



Leasehold Reform (Ground Rent) Act 2022

2022 CHAPTER 1

Enforcement

10 Recovery of prohibited rent by enforcement authority

- (1) **Subsection (2)** applies where an enforcement authority is satisfied on the balance of probabilities that—
 - (a) a tenant has made a payment of a prohibited rent under a regulated lease, and
 - (b) in breach of section 3(1) all or part of the payment has not been refunded.
- (2) The enforcement authority may order any one of the following persons to pay to the tenant the amount that has not been refunded—
 - (a) the landlord under the lease at the time the payment was made;
 - (b) the landlord under the lease at the time the enforcement authority makes the order;
 - (c) where the payment was made to a person acting on behalf of the landlord under the lease, that person.
- (3) **Subsection (2)** does not apply if—
 - (a) the tenant has made an application under section 13 for the recovery of the rent;
 - (b) an enforcement authority has previously made an order under this section in relation to the payment.
- (4) Where part or all of two or more payments of a prohibited rent made by a tenant under the same lease have not been refunded, the enforcement authority may make a single order under subsection (2) in respect of all the prohibited rent that has not been refunded.

Commencement Information

- II** S. 10 not in force at Royal Assent, see [s. 25\(2\)](#)

Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform (Ground Rent) Act 2022, Section 10. (See end of Document for details)

- I2** S. 10 in force at 30.6.2022 for specified purposes by [S.I. 2022/694, reg. 3](#)
- I3** S. 10 in force at 1.4.2023 in so far as not already in force by [S.I. 2022/694, reg. 4](#)

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