

*Changes to legislation:* There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Paragraph 8. (See end of Document for details)

## SCHEDULES

### SCHEDULE 7

#### RIGHT TO MANAGE: STATUTORY PROVISIONS

##### *Appointment of manager*

- 8 (1) Part 2 of the 1987 Act (appointment of manager by <sup>F1</sup>... tribunal) has effect with the modifications provided by this paragraph.
- (2) References to the landlord are to the RTM company.
- (3) References to a tenant of a flat contained in the premises include a person who is landlord under a lease of the whole or any part of the premises.
- (4) Section 21(3) (exception for premises where landlord is exempt or resident or where premises are functional land of a charity) does not apply.
- (5) The references in paragraph (a)(i) of subsection (2) of section 24 to any obligation owed by the RTM company to the tenant under his tenancy include any obligations of the RTM company under this Act.
- (6) And the circumstances in which [<sup>F2</sup>the appropriate tribunal] may make an order under paragraph (b) of that subsection include any in which the RTM company no longer wishes the right to manage the premises to be exercisable by it.
- (7) The power in section 24 to make an order appointing a manager to carry out functions includes a power (in the circumstances specified in subsection (2) of that section) to make an order that the right to manage the premises is to cease to be exercisable by the RTM company.
- (8) And such an order may include provision with respect to incidental and ancillary matters (including, in particular, provision about contracts to which the RTM company is a party and the prosecution of claims in respect of causes of action, whether tortious or contractual, accruing before or after the right to manage ceases to be exercisable).

##### **Textual Amendments**

- F1** Words in [Sch. 7 para. 8\(1\)](#) omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 146\(a\)](#) (with [Sch. 3](#))
- F2** Words in [Sch. 7 para. 8\(6\)](#) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 146\(b\)](#) (with [Sch. 3](#))

##### **Commencement Information**

- II** Sch. 7 wholly in force at 30.3.2004; Sch. 7 not in force at Royal Assent see s. 181(1); Sch. 7 in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(a\)](#); Sch. 7 in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(a\)](#)

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