



# Landlord and Tenant (Covenants) Act 1995

## 1995 CHAPTER 30

### *Apportionment of liability between assignor and assignee*

#### **10 Procedure for making apportionment bind other party to lease.**

- (1) For the purposes of section 9 the parties to an agreement falling within subsection (1) or (2) of that section apply for an apportionment to become binding on the appropriate person if, either before or within the period of four weeks beginning with the date of the assignment in question, they serve on that person a notice informing him of—
  - (a) the proposed assignment or (as the case may be) the fact that the assignment has taken place;
  - (b) the prescribed particulars of the agreement; and
  - (c) their request that the apportionment should become binding on him.
- (2) Where an application for an apportionment to become binding has been made in accordance with subsection (1), the apportionment becomes binding on the appropriate person if—
  - (a) he does not, within the period of four weeks beginning with the day on which the notice is served under subsection (1), serve on the parties to the agreement a notice in writing objecting to the apportionment becoming binding on him, or
  - (b) he does so serve such a notice but the court, on the application of the parties to the agreement, makes a declaration that it is reasonable for the apportionment to become binding on him, or
  - (c) he serves on the parties to the agreement a notice in writing consenting to the apportionment becoming binding on him and, if he has previously served a notice objecting thereto, stating that that notice is withdrawn.
- (3) Where any apportionment becomes binding in accordance with this section, this shall be regarded as occurring at the time when the assignment in question takes place.
- (4) In this section—

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**Changes to legislation:** There are currently no known outstanding effects for the  
Landlord and Tenant (Covenants) Act 1995, Section 10. (See end of Document for details)

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“the appropriate person” has the same meaning as in section 9;

“the court” means <sup>F1</sup> the county court ];

“prescribed” means prescribed by virtue of section 27.

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**Textual Amendments**

**F1** Words in s. 10(4) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

**Changes to legislation:**

There are currently no known outstanding effects for the Landlord and Tenant (Covenants) Act 1995, Section 10.