



Leasehold Reform Act 1967

1967 CHAPTER 88

PART I

ENFRANCHISEMENT AND EXTENSION OF LONG LEASEHOLDS

Determination of questions, procedure, etc.

22 Validity of tenants' notices, effect on Landlord and Tenant Act 1954 and on notices to quit etc., and procedure generally.

- (1) The provisions of Schedule 3 to this Act shall have effect—
- (a) to exclude a tenant's right to acquire the freehold or an extended lease under this Part of this Act if a notice of his desire to have it is given too late; and
 - (b) to make a notice of a person's desire to have the freehold or an extended lease under this Part of this Act effectual where apart from the notice the tenancy would or might terminate by forfeiture or otherwise; and
 - (c) for adapting the procedure under Parts I and II of the ^{M1}Landlord and Tenant Act 1954, and for relating to one another proceedings under that Act and proceedings under this Part of this Act; and
 - [^{F1}(cc) for adapting the procedure under Schedule 10 to the Local Government and Housing Act 1989, and for relating to one another proceedings under that Schedule and proceedings under this Part of this Act; and]
 - (d) generally for regulating the procedure under this Part of this Act.
- (2) Where a tenant having a right under this Part of this Act to acquire the freehold or an extended lease gives the landlord notice in accordance with this Part of this Act of his desire to have it, then except as otherwise provided by this Act the procedure for giving effect to the notice, and the rights and obligations of all parties in relation to the investigation of title and other matters arising in giving effect to the notice, shall be such as may be prescribed by regulations made by the Lord Chancellor by statutory instrument (which shall be subject to annulment in pursuance of a resolution of either House of Parliament), and subject to or in the absence of provision made by any such

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regulations as regards any matter shall be as nearly as may be the same as in the case of a contract of sale or leasing freely negotiated between the parties.

- (3) In relation to a claim to acquire the freehold, regulations under subsection (2) above may include provision—
- (a) for a sum on account of the price payable for the house and premises and landlord's costs to be deposited with the landlord or with some person as his agent or as stakeholder, and for the return or forfeiture in any prescribed circumstances of the whole or part of the sum deposited;
 - (b) for enabling or requiring the tenant in any prescribed circumstances, instead of continuing to pay rent under the tenancy, to pay sums representing interest on the price payable or, at his option, either to pay such sums as aforesaid or to pay or deposit the price payable or the balance of it;
 - (c) for any matters incidental to or arising out of the matters mentioned above;
- and in relation to any claim the regulations may provide for discharging the landlord or the tenant by reason of the other's default or delay from the obligations arising out of the claim.
- (4) In the case of a claim to acquire the freehold, subsection (2) above shall not be taken in any case as applying forms prescribed under section 46 of the ^{M2}Law of Property Act 1925 for contracts entered into by correspondence; but, without prejudice to the generality of that subsection section 49 (which provides for the determination of questions arising between vendor and purchaser) shall apply.
- (5) Section 66 of the ^{M3}Landlord and Tenant Act 1954 (which requires the prescribed form for a notice to be prescribed by regulations of the Lord Chancellor, and makes provisions as to the contents of prescribed forms and as to the service of notices) shall have effect as if any reference therein to that Act were a reference also to this Part of this Act.

Textual Amendments

F1 S. 22(1)(cc) inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 75:1\)](#), s. 194(1), **Sch. 11 para. 11**

Marginal Citations

M1 1954 c. 56.

M2 1925 c. 20.

M3 1954 c. 56.

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