 Pt. 1 (subject to Sch. 2); S. I. 2002/3012, **art. 2(b)**, Sch. 1 Pt. 1 (subject to Sch. 2)
- F5** S. 13(2A) inserted (1.10.1996) by 1996 c. 52, s. 107, **Sch. 10 para. 6(3)**; S.I. 1996/2212, **art. 2(2)** (with saving in Sch.)
- F6** Words in s. 13(3)(a)(iii) repealed (1.10.1996) by 1996 c. 52, s. 227, **Sch. 19 Pt V**; S.I. 1996/2212, **art. 2(2)** (with savings in Sch.)
- F7** Words in s. 13(3)(d)(i) inserted (1.10.1996) by 1996 c. 52, s. 107, **Sch. 10 para. 6(4)**; S.I. 1996/2212, **art. 2(2)** (with savings in Sch.)
- F8** Words in s. 13(3)(e) repealed (26.7.2002 for E. and 1.1.2003 for W.) by **Commonhold and Leasehold Reform Act 2002 (c. 15), s. 180, Sch. 14**; S.I. 2002/1912, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2); S. I. 2002/3012, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2)
- F9** Word in s. 13(3)(e) repealed (26.7.2002 for E. and 1.1.2003 for W.) by **Commonhold and Leasehold Reform Act 2002 (c. 15), s. 180, Sch. 14**; S.I. 2002/1912, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2); S. I. 2002/3012, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2)
- F10** S. 13(3)(e)(ii) repealed (26.7.2002 for E. and 1.1.2003 for W.) by **Commonhold and Leasehold Reform Act 2002 (c. 15), s. 180, Sch. 14**; S.I. 2002/1912, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2); S. I. 2002/3012, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2)
- F11** S. 13(3)(e)(iii) repealed (26.7.2002 for E. and 1.1.2003 for W.) by **Commonhold and Leasehold Reform Act 2002 (c. 15), s. 180, Sch. 14**; S.I. 2002/1912, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2); S. I. 2002/3012, **art. 2(b)(ii)**, Sch. 1 Pt. 1 (subject to Sch. 2)
- F12** S. 13(4)(6)(7) repealed (1.10.1996) by 1996 c. 52, s. 227, **Sch. 19 Pt. V**; S.I. 1996/2212, **art. 2(2)** (with savings in Sch.)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 13(2)(b) words inserted by [2002 c. 15 s. 121\(2\)](#)
- s. 13(3)(e) words inserted by [2002 c. 15 Sch. 8 para. 6\(2\)\(a\)](#)
- s. 13(3)(f) substituted by [2002 c. 15 Sch. 8 para. 6\(2\)\(b\)](#)
- s. 13(11) words substituted by [2002 c. 15 Sch. 8 para. 6\(4\)](#)
- s. 13(13) words substituted by [2002 c. 15 Sch. 8 para. 6\(5\)](#)

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

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

- s. 12A and cross-heading inserted by [2002 c. 15 s. 123\(1\)](#)
- s. 12A(3)(a)(b) words substituted by [S.I. 2009/1941 Sch. 1 para. 140\(5\)](#)
- s. 12A(4)(a) words substituted by [S.I. 2009/1941 Sch. 1 para. 140\(5\)](#)
- s. 12A(4)(c) words substituted by [S.I. 2009/1941 Sch. 1 para. 140\(5\)](#)
- s. 13(2ZA) inserted by [2002 c. 15 s. 121\(3\)](#)
- s. 13(2ZB) inserted by [2002 c. 15 s. 123\(2\)](#)
- s. 13(5A) inserted by [2002 c. 15 Sch. 8 para. 6\(3\)](#)
- s. 29(4A) inserted by [2002 c. 15 Sch. 8 para. 18\(2\)](#)
- s. 29(4A) words added by [S.I. 2003/2096 Sch. para. 20\(b\)](#)
- s. 29(4A)(a) words omitted by [S.I. 2003/2096 Sch. para. 20\(a\)](#)
- s. 29(4A)(d) words substituted by [S.I. 2009/1941 Sch. 1 para. 140\(6\)](#)
- s. 70(15) inserted by [2023 asc 3 Sch. 13 para. 166\(b\)](#)
- s. 78(5A)-(5C) inserted by [2008 c. 17 Sch. 12 para. 15\(3\)](#)
- s. 78(7) inserted by [2008 c. 17 Sch. 12 para. 15\(4\)](#)
- s. 79(2)(2A) substituted for s. 79(2) by [2002 c. 15 Sch. 10 para. 16\(3\)](#)
- s. 156(4) repealed by [2014 asp 14 sch. 2 para. 7](#)
- Sch. 20 para. 5(1A) inserted by [2008 c. 29 Sch. 9 para. 5\(2\)](#)