



# Commonhold and Leasehold Reform Act 2002

## 2002 CHAPTER 15

### PART 2

#### LEASEHOLD REFORM

#### CHAPTER 1

#### RIGHT TO MANAGE

#### *Interpretation*

#### 112 Definitions

(1) In this Chapter—

“appurtenant property”, in relation to a building or part of a building or a flat, means any garage, outhouse, garden, yard or appurtenances belonging to, or usually enjoyed with, the building or part or flat,

[<sup>F1</sup>“appropriate tribunal” means—

- (a) in relation to premises in England, the First-tier Tribunal or, where determined by Tribunal Procedure Rules, the Upper Tribunal; and
- (b) in relation to premises in Wales, a leasehold valuation tribunal;]

“copy”, in relation to a document in which information is recorded, means anything onto which the information has been copied by whatever means and whether directly or indirectly,

“document” means anything in which information is recorded,

“dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling,

“flat” means a separate set of premises (whether or not on the same floor)—

- (a) which forms part of a building,

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*Changes to legislation:* There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 112. (See end of Document for details)

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- (b) which is constructed or adapted for use for the purposes of a dwelling, and
  - (c) either the whole or a material part of which lies above or below some other part of the building,
    - “relevant costs” has the meaning given by section 18 of the 1985 Act,
    - “service charge” has the meaning given by that section, and
    - “unit” means—
      - (a) a flat,
      - (b) any other separate set of premises which is constructed or adapted for use for the purposes of a dwelling, or
      - (c) a separate set of premises let, or intended for letting, on a tenancy to which Part 2 of the Landlord and Tenant Act 1954 (c. 56) (business tenancies) applies.
- (2) In this Chapter “lease” and “tenancy” have the same meaning and both expressions include (where the context permits)—
- (a) a sub-lease or sub-tenancy, and
  - (b) an agreement for a lease or tenancy (or for a sub-lease or sub-tenancy),
- but do not include a tenancy at will or at sufferance.
- (3) The expressions “landlord” and “tenant”, and references to letting, to the grant of a lease or to covenants or the terms of a lease, shall be construed accordingly.
- (4) In this Chapter any reference (however expressed) to the lease held by the qualifying tenant of a flat is a reference to a lease held by him under which the demised premises consist of or include the flat (whether with or without one or more other flats).
- (5) Where two or more persons jointly constitute either the landlord or the tenant or qualifying tenant in relation to a lease of a flat, any reference in this Chapter to the landlord or to the tenant or qualifying tenant is (unless the context otherwise requires) a reference to both or all of the persons who jointly constitute the landlord or the tenant or qualifying tenant, as the case may require.
- (6) In the case of a lease which derives (in accordance with section 77(5)) from two or more separate leases, any reference in this Chapter to the date of the commencement of the term for which the lease was granted shall, if the terms of the separate leases commenced at different dates, have effect as references to the date of the commencement of the term of the lease with the earliest date of commencement.

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#### Textual Amendments

- F1** Words in s. 112(1) inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), [art. 1](#), [Sch. 1 para. 138](#) (with [Sch. 3](#))
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#### Commencement Information

- II** S. 112 wholly in force at 30.3.2004; s. 112 not in force at Royal Assent see s. 181(1); s. 112 wholly in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(a\)](#); s. 112 wholly in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 112.