



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 5

#### HOUSING, ESTATE AGENTS AND RENTCHARGES: OTHER CHANGES

##### *Administration charges*

#### **131 Limitation of administration charges: costs of proceedings**

In Schedule 11 to the Commonhold and Leasehold Reform Act 2002 (administration charges), after paragraph 5 insert—

- 5A (1) A tenant of a dwelling in England may apply to the relevant court or tribunal for an order reducing or extinguishing the tenant's liability to pay a particular administration charge in respect of litigation costs.
- (2) The relevant court or tribunal may make whatever order on the application it considers to be just and equitable.
- (3) In this paragraph—
- (a) “litigation costs” means costs incurred, or to be incurred, by the landlord in connection with proceedings of a kind mentioned in the table, and
  - (b) “the relevant court or tribunal” means the court or tribunal mentioned in the table in relation to those proceedings.

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***Proceedings to which costs “The relevant court or tribunal” relate***

Court proceedings	The court before which the proceedings are taking place or, if the application is made after the proceedings are concluded, the county court
First-tier Tribunal proceedings	The First-tier Tribunal

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**Changes to legislation:** *Housing and Planning Act 2016, Cross Heading: Administration charges is up to date with all changes known to be in force on or before 24 February 2018. 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)*

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Upper Tribunal proceedings

The Upper Tribunal

Arbitration proceedings

The arbitral tribunal or, if the application is made after the proceedings are concluded, the county court.”

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**Annotations:**

**Commencement Information**

**II** S. 131 in force at 6.4.2017 by S.I. 2017/281, reg. 4(h) (with reg. 6)

**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. 172(1)(a) words renumbered as s. 172(1)(a) by 2017 c. 20 s. 26(8)(a)(i)
- s. 172(1)(b) inserted by 2017 c. 20 s. 26(8)(a)(ii)
- s. 207(6A) inserted by 2017 c. 4 Sch. 6 para. 111(3)