



Tribunals, Courts and Enforcement Act 2007

2007 CHAPTER 15

PART 3

ENFORCEMENT BY TAKING CONTROL OF GOODS

CHAPTER 2

RENT ARREARS RECOVERY

Supplementary

85 Contracts for similar rights to be void

- (1) A provision of a contract is void to the extent that it would do any of these—
- (a) confer a right to seize or otherwise take control of goods to recover amounts within subsection (2);
 - (b) confer a right to sell goods to recover amounts within subsection (2);
 - (c) modify the effect of section 72(1), except in accordance with subsection (3).
- (2) The amounts are any amounts payable—
- (a) as rent;
 - (b) under a lease (other than as rent);
 - (c) under an agreement collateral to a lease;
 - (d) under an instrument creating a rentcharge;
 - (e) in respect of breach of a covenant or condition in a lease, in an agreement collateral to a lease or in an instrument creating a rentcharge;
 - (f) under an indemnity in respect of a payment within paragraphs (a) to (e).

Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

(3) A provision of a contract is not void under subsection (1)(c) to the extent that it prevents or restricts the exercise of CRAR.

(4) In this section—

“lease” also includes a licence to occupy land;

“rent” and “rentcharge” have the meaning given by section 205(1) of the Law of Property Act 1925 (c. 20).

Commencement Information

II S. 85 in force at 6.4.2014 by S.I. 2014/768, **art. 2(1)(a)** (with **art. 2(2)-(6)**)

86 Amendments

Schedule 14 makes minor and consequential amendments (including repeals of powers to distrain for rentcharges and other amounts within section 85(2)).

Commencement Information

I2 S. 86 in force at 6.4.2014 by S.I. 2014/768, **art. 2(1)(a)**

87 Interpretation of Chapter

In this Chapter—

“landlord” has the meaning given by section 73;

“lease” has the meaning given by section 74 (subject to section 85(4));

“notice of enforcement” means notice under paragraph 7 of Schedule 12;

“rent” (except in sections 71 and 85) has the meaning given by section 76;

“tenant”, in relation to a lease, means the tenant for the time being under the lease.

Commencement Information

I3 S. 87 in force at 6.4.2014 by S.I. 2014/768, **art. 2(1)(a)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(8)(bza) inserted by [2022 c. 36 s. 23\(2\)](#)
- s. 13(8)(bzb) inserted by [2022 c. 36 s. 24\(9\)](#)
- s. 16(3)(a) word inserted by [2015 c. 2 s. 85\(3\)\(a\)](#)
- s. 16(3)(b) and word inserted by [2015 c. 2 s. 85\(3\)\(b\)](#)
- s. 16(3A)(3B) inserted by [2015 c. 2 s. 85\(4\)](#)
- s. 22(6) inserted by [2022 c. 35 Sch. 4 para. 4\(2\)](#)
- s. 23(8) inserted by [2022 c. 35 Sch. 4 para. 4\(3\)](#)
- s. 25A inserted by [2022 c. 36 s. 80\(1\)](#)
- s. 29(3A) inserted by [2022 c. 36 s. 81\(6\)](#)
- Sch. 5 para. 11A and cross-heading inserted by [2022 c. 36 s. 80\(2\)](#)
- Sch. 7 para. 6(1)(e) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)
- Sch. 7 para. 6(4)(b) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)