



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 5

OTHER PROVISIONS ABOUT LEASES

Ground rent

166 Requirement to notify long leaseholders that rent is due

- (1) A tenant under a long lease of a dwelling is not liable to make a payment of rent under the lease unless the landlord has given him a notice relating to the payment; and the date on which he is liable to make the payment is that specified in the notice.
- (2) The notice must specify—
 - (a) the amount of the payment,
 - (b) the date on which the tenant is liable to make it, and
 - (c) if different from that date, the date on which he would have been liable to make it in accordance with the lease,and shall contain any such further information as may be prescribed.
- (3) The date on which the tenant is liable to make the payment must not be—
 - (a) either less than 30 days or more than 60 days after the day on which the notice is given, or
 - (b) before that on which he would have been liable to make it in accordance with the lease.

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 166. (See end of Document for details)

- (4) If the date on which the tenant is liable to make the payment is after that on which he would have been liable to make it in accordance with the lease, any provisions of the lease relating to non-payment or late payment of rent have effect accordingly.
- (5) The notice—
- (a) must be in the prescribed form, and
 - (b) may be sent by post.
- (6) If the notice is sent by post, it must be addressed to a tenant at the dwelling unless he has notified the landlord in writing of a different address in England and Wales at which he wishes to be given notices under this section (in which case it must be addressed to him there).
- (7) In this section “rent” does not include—
- (a) a service charge (within the meaning of section 18(1) of the 1985 Act), or
 - (b) an administration charge (within the meaning of Part 1 of Schedule 11 to this Act).
- (8) In this section “long lease of a dwelling” does not include—
- (a) a tenancy to which Part 2 of the Landlord and Tenant Act 1954 (c. 56) (business tenancies) applies,
 - (b) a tenancy of an agricultural holding within the meaning of the Agricultural Holdings Act 1986 (c. 5) in relation to which that Act applies, or
 - (c) a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995 (c. 8).
- (9) In this section—
- “dwelling” has the same meaning as in the 1985 Act,
- “landlord” and “tenant” have the same meanings as in Chapter 1 of this Part,
- “long lease” has the meaning given by sections 76 and 77 of this Act, and
- “prescribed” means prescribed by regulations made by the appropriate national authority.

Commencement Information

- II** S. 166 wholly in force at 31.5.2005; s. 166 not in force at Royal Assent see s. 181(1); s. 166 in force for specified purposes at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(c\)](#); s. 166 in force for specified purposes at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(c\)](#); s. 166 in force so far as not already in force at 28.2.2005 for E. by [S.I. 2004/3056](#), [art. 3\(e\)](#); s. 166 in force so far as not already in force at 31.5.2005 for W. by [S.I. 2005/1353](#), [art. 2\(e\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 166.