

## SCHEDULES

### SCHEDULE 10

#### SERVICE CHARGES: MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Trust of service charges paid by only one tenant*

- 15 (1) Section 42 of the 1987 Act (service charge contributions of tenants to be held in trust) is amended as follows.
- (2) In subsection (1)—
- (a) after “costs” insert “, or the tenant of a dwelling may be required under the terms of his lease to contribute to costs to which no other tenant of a dwelling may be required to contribute,”
  - (b) at the end of the definition of “the contributing tenants” insert “and “the sole contributing tenant” means that tenant;”, and
  - (c) in the definition of “the payee”, for “under the terms of their leases” substitute “, or that tenant, under the terms of their leases, or his lease”.
- (3) In subsection (2), after “tenants” insert “, or the sole contributing tenant,”.
- (4) In subsection (3), insert at the end “, or the person who is the sole contributing tenant for the time being.”
- (5) In subsection (4), insert at the end “or the sole contributing tenant shall be treated as so entitled to the residue of any such fund.”
- (6) In subsection (6), for “a contributing tenant” substitute “any of the contributing tenants”.
- (7) In subsection (7), for “If after the termination of any such lease there are no longer any contributing tenants,” substitute “On the termination of the lease of the last of the contributing tenants, or of the lease of the sole contributing tenant,”.
- (8) In subsection (8)—
- (a) for “a contributing tenant” substitute “any of the contributing tenants, or the sole contributing tenant,” and
  - (b) after “his lease” insert “(whenever it was granted)”.
- (9) In subsection (9)—
- (a) after “so created” insert “, in the case of a lease of any of the contributing tenants,” and
  - (b) insert at the end “or, in the case of the lease of the sole contributing tenant, before the commencement of paragraph 15 of Schedule 10 to the Commonhold and Leasehold Reform Act 2002.”