



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.

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

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 17 October 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)*

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.”

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)