

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Paragraph 16. (See end of Document for details)

SCHEDULES

SCHEDULE 10

SERVICE CHARGES: MINOR AND CONSEQUENTIAL AMENDMENTS

PROSPECTIVE

Management audit

- 16 (1) Section 79 of the 1993 Act (rights exercisable in connection with management audit) is amended as follows.
- (2) In subsection (1), for “subsection (2)” substitute “ subsections (2) and (2A) ”.
- (3) For subsection (2) substitute—
- “(2) The right conferred on the auditor by this subsection is a right to require the landlord—
- (a) to afford him reasonable facilities for inspecting accounts, receipts or other documents relevant to the matters which must be shown in any statement of account required to be supplied to the qualifying tenants of the constituent dwellings under section 21 of the 1985 Act and for taking copies of or extracts from them, or
- (b) to take copies of or extracts from any such accounts, receipts or other documents and either send them to him or afford him reasonable facilities for collecting them (as he specifies).
- (2A) The right conferred on the auditor by this subsection is a right to require the landlord or any relevant person—
- (a) to afford him reasonable facilities for inspecting any other documents sight of which is reasonably required by him for the purpose of carrying out the audit and for taking copies of or extracts from them, or
- (b) to take copies of or extracts from any such documents and either send them to him or afford him reasonable facilities for collecting them (as the auditor specifies).”
- (4) In subsection (3), for “subsection (2)” substitute “ subsections (2) and (2A) ”.
- (5) For subsections (5) and (6) substitute—
- “(5) To the extent that a requirement imposed under this section on the landlord or any relevant person requires him to afford facilities for inspecting documents, he shall do so free of charge; but the landlord may treat as part of his costs of management any costs incurred by him in doing so.
- (6) The landlord or a relevant person may make a reasonable charge for doing anything else in compliance with such a requirement.”

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(6) In subsection (8)(a), for “being afforded any such facilities as are mentioned in subsection (2)” substitute “ a requirement imposed under subsection (2) or (2A) ”.

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