Landlord and Tenant Act 1985

1985 CHAPTER 70

An Act to consolidate certain provisions of the law of landlord and tenant formerly found in the Housing Acts, together with the Landlord and Tenant Act 1962, with amendments to give effect to recommendations of the Law Commission. [30th October 1985]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows;—

Modifications etc. (not altering text)

C1 A Table showing the derivation of the provisions of this consolidation Act will be found at the end of the Act. The Table has no official status.

C2 Act: certain functions transferred (1.7.1999) by S.I. 1999/672, art. 2, **Sch. 1**

C3 Act amended by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), **s. 2(3)**

C4 Act modified by S.I. 1988/1283, art. 2, **Sch. para. 7**

C5 Act: definition applied (1.12.1991) by Water Industry Act 1991 (c. 56, SIF 130), ss. 167, 223(2), **Sch. 11 para. 10** (with ss. 82(3), 186(1), 222(1), Sch. 13 paras. 1, 2 , Sch. 14 para. 6)
Act :definition applied (1.12.1991) by Water Resources Act 1991 (c. 57, SIF 130), ss. 168(3), 225(2), **Sch. 19 para. 10** (with ss. 16(6), 179, 222(3), Sch. 22 para. 1, Sch. 23 para. 6)

Commencement Information

I1 Act not in force at Royal Assent: Act wholly in force at 1. 4. 1986

Information to be given to tenant

1 Disclosure of landlord's identity.

(1) If the tenant of premises occupied as a dwelling makes a written request for the landlord's name and address to—

(a) any person who demands, or the last person who received, rent payable under the tenancy, or

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(b) any other person for the time being acting as agent for the landlord, in relation to the tenancy,

that person shall supply the tenant with a written statement of the landlord's name and address within the period of 21 days beginning with the day on which he receives the request.

(2) A person who, without reasonable excuse, fails to comply with subsection (1) commits a summary offence and is liable on conviction to a fine not exceeding level 4 on the standard scale.

(3) In this section and section 2—

(a) "tenant" includes a statutory tenant; and

(b) "landlord" means the immediate landlord.

2 Disclosure of directors, &c. of corporate landlord.

(1) Where a tenant is supplied under section 1 with the name and address of his landlord and the landlord is a body corporate, he may make a further written request to the landlord for the name and address of every director and of the secretary of the landlord.

(2) The landlord shall supply the tenant with a written statement of the information requested within the period of 21 days beginning with the day on which he receives the request.

(3) A request under this section is duly made to the landlord if it is made to—

(a) an agent of the landlord, or

(b) a person who demands the rent of the premises concerned:

and any such agent or person to whom such a request is made shall forward it to the landlord as soon as may be.

(4) A landlord who, without reasonable excuse, fails to comply with a request under this section, and a person who, without reasonable excuse, fails to comply with a requirement imposed on him by subsection (3), commits a summary offence and is liable on conviction to a fine not exceeding level 4 on the standard scale.

3 Duty to inform tenant of assignment of landlord's interest.

(1) If the interest of the landlord under a tenancy of premises which consist of or include a dwelling is assigned, the new landlord shall give notice in writing of the assignment, and of his name and address, to the tenant not later than the next day on which rent is payable under the tenancy or, if that is within two months of the assignment, the end of that period of two months.

(2) If trustees consititute the new landlord, a collective description of the trustes as the trustees of the trust in question may be given as the name of the landlord, and where such a collective description is given—

(a) the address of the new landlord may be given as the address from which the affairs of the trust are conducted, and

(b) a change in the persons who are for the time being the trustees of the trust shall not be treated as an assignment of the interest of the landlord.

(3) A person who is the new landlord under a tenancy falling within subsection (1) and who fails, without reasonable excuse to give the notice required by that subsection,

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

commits a summary offence and is liable on conviction to a fine not exceeding level 4 on the standard scale.

[[F1](3A) The person who was the landlord under the tenancy immediately before the assignment ("the old landlord") shall be liable to the tenant in respect of any breach of any covenant, condition or agreement under the tenancy occurring before the end of the relevant period in like manner as if the interest assigned were still vested in him; and where the new landlord is also liable to the tenant in respect of any such breach occurring within that period, he and the old landlord shall be jointly and severally liable in respect of it.

(3B) In subsection (3A) "the relevant period" means the period beginning with the date of the assignment and ending with the date when—

(a) notice in writing of the assignment, and of the new landlord's name and address, is given to the tenant by the new landlord (whether in accordance with subsection (1) or not), or

(b) notice in writing of the assignment, and of the new landlord's name and last-known address, is given to the tenant by the old landlord,

whichever happens first.**]**

(4) In this section—

(a) "tenancy" includes a statutory tenancy, and

(b) references to the assignment of the landlord's interest include any conveyance other than a mortgage or charge.

Textual Amendments

F1 S. 3(3A)(3B) inserted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), **s. 50**

[[F2]**3A Duty to inform tenant of possible right to acquire landlord's interest.**

(1) Where a new landlord is required by section 3(1) to give notice to a tenant of an assignment to him, then if—

(a) the tenant is a qualifying tenant within the meaning of Part I of the Landlord and Tenant Act 1987 (tenants' rights of first refusal), and

(b) the assignment was a relevant disposal within the meaning of that Part affecting premises to which at the time of the disposal that Part applied,

the landlord shall give also notice in writing to the tenant to the following effect.

(2) The notice shall state—

(a) that the disposal to the landlord was one to which Part I of the Landlord and Tenant Act 1987 applied;

(b) that the tenant (together with other qualifying tenants) may have the right under that Part—

(i) to obtain information about the disposal, and

(ii) to acquire the landlord's interest in the whole or part of the premises in which the tenant's flat is situated; and

(c) the time within which any such right must be exercised, and the fact that the time would run from the date of receipt of notice under this section by the requisite majority of qualifying tenants (within the meaning of that Part).

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(3) A person who is required to give notice under this section and who fails, without reasonable excuse, to do so within the time allowed for giving notice under section 3(1) commits a summary offence and is liable on conviction to a fine not exceeding level 4 on the standard scale.**]**

Textual Amendments

F2 S. 3A inserted (1.10.1996) by 1996 c. 52, **s. 93(1)**; S.I. 1996/2212, **art. 2(2)**(with Sch.)

Provision of rent books

4 Provision of rent books.

(1) Where a tenant has a right to occupy premises as a residence in consideration of a rent payable weekly, the landlord shall provide a rent book or other similar document for use in respect of the premises.

(2) Subsection (1) does not apply to premises if the rent includes a payment in respect of board and the value of that board to the tenant forms a substantial proportion of the whole rent.

(3) In this section and sections 5 to 7—
- (a) "tenant" includes a statutory tenant and a person having a contractual right to occupy the premises; and
- (b) "landlord", in relation to a person having such a contractual right, means the person who granted the right or any successor in title of his, as the case may require.

5 Information to be contained in rent books.

(1) A rent book or other similar document provided in pursuance of section 4 shall contain notice of the name and address of the landlord of the premises and—
- (a) if the premises are occupied by virtue of a restricted contract, particulars of the rent and of the other terms and conditions of the contract and notice of such other matters as may be prescribed;
- (b) if the premises are let on or subject to a protected or statutory tenancy **[**[F3]or let on an assured tenancy within the meaning of Part I of the Housing Act 1988**]**, notice of such matters as may be prescribed.

(2) If the premises are occupied by virtue of a restricted contract or let on or subject to a protected or statutory tenancy **[**[F4]or let on an assured tenancy within the meaning of Part I of the Housing Act 1988**]**, the notice and particulars required by this section shall be in the prescribed form.

(3) In this section "prescribed" means prescribed by regulations made by the Secretary of State, which—
- (a) may make different provision for different cases, and
- (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Textual Amendments

F3 Words inserted by Housing Act 1988 (c. 50, SIF 61, 75:1), s. 140(1), **Sch. 17 para. 67(1)**

F4 Words added by Housing Act 1988 (c. 50, SIF 61, 75:1), s. 140(1), **Sch. 17 para. 67(2)**

6 Information to be supplied by companies.

(1) Where the landlord of premises to which section 4(1) applies (premises occupied as a residence at a weekly rent) is a company, and the tenant serves on the landlord a request in writing to that effect, the landlord shall give the tenant in writing particulars of the name and address of every director and of the secretary of the company.

(2) A request under this section is duly served on the landlord if it is served—

(a) on an agent of the landlord named as such in the rent book or other similar document, or

(b) on the person who receives the rent of the premises;

and a person on whom a request is so served shall forward it to the landlord as soon as may be.

7 Offences.

(1) If the landlord of premises to which section 4(1) applies (premises occupied as a residence at a weekly rent) fails to comply with any relevant requirement of—

section 4 (provision of rent book),

section 5 (information to be contained in rent book), or

section 6 (information to be supplied by companies),

he commits a summary offence and is liable on conviction to a fine not exceeding level 4 on the standard scale.

(2) If a person demands or receives rent on behalf of the landlord of such premises while any relevant requirement of—

section 4 (provision of rent book), or

section 5 (information to be contained in rent book),

is not complied with, then, unless he shows he neither knew nor had reasonable cause to suspect that any such requirement had not been complied with, he commits a summary offence and is liable to a fine not exceeding level 4 on the standard scale.

(3) If a person fails to comply with a requirement imposed on him by section 6(2) (duty to forward request to landlord), he commits a summary offence and is liable on conviction to a fine not exceeding level 4 on the standard scale.

(4) If a default in respect of which—

(a) a landlord is convicted under subsection (1), or

(b) another person is convicted of an offence under subsection (3),

continues for more than 14 days after the conviction, the landlord or other person commits a further offence under that subsection in respect of the default.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Implied terms as to fitness for human habitation

8 Implied terms as to fitness for human habitation.

(1) In a contract to which this section applies for the letting of a house for human habitation there is implied, notwithstanding any stipulation to the contrary—

(a) a condition that the house is fit for human habitation at the commencement of the tenancy, and

(b) an undertaking that the house will be kept by the landlord fit for human habitation during the tenancy.

(2) The landlord, or a person authorised by him in writing, may at reasonable times of the day, on giving 24 hours' notice in writing to the tenant or occupier, enter premises to which this section applies for the purpose of viewing their state and condition.

(3) This section applies to a contract if—

(a) the rent does not exceed the figure applicable in accordance with the subsection (4), and

(b) the letting is not on such terms as to the tenant's responsibility as are mentioned in subsection (5).

(4) The rent limit for the application of this section is shown by the following Table, by reference to the date of making of the contract and the situation of the premises:

TABLE

Date of making of contract	***Rent limit***
Before 31st July 1923.	In London: £40.
	Elsewhere: £26 or £16 (see Note 1).
On or after 31st July 1923 and before 6th July 1957.	In London: £40.
	Elsewhere: £26.
On or after 6th July 1957.	In London: £80.
	Elsewhere: £52.

NOTES

1. The applicable figure for contracts made before 31st July 1923 is £26 in the case of premises situated in a borough or urban district which at the date of the contract had according to the last published census a population of 50,000 or more. In the case of a house situated elsewhere, the figure is £16.

2. The references to "London" are, in relation to contracts made before 1st April 1965, to the administrative county of London and, in relation to contracts made on or after that date, to Greater London exclusive of the outer London boroughs.

(5) This section does not apply where a house is let for a term of three years or more (the lease not being determinable at the option of either party before the expiration of three years) upon terms that the tenant puts the premises into a condition reasonably fit for human habitation.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(6) In this section "house" includes—

(a) a part of a house, and

(b) any yard, garden, outhouses and appurtenances belonging to the house or usually enjoyed with it.

Modifications etc. (not altering text)

C6 S. 8 excluded by Housing Act 1985 (c. 68, SIF 61), **ss. 302**, 307

9 Application of s. 8 to certain houses occupied by agricultural workers.

(1) Where under the contract of employment of a worker employed in agriculture the provision of a house for his occupation forms part of his remuneration and the provisions of section 8 (implied terms as to fitness for human habitation) are inapplicable by reason only of the house not being let to him—

(a) there are implied as part of the contract of employment notwithstanding any stipulation to the contrary, the like condition and undertaking as would be implied under that section if the house were so let, and

(b) the provisions of that section apply accordingly, with the substitution of "employer" for "landlord" and such other modifications as may be necessary.

(2) This section does not affect any obligation of a person other than the employer to repair a house to which this section applies, or any remedy for enforcing such an obligation.

(3) In this section "house" includes—

(a) a part of a house, and

(b) any yard, garden, outhouses and appurtenances belonging to the house or usually enjoyed with it.

10 Fitness for human habitation.

In determining for the purposes of this Act whether a house is unfit for human habitation, regard shall be had to its condition in respect of the following matters—

repair,
stability,
freedom from damp,
internal arrangement,
natural lighting,
ventilation,
water supply,
drainage and sanitary conveniences,
facilities for preparation and cooking of food and for the disposal of waste water;

and the house shall be regarded as unfit for human habitation if, and only if, it is so far defective in one or more of those matters that it is not reasonably suitable for occupation in that condition.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Repairing obligations

11 Repairing obligations in short leases.

(1) In a lease to which this section applies (as to which, see sections 13 and 14) there is implied a covenant by the lessor—

(a) to keep in repair the structure and exterior of the dwelling-house (including drains, gutters and external pipes),

(b) to keep in repair and proper working order the installations in the dwelling-house for the supply of water, gas and electricity and for sanitation (including basins, sinks, baths and sanitary conveniences, but not other fixtures, fittings and appliances for making use of the supply of water, gas or electricity), and

(c) to keep in repair and proper working order the installations in the dwelling-house for space heating and heating water.

[[F5](1A) If a lease to which this section applies is a lease of a dwelling-house which forms part only of a building, then, subject to subsection (1B), the covenant implied by subsection (1) shall have effect as if—

(a) the reference in paragraph (a) of that subsection to the dwelling-house included a reference to any part of the building in which the lessor has an estate or interest; and

(b) any reference in paragraphs (b) and (c) of that subsection to an installation in the dwelling-house included a reference to an installation which, directly or indirectly, serves the dwelling-house and which either—

(i) forms part of any part of a building in which the lessor has an estate or interest; or

(ii) is owned by the lessor or under his control.

(1B) Nothing in subsection (1A) shall be construed as requiring the lessor to carry out any works or repairs unless the disrepair (or failure to maintain in working order) is such as to affect the lessee's enjoyment of the dwelling-house or of any common parts, as defined in section 60(1) of the Landlord and Tenant Act [M1]1987, which the lessee, as such, is entitled to use.**]**

(2) The covenant implied by subsection (1) ("the lessor's repairing covenant") shall not be construed as requiring the lessor—

(a) to carry out works or repairs for which the lessee is liable by virtue of his duty to use the premises in a tenant-like manner, or would be so liable but for an express covenant on his part,

(b) to rebuild or reinstate the premises in the case of destruction or damage by fire, or by tempest, flood or other inevitable accident, or

(c) to keep in repair or maintain anything which the lessee is entitled to remove from the dwelling-house.

(3) In determining the standard of repair required by the lessor's repairing covenant, regard shall be had to the age, character and prospective life of the dwelling-house and the locality in which it is situated.

[[F6](3A) In any case where—

(a) the lessor's repairing covenant has effect as mentioned in subsection (1A), and

(b) in order to comply with the covenant the lessor needs to carry out works or repairs otherwise than in, or to an installation in, the dwelling-house, and

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(c) the lessor does not have a sufficient right in the part of the building or the installation concerned to enable him to carry out the required works or repairs,

then, in any proceedings relating to a failure to comply with the lessor's repairing covenant, so far as it requires the lessor to carry out the works or repairs in question, it shall be a defence for the lessor to prove that he used all reasonable endeavours to obtain, but was unable to obtain, such rights as would be adequate to enable him to carry out the works or repairs.**]**

(4) A covenant by the lessee for the repair of the premises is of no effect so far as it relates to the matters mentioned in subsection (1)(a) to (c), except so far as it imposes on the lessee any of the requirements mentioned in subsection (2)(a) or (c).

(5) The reference in subsection (4) to a covenant by the lessee for the repair of the premises includes a covenant—

(a) to put in repair or deliver up in repair,

(b) to paint, point or render,

(c) to pay money in lieu of repairs by the lessee, or

(d) to pay money on account of repairs by the lessor.

(6) In a lease in which the lessor's repairing covenant is implied there is also implied a covenant by the lessee that the lessor, or any person authorised by him in writing, may at reasonable times of the day and on giving 24 hours' notice in writing to the occupier, enter the premises comprised in the lease for the purpose of viewing their condition and state of repair.

Textual Amendments

F5 S. 11(1A)(1B) inserted by Housing Act 1988 (c. 50, SIF 75:1), **s. 116(1)** (with s. 116(4))

F6 S. 11(3A) inserted by Housing Act 1988 (c. 50, SIF 75:1), **s. 116(2)** (with s. 116(4))

Modifications etc. (not altering text)

C7 S. 11 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), **Sch. 7 para. 3(1)-(6)**; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**

Marginal Citations

M1 1987 c.31**(75:1).**

12 Restriction on contracting out of s. 11.

(1) A covenant or agreement, whether contained in a lease to which section 11 applies or in an agreement collateral to such a lease, is void in so far as it purports—

(a) to exclude or limit the obligations of the lessor or the immunities of the lessee under that section, or

(b) to authorise any forfeiture or impose on the lessee any penalty, disability or obligation in the event of his enforcing or relying upon those obligations or immunities,

unless the inclusion of the provision was authorised by the county court.

(2) The county court may, by order made with the consent of the parties, authorise the inclusion in a lease, or in an agreement collateral to a lease, of provisions excluding or modifying in relation to the lease, the provisions of section 11 with respect to the

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

repairing obligations of the parties if it appears to the court that it is reasonable to do so, having regard to all the circumstances of the case, including the other terms and conditions of the lease.

Modifications etc. (not altering text)

C8 S. 12(1)(a) modified (E.) (30.9.2003) (W.) (30.3.2004) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 3(7); S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669 {art. 2(a)}

13 Leases to which s. 11 applies: general rule.

(1) Section 11 (repairing obligations) applies to a lease of a dwelling-house granted on or after 24th October 1961 for a term of less than seven years.

(2) In determining whether a lease is one to which section 11 applies—

(a) any part of the term which falls before the grant shall be left out of account and the lease shall be treated as a lease for a term commencing with the grant,

(b) a lease which is determinable at the option of the lessor before the expiration of seven years from the commencement of the term shall be treated as a lease for a term of less than seven years, and

(c) a lease (other than a lease to which paragraph (b) applies) shall not be treated as a lease for a term of less than seven years if it confers on the lessee an option for renewal for a term which, together with the original term, amounts to seven years or more.

(3) This section has effect subject to—

section 14 (leases to which section 11 applies: exceptions), and

section 32(2) (provisions not applying to tenancies within Part II of the [M2]Landlord and Tenant Act 1954).

Marginal Citations

M2 1954 c. 56.

14 Leases to which s. 11 applies: exceptions.

(1) Section 11 (repairing obligations) does not apply to a new lease granted to an existing tenant, or to a former tenant still in possession, if the previous lease was not a lease to which section 11 applied (and, in the case of a lease granted before 24th October 1961, would not have been if it had been granted on or after that date).

(2) In subsection (1)—

"existing tenant" means a person who is when, or immediately before, the new lease is granted, the lessee under another lease of the dwelling-house;

"former tenant is still in possession" means a person who—

(a) was the lessee under another lease of the dwelling-house which terminated at some time before the new lease was granted, and

(b) between the termination of that other lease and the grant of the new lease was continuously in possession of the dwelling-house or of the rents and profits of the dwelling-house; and

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

"the previous lease" means the other lease referred to in the above definitions.

(3) Section 11 does not apply to a lease of a dwelling-house which is a tenancy of an agricultural holding within the meaning of the **[**[F7]Agricultural Holdings Act 1986**]**[F8]and in relation to which that Act applies or to a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995**]**.

(4) Section 11 does not apply to a lease granted on or after 3rd October 1980 to—

a local authority,

[[F9]a National Park Authority**]**

a new town corporation,

an urban development corporation,

the Development Board for Rural Wales,

a **[**[F10]registered social landlord**]**,

a co-operative housing association, or

an educational institution or other body specified, or of a class specified, by regulations under section 8 of the [M3]Rent Act 1977 **[**[F11]or paragraph 8 of Schedule 1 to the Housing Act 1988**]** (bodies making student lettings)

[[F12]a housing action trust established under Part III of the Housing Act 1988**]**.

(5) Section 11 does not apply to a lease granted on or after 3rd October 1980 to—

(a) Her Majesty in right of the Crown (unless the lease is under the management of the Crown Estate Commissioners), or

(b) a government department or a person holding in trust for Her Majesty for the purposes of a government department.

Textual Amendments

F7 Words substituted by Agricultural Holdings Act 1986 (c. 5, SIF 2:3), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 64**

F8 Words in s. 14(3) added (1.9.1995) by 1995 c. 8, ss. 40, 41(2), **Sch. para. 31** (with s. 37)

F9 Words in s. 14(4) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 25(1)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**

F10 Words in s. 14(4) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 16(2)**

F11 Words inserted by Local Government and Housing Act 1989 (c. 42, SIF 75:1), s. 194(1), **Sch. 11 para. 89**

F12 Words added by Housing Act 1988 (c. 50, SIF 75:1), **s. 116(3)** (with s. 116(4))

Modifications etc. (not altering text)

C9 S. 14(4) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 4, 5, **Sch. 2 para. 61**)

C10 S. 14(4) explained by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 4, 5, **Sch. 3 para. 5(3)**

S. 14(4) extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

S. 14(4) modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(a)**

Marginal Citations

M3 1977 c. 42.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

15 Jurisdiction of county court.

The county court has jurisdiction to make a declaration that section 11 (repairing obligations) applies, or does not apply, to a lease—

(a) whatever the net annual value of the property in question, and

(b) notwithstanding that no other relief is sought than a declaration.

16 Meaning of "lease" and related expressions.

In sections 11 to 15 (repairing obligations in short leases)—

(a) "lease" does not include a mortgage term;

(b) "lease of a dwelling-house" means a lease by which a building or part of a building is let wholly or mainly as a private residence and "dwelling-house" means that building or part of a building;

(c) "lessee" and "lessor" mean, respectively, the person for the time being entitled to the term of a lease and to the reversion expectant on it.

17 Specific performance of landlord's repairing obligations.

(1) In proceedings in which a tenant of a dwelling alleges a breach on the part of his landlord of a repairing covenant relating to any part of the premises in which the dwelling is comprised, the court may order specific performance of the covenant whether or not the breach relates to a part of the premises let to the tenant and notwithstanding any equitable rule restricting the scope of the remedy, whether on the basis of a lack of mutuality or otherwise.

(2) In this section—

(a) "tenant" includes a statutory tenant,

(b) in relation to a statutory tenant the reference to the premises let to him is to the premises of which he is a statutory tenant,

(c) "landlord", in relation to a tenant, includes any person against whom the tenant has a right to enforce a repairing covenant, and

(d) "repairing covenant" means a covenant to repair, maintain, renew, construct or replace any property.

Service charges

18 Meaning of "service charge" and "relevant costs".

(1) In the following provisions of this Act "service charge" means an amount payable by a tenant of a **[**[F13]dwelling**]** as part of or in addition to the rent—

(a) which is payable, directly or indirectly, for services, repairs, maintenance or insurance or the landlord's costs of management, and

(b) the whole or part of which varies or may vary according to the relevant costs.

(2) The relevant costs are the costs or estimated costs incurred or to be incurred by or on behalf of the landlord, or a superior landlord, in connection with the matters for which the service charge is payable.

(3) For this purpose—

(a) "costs" includes overheads, and

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(b) costs are relevant costs in relation to a service charge whether they are incurred, or to be incurred, in the period for which the service charge is payable or in an earlier or later period.

Textual Amendments

F13 Word substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 1**

Modifications etc. (not altering text)

C11 S. 18 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C12 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

19 Limitation of service charges: reasonableness.

(1) Relevant costs shall be taken into account in determining the amount of a service charge payable for a period—

(a) only to the extent that they are reasonably incurred, and

(b) where they are incurred on the provision of services or the carrying out of works, only if the services or works are of a reasonable standard;

and the amount payable shall be limited accordingly.

(2) Where a service charge is payable before the relevant costs are incurred, no greater amount than is reasonable is so payable, and after the relevant costs have been incurred any necessary adjustment shall be made by repayment, reduction or subsequent charges or otherwise.

[F14(2A) A tenant by whom, or a landlord to whom, a service charge is alleged to be payable may apply to a leasehold valuation tribunal for a determination—

(a) whether costs incurred for services, repairs, maintenance, insurance or management were reasonably incurred,

(b) whether services or works for which costs were incurred are of a reasonable standard, or

(c) whether an amount payable before costs are incurred is reasonable.

(2B) An application may also be made to a leasehold valuation tribunal by a tenant by whom, or landlord to whom, a service charge may be payable for a determination—

(a) whether if costs were incurred for services, repairs, maintenance, insurance or management of any specified description they would be reasonable,

(b) whether services provided or works carried out to a particular specification would be of a reasonable standard, or

(c) what amount payable before costs are incurred would be reasonable.

(2C) No application under subsection (2A) or (2B) may be made in respect of a matter which—

(a) has been agreed or admitted by the tenant,

(b) under an arbitration agreement to which the tenant is a party is to be referred to arbitration, or

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(c) has been the subject of determination by a court or arbitral tribunal.**]**

(3) An agreement by the tenant of a **[**[F15]dwelling**]** (other than an arbitration agreement [F16]. . .) is void in so far as it purports to provide for a determination in a particular manner, or on particular evidence, of any question—

(a) whether costs incurred for services, repairs, maintenance, insurance or management were reasonably incurred,

(b) whether services or works for which costs were incurred are of a reasonable standard, or

(c) whether an amount payable before costs are incurred is reasonable.

[F17](4) . . . . . .

[[F18](5) If a person takes any proceedings in the High Court in pursuance of any of the provisions of this Act relating to service charges and he could have taken those proceedings in the county court, he shall not be entitled to recover any costs.**]**

Textual Amendments

F14 S. 19(2A)-(2C) inserted (1.9.1997) by 1996 c. 52, **s. 83(1)**; S.I. 1997/1851, **art.2** (with Sch. para. 1)

F15 Word substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 2(a)**

F16 Words in s. 19(3) repealed (1.9.1997) by 1996 c. 52, s. 227, **Sch. 19 Pt. III**; S.I. 1997/1851, **art. 2** (with Sch. para. 1)

F17 S. 19(4) repealed (1.9.1997) by 1996 c. 52, s. 227, **Sch. 19 Pt. III**; S.I. 1997/1851, **art. 2** (with Sch. para. 1)

F18 S. 19(5) added by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 2(b)**, but is repealed (*prosp.*) by Courts and Legal Services Act 1990 (c. 41, SIF 76:1), ss. 124(3), 125(7), **Sch. 20**

Modifications etc. (not altering text)

C13 S. 19 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C14 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C15 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

C16 S. 19(1)(2) excluded by S.I. 1988/1283, art. 2, **Sch. para. 2(a)**

C17 S. 19(3) excluded by S.I. 1988/1283, art. 2, **Sch. para. 2(b)**

C18 S. 19(5) excluded by S.I. 1988/1283, art. 2, **Sch. para. 5**

[[F19]**20** (1) Where relevant costs incurred on the carrying out of any qualifying works exceed the limit specified in subsection (3), the excess shall not be taken into account in determining the amount of a service charge unless the relevant requirements have been either—

(a) complied with, or

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(b) dispensed with by the court in accordance with subsection (9);

and the amount payable shall be limited accordingly.

(2) In subsection (1) "qualifying works", in relation to a service charge, means works (whether on a building or on any other premises) to the costs of which the tenant by whom the service charge is payable may be required under the terms of his lease to contribute by the payment of such a charge.

(3) The limit is whichever is the greater of—

(a) £25, or such other amount as may be prescribed by order of the Secretary of State, multiplied by the number of dwellings let to the tenants concerned; or

(b) £500, or such other amount as may be so prescribed.

(4) The relevant requirements in relation to such of the tenants concerned as are not represented by a recognised tenants' association are—

(a) At least two estimates for the works shall be obtained, one of them from a person wholly unconnected with the landlord.

(b) A notice accompanied by a copy of the estimates shall be given to each of those tenants or shall be displayed in one or more places where it is likely to come to the notice of all those tenants.

(c) The notice shall describe the works to be carried out and invite observations on them and on the estimates and shall state the name and the address in the United Kingdom of the person to whom the observations may be sent and the date by which they are to be received.

(d) The date stated in the notice shall not be earlier than one month after the date on which the notice is given or displayed as required by paragraph (b).

(e) The landlord shall have regard to any observations received in pursuance of the notice; and unless the works are urgently required they shall not be begun earlier than the date specified in the notice.

(5) The relevant requirements in relation to such of the tenants concerned as are represented by a recognised tenants' association are—

(a) The landlord shall give to the secretary of the association a notice containing a detailed specification of the works in question and specifying a reasonable period within which the association may propose to the landlord the names of one or more persons from whom estimates for the works should in its view be obtained by the landlord.

(b) At least two estimates for the works shall be obtained, one of them from a person wholly unconnected with the landlord.

(c) A copy of each of the estimates shall be given to the secretary of the association.

(d) A notice shall be given to each of the tenants concerned represented by the association, which shall—

(i) describe briefly the works to be carried out,

(ii) summarise the estimates,

(iii) inform the tenant that he has a right to inspect and take copies of a detailed specification of the works to be carried out and of the estimates,

(iv) invite observations on those works and on the estimates, and

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(v) specify the name and the address in the United Kingdom of the person to whom the observations may be sent and the date by which they are to be received.

(e) The date stated in the notice shall not be earlier than one month after the date on which the noice is given as required by paragraph (d).

(f) If any tenant to whom the notice is given so requests, the landlord shall afford him reasonable facilities for inspecting a detailed specification of the works to be carried out and the estimates, free of charge, and for taking copies of them on payment of such reasonable charge as the landlord may determine.

(g) The landlord shall have regard to any observations received in pursuance of the notice and, unless the works are urgently required, they shall not be begun earlier than the date specified in the notice.

(6) Paragraphs (d)(ii) and (iii) and (f) of subsection (5) shall not apply to any estimate of which a copy is enclosed with the notice given in pursuance of paragraph (d).

(7) The requirement imposed on the landlord by subsection (5)(f) to make any facilities available to a person free of charge shall not be construed as precluding the landlord from treating as part of his costs of management any costs incurred by him in connection with making those facilities so available.

(8) In this section "the tenants concerned" means all the landlord's tenants who may be required under the terms of their leases to contribute to the costs of the works in question by the payment of service charges.

(9) In proceedings relating to a service charge the court may, if satisfied that the landlord acted reasonably, dispense with all or any of the relevant requirements.

(10) An order under this section—

(a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and

(b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.**]**

Textual Amendments

F19 S. 20 substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 3**

Modifications etc. (not altering text)

C19 S. 20 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C20 S. 20 excluded by S.I. 1988/1283, art. 2, **Sch. para. 2(c)**
Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

VALID FROM 26/07/2002

[F20]20ZAConsultation requirements: supplementary

(1) Where an application is made to a leasehold valuation tribunal for a determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.

(2) In section 20 and this section—

"qualifying works" means works on a building or any other premises, and

"qualifying long term agreement" means (subject to subsection (3)) an agreement entered into, by or on behalf of the landlord or a superior landlord, for a term of more than twelve months.

(3) The Secretary of State may by regulations provide that an agreement is not a qualifying long term agreement—

(a) if it is an agreement of a description prescribed by the regulations, or

(b) in any circumstances so prescribed.

(4) In section 20 and this section "the consultation requirements" means requirements prescribed by regulations made by the Secretary of State.

(5) Regulations under subsection (4) may in particular include provision requiring the landlord—

(a) to provide details of proposed works or agreements to tenants or the recognised tenants' association representing them,

(b) to obtain estimates for proposed works or agreements,

(c) to invite tenants or the recognised tenants' association to propose the names of persons from whom the landlord should try to obtain other estimates,

(d) to have regard to observations made by tenants or the recognised tenants' association in relation to proposed works or agreements and estimates, and

(e) to give reasons in prescribed circumstances for carrying out works or entering into agreements.

(6) Regulations under section 20 or this section—

(a) may make provision generally or only in relation to specific cases, and

(b) may make different provision for different purposes.

(7) Regulations under section 20 or this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F20 Ss. 20, 20ZA substituted (26.7.2002 for E. for certain purposes and otherwise 31.10.2003 and 1.1.2003 for W. for certain purposes and otherwise 30.3.2004) for s. 20 by 2002 c. 15, **s. 151**; S.I. 2002/1912, **art. 2(c)**; S.I. 2002/3012, **art. 2(c)**; S.I. 2003/1986, **art. 3(1)** (subject to art. 3(2)-(7)); S.I. 2004/669, **art. 2(d)** (subject to art. 2(d)(i)-(vi))

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Modifications etc. (not altering text)

C21 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

[F21 20A Limitation of service charges: grant-aided works.

Where relevant costs are incurred or to be incurred on the carrying out of works in respect of which a grant has been or is to be paid under [F22 section 523 of the Housing Act 1985 (assistance for provision of separate service pipe for water supply) or any provision of Part I of the Housing Grants, Construction and Regeneration Act 1996 (grants, &c. for renewal of private sector housing) or any corresponding earlier enactment], the amount of the grant shall be deducted from the costs and the amount of the service charge payable shall be reduced accordingly.

[In any case where—

F23 (2)
(a) relevant costs are incurred or to be incurred on the carrying out of works which are included in the external works specified in a group repair scheme, within the meaning of [F24 Part I of the Housing Grants, Construction and Regeneration Act 1996], and
(b) the landlord participated or is participating in that scheme as an assisted participant,

the amount which, in relation to the landlord, is [F25 the balance of the cost determined in accordance with section 69(3) of the Housing Grants, Construction and Regeneration Act 1996] shall be deducted from the costs, and the amount of the service charge payable shall be reduced accordingly.]]

Textual Amendments

F21 S. 20A inserted by Housing and Planning Act 1986 (c. 63, SIF 75:1), s. 24(1), **Sch. 5 para. 9(1)**

F22 Words in s. 20A(1) substituted (17.12.1996) by 1996 c. 53, s. 103, **Sch. 1 para. 11(1)**; S.I. 1996/2842, **art. 3**

F23 S. 20A(2) added by Local Government and Housing Act 1989 (c. 42, SIF 75:1), s. 194, **Sch. 11 para. 90**

F24 Words in s. 20A(2)(a) substituted (17.12.1996) by 1996 c. 53, s. 103, **Sch. 1 para. 11(2)(a)**; S.I. 1996/2842, **art. 3**

F25 Words in s. 20A(2) substituted (17.12.1996) by 1996 c. 53, **Sch. 1 para. 11(2)(b)**; S.I. 1996/2842, **art. 3**

Modifications etc. (not altering text)

C22 S. 20A amended by Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C23 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

[F26 20B Limitation of service charges: time limit on making demands.

(1) If any of the relevant costs taken into account in determining the amount of any service charge were incurred more than 18 months before a demand for payment of the service charge is served on the tenant, then (subject to subsection (2)), the tenant shall not be liable to pay so much of the service charge as reflects the costs so incurred.

(2) Subsection (1) shall not apply if, within the period of 18 months beginning with the date when the relevant costs in question were incurred, the tenant was notified in writing that those costs had been incurred and that he would subsequently be required under the terms of his lease to contribute to them by the payment of a service charge.**]**

Textual Amendments

F26 Ss. 20B, 20C inserted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 4**

Modifications etc. (not altering text)

C24 S. 20B amended by Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C25 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

C26 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C27 S. 20B(2) modified by S.I. 1988/1283, art. 2, **Sch. para. 6**

[F27 20C Limitation of service charges: costs of proceedings.

(1) A tenant may make an application for an order that all or any of the costs incurred, or to be incurred, by the landlord in connection with proceedings before a court or leasehold valuation tribunal, or the Lands Tribunal, or in connection with arbitration proceedings, are not to be regarded as relevant costs to be taken into account in determining the amount of any service charge payable by the tenant or any other person or persons specified in the application.

(2) The application shall be made—

(a) in the case of court proceedings, to the court before which the proceedings are taking place or, if the application is made after the proceedings are concluded, to a county court;

(b) in the case of proceedings before a leasehold valuation tribunal, to the tribunal before which the proceedings are taking place or, if the application is made after the proceedings are concluded, to any leasehold valuation tribunal;

(c) in the case of proceedings before the Lands Tribunal, to the tribunal;

(d) in the case of arbitration proceedings, to the arbitral tribunal or, if the application is made after the proceedings are concluded, to a county court.

(3) The court or tribunal to which the application is made may make such order on the application as it considers just and equitable in the circumstances.**]**

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Textual Amendments

F27 S. 20C substituted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, **s. 83(4)**; S.I. 1997/1851, **art. 2**; S.I. 1998/1768, **art. 2**

Modifications etc. (not altering text)

C28 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

21 Request for summary of relevant costs.

(1) A tenant may require the landlord in writing to supply him with a written summary of the costs incurred—

(a) if the relevant accounts are made up for periods of twelve months, in the last such period ending not later than the date of the request, or

(b) if the accounts are not so made up, in the period of twelve months ending with the date of the request,

and which are relevant costs in relation to the service charges payable or demanded as payable in that or any other period.

(2) If **[**[F28]the tenant is represented by a recognised tenants' association and he**]** consents, the request may be made by the secretary of the association instead of by the tenant and may then be for the supply of the summary to the secretary.

(3) A request is duly served on the landlord if it is served on—

(a) an agent of the landlord named as such in the rent book or similar document, or

(b) the person who receives the rent on behalf of the landlord;

and a person on whom a request is so served shall forward it as soon as may be to the landlord.

(4) The landlord shall comply with the request within one month of the request or within six months of the end of the period referred to in subsection (1)(a) or (b) whichever is the later.

(5) The summary shall **[**[F29]state whether any of the costs relate to works in respect of which a grant has been or is to be paid under **[**[F30]section 523 of the Housing Act 1985 (assistance for provision of separate service pipe for water supply) or any provision of Part I of the Housing Grants, Construction and Regeneration Act 1996 (grants, &c. for renewal of private sector housing) or any corresponding earlier enactment**]** and**]** set out the costs in a way showing **[**[F31]how they have been or will be reflected in demands for service charges and, in addition, shall summarise each of the following items, namely—

(a) any of the costs in respect of which no demand for payment was received by the landlord within the period referred to in subsection (1)(a) or (b),

(b) any of the costs in respect of which—

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(i) a demand for payment was so received, but

(ii) no payment was made by the landlord within that period, and

(c) any of the costs in respect of which—

(i) a demand for payment was so received, and

(ii) payment was made by the landlord within that period,

and specify the aggregate of any amounts received by the landlord down to the end of that period on account of service charges in respect of relevant dwellings and still standing to the credit of the tenants of those dwellings at the end of that period

(5A) In subsection (5) "relevant dwelling" means a dwelling whose tenant is either—

(a) the person by or with the consent of whom the request was made, or

(b) a person whose obligations under the terms of his lease as regards contributing to relevant costs relate to the same costs as the corresponding obligations of the person mentioned in paragraph (a) above relate to.**]**

[[F32](5B) The summary shall state whether any of the costs relate to works which are included in the external works specified in a group repair scheme, within the meaning of **[**[F33]Chapter II of Part I of the Housing Grants, Construction and Regeneration Act 1996 or any corresponding earlier enactment**]**, in which the landlord participated or is participating as an assisted participant.**]**

(6) **[**[F34]If the service charges in relation to which the costs are relevant costs as mentioned in subsection (1) are payable by the tenants of more than four dwellings**]**, the summary shall be certified by a qualified accountant as—

(a) in his opinion a fair summary complying with the **[**[F35]requirements**]** of subsection (5), and

(b) being sufficiently supported by accounts, receipts and other documents which have been produced to him.

Textual Amendments

F28 Words substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 5(2)**

F29 Words inserted by Housing and Planning Act 1986 (c. 63, SIF 75:1), s. 24(1), **Sch. 5 para. 9(2)**

F30 Words in s. 21(5) substituted (17.12.1996) by 1996 c. 53, s. 103, **Sch. 1 para. 12(a)**; S.I. 1996/2842, **art. 3**

F31 Words substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 5(3)**

F32 S. 21(5B) inserted by Local Government and Housing Act 1989 (c. 42, SIF 75:1), s. 194, **Sch. 11 para. 91(2)**

F33 Words in s. 12(5B) substituted (17.12.1996) by 1996 c. 53, s. 103, **Sch. 1 para. 12(b)**; S.I. 1996/2842. art. 3

F34 Words substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 5(4)(a)**

F35 Word substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 5(4)(b)**

Modifications etc. (not altering text)

C29 S. 21 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C30 S. 21 excluded by S.I. 1988/1283, art. 2, **Sch. para. 2(d)**

C31 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

C32 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

VALID FROM 26/07/2002

[F36]21A Withholding of service charges

(1) A tenant may withhold payment of a service charge if—
- (a) the landlord has not supplied a document to him by the time by which he is required to supply it under section 21, or
- (b) the form or content of a document which the landlord has supplied to him under that section (at any time) does not conform exactly or substantially with the requirements prescribed by regulations under subsection (4) of that section.

(2) The maximum amount which the tenant may withhold is an amount equal to the aggregate of—
- (a) the service charges paid by him in the accounting period to which the document concerned would or does relate, and
- (b) so much of the aggregate amount required to be dealt with in the statement of account for that accounting period by section 21(1)(c)(i) as stood to his credit.

(3) An amount may not be withheld under this section—
- (a) in a case within paragraph (a) of subsection (1), after the document concerned has been supplied to the tenant by the landlord, or
- (b) in a case within paragraph (b) of that subsection, after a document conforming exactly or substantially with the requirements prescribed by regulations under section 21(4) has been supplied to the tenant by the landlord by way of replacement of the one previously supplied.

(4) If, on an application made by the landlord to a leasehold valuation tribunal, the tribunal determines that the landlord has a reasonable excuse for a failure giving rise to the right of a tenant to withhold an amount under this section, the tenant may not withhold the amount after the determination is made.

(5) Where a tenant withholds a service charge under this section, any provisions of the tenancy relating to non-payment or late payment of service charges do not have effect in relation to the period for which he so withholds it.

Textual Amendments

F36 Ss. 21, 21A substituted (26.7.2002 for E. in so far as it confers power to make regulations and 1.1.2003 for W. in so far as it confers power to make regulations and otherwise prosp.) for s. 21 by

Commonhold and Leasehold Reform Act 2002 (c. 15), **s. 152**; S.I. 2002/1912, **art 2(c)**; S.I. 2002/3012, **art. 2(c)**

Modifications etc. (not altering text)

C33 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** subject Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

VALID FROM 26/07/2002

[F37 21B Notice to accompany demands for service charges

(1) A demand for the payment of a service charge must be accompanied by a summary of the rights and obligations of tenants of dwellings in relation to service charges.

(2) The Secretary of State may make regulations prescribing requirements as to the form and content of such summaries of rights and obligations.

(3) A tenant may withhold payment of a service charge which has been demanded from him if subsection (1) is not complied with in relation to the demand.

(4) Where a tenant withholds a service charge under this section, any provisions of the lease relating to non-payment or late payment of service charges do not have effect in relation to the period for which he so withholds it.

(5) Regulations under subsection (2) may make different provision for different purposes.

(6) Regulations under subsection (2) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

Textual Amendments

F37 S. 21B inserted (26.7.2002 for E. for certain purposes and otherwise 1.10.2007 and 1.1.2003 for W. for certain purposes and otherwise 30.11.2007) by 2002 c. 15, s. 153; S.I. 2002/1912, art. 2(c); S.I. 2002/3012, art. 2(c); S.I. 2007/1256, **art. 2**; S.I. 2007/3161, **art. 2**

Modifications etc. (not altering text)

C34 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

C35 S. 21B applied (1.10.2007) by The Service Charges (Summary of Rights and Obligations, and Transitional Provision) (England) Regulations 2007 (S.I. 2007/1257), **reg. 4(b)** (with reg. 2)

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

C36 S. 21B applied (30.11.2007) by The Service Charges (Summary of Rights and Obligations, and Transitional Provisions) (Wales) Regulations 2007 (S.I. 2007/3160), **reg. 4(b)** (with reg. 2)

C37 S. 21B(3)(4) excluded (1.10.2007) by The Service Charges (Summary of Rights and Obligations, and Transitional Provision) (England) Regulations 2007 (S.I. 2007/1257) {reg. 4(a)} (with reg. 2)

C38 S. 21B(3)(4) excluded (30.11.2007) by The Service Charges (Summary of Rights and Obligations, and Transitional Provisions) (Wales) Regulations 2007 (S.I. 2007/3160), **reg. 4(a)** (with reg. 2)

22 Request to inspect supporting accounts &c.

(1) This section applies where a tenant, or the secretary of a recognised tenants' association, has obtained such a summary as is referred to in section 21(1) (summary of relevant costs), whether in pursuance of that section or otherwise.

(2) The tenant, or the secretary with the consent of the tenant, may within six months of obtaining the summary require the landlord in writing to afford him reasonable facilities—

(a) for inspecting the accounts, receipts and other documents supporting the summary, and

(b) for taking copies or extracts from them.

(3) A request under this section is duly served on the landlord if it is served on—

(a) an agent of the landlord named as such in the rent book or similar document, or

(b) the person who receives the rent of behalf of the landlord;

and a person on whom a request is so served shall forward it as soon as may be to the landlord.

(4) The landlord shall make such facilities available to the tenant or secretary for a period of two months beginning not later than one month after the request is made.

[[F38](5) The landlord shall—

(a) where such facilities are for the inspection of any documents, make them so available free of charge;

(b) where such facilities are for the taking of copies or extracts, be entitled to make them so available on payment of such reasonable charge as he may determine.

(6) The requirement imposed on the landlord by subsection (5)(a) to make any facilities available to a person free of charge shall not be construed as precluding the landlord from treating as part of his costs of management any costs incurred by him in connection with making those facilities so available.**]**

Textual Amendments

F38 S. 22(5)(6) added by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 6**

Modifications etc. (not altering text)

C39 S. 22 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C40 S. 22 excluded by S.I. 1988/1283, art. 2, **Sch. para. 2(d)**

C41 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C42 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

23 Request relating to information held by superior landlord.

(1) If a request under section 21 (request for summary of relevant costs) relates in whole or in part to relevant costs incurred by or on behalf of a superior landlord, and the landlord to whom the request is made is not in possession of the relevant information—

(a) he shall in turn make a written request for the relevant information to the person who is his landlord (and so on, if that person is not himself the superior landlord),

(b) the superior landlord shall comply with that request within a reasonable time, and

(c) the immediate landlord shall then comply with the tenant's or secretary's request, or that part of it which relates to the relevant costs incurred by or on behalf of the superior landlord, within the time allowed by section 21 or such further time, if any, as is reasonable in the circumstances.

(2) If a request under section 22 (request for facilities to inspect supporting accounts, &c.) relates to a summary of costs incurred by or on behalf of a superior landlord—

(a) the landlord to whom the request is made shall forthwith inform the tenant or secretary of that fact and of the name and address of the superior landlord, and

(b) section 22 shall then apply to the superior landlord as it applies to the immediate landlord.

Modifications etc. (not altering text)

C43 S. 23 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C44 S. 23 excluded by S.I. 1988/1283, art. 2, **Sch. para. 2(d)**

C45 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

C46 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

PROSPECTIVE

[F39 23A Effect of change of landlord

(1) This section applies where, at a time when a duty imposed on the landlord or a superior landlord by or by virtue of any of sections 21 to 23 remains to be discharged by him, he disposes of the whole or part of his interest as landlord or superior landlord to another person.

(2) If the landlord or superior landlord is, despite the disposal, still in a position to discharge the duty to any extent, he remains responsible for discharging it to that extent.

(3) If the other person is in a position to discharge the duty to any extent, he is responsible for discharging it to that extent.

(4) Where the other person is responsible for discharging the duty to any extent (whether or not the landlord or superior landlord is also responsible for discharging it to that or any other extent)—

(a) references to the landlord or superior landlord in sections 21 to 23 **[**F40 and any regulations under section 21**]** are to, or include, the other person so far as is appropriate to reflect his responsibility for discharging the duty to that extent, but

(b) in connection with its discharge by the other person, section 22(6) applies as if the reference to the day on which the landlord receives the notice were to the date of the disposal referred to in subsection (1)**[**F41 and

(c) any regulations under section 21 apply subject to any modifications contained in the regulations.**]]**

Textual Amendments

F39 S. 23A inserted (prosp.) by 2002 c. 15, ss. 157, 181(1), **Sch. 10 para. 2**

F40 Words in s. 23A(4)(a) inserted (1.12.2008 for certain purposes and otherwise prosp.) by Housing and Regeneration Act 2008 (c. 17), ss. 303, 325, **Sch. 12 para. 6(a)**; S.I. 2008/3068, **art. 4(6)** (with arts. 6-13)

F41 S. 23A(4)(c) and preceding word inserted (1.12.2008 for certain purposes and otherwise prosp.) by Housing and Regeneration Act 2008 (c. 17), ss. 303, 325, **Sch. 12 para. 6(b)**; S.I. 2008/3068, **art. 4(6)** (with arts. 6-13)

Modifications etc. (not altering text)

C47 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

24 Effect of assignment on request.

The assignment of a tenancy does not affect the validity of a request made under section 21, 22 or 23 before the assignment; but a person is not obliged to provide a summary or make facilities available more than once for the same **[**[F42]dwelling**]** and for the same period.

Textual Amendments

F42 Word substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 7**

Modifications etc. (not altering text)

C48 S. 24 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C49 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

25 Failure to comply with s. 21, 22 or 23 an offence.

(1) It is a summary offence for a person to fail, without reasonable excuse, to perform a duty imposed on him by section 21, 22 or 23.

(2) A person committing such an offence is liable on conviction to a fine not exceeding level 4 on the standard scale.

Modifications etc. (not altering text)

C50 S. 25 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C51 Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))
Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**

C52 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/699, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

26 Exception: tenants of certain public authorities.

(1) Sections 18 to 25 (limitation on service charges and requests for information about costs) do not apply to a service charge payable by a tenant of—

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

a local authority,
[[F43]a National Park authority**]**
a new town corporation, or
the Developmental Board for Rural Wales,

unless the tenancy is a long tenancy, in which case sections 18 to 24 apply but section 25 (offence of failure to comply) does not.

(2) The following are long tenancies for the purposes of subsection (1), subject to subsection (3)—

(a) a tenancy granted for a term certain exceeding 21 years, whether or not it is (or may become) terminable before the end of that term by notice given by the tenant or by re-entry or forfeiture;

(b) a tenancy for a term fixed by law under a grant with a covenant or obligation for perpetual renewal, other than a tenancy by sub-demise from one which is not a long tenancy;

(c) any tenancy granted in pursuance of Part V of the [M4]Housing Act 1985 (the right to buy) **[**[F44], including any tenancy granted in pursuance of that Part as it had effect by virtue of section 17 of the Housing Act 1996 (the right to acquire).**]**

(3) A tenancy granted so as to become terminable by notice after a death is not a long tenancy for the purposes of subsection (1), unless—

(a) it is granted by a housing association which at the time of the grant is **[**[F45]a registered social landlord**]**,

(b) it is granted at a premium calculated by reference to a percentage of the value of the dwelling-house or the cost of providing it, and

(c) at the time it is granted it complies with the requirements of the regulations then in force under section 140(4)(b) of the [M5]Housing Act 1980 **[**[F46]or paragraph 4(2)(b) of Schedule 4A to the Leasehold Reform Act 1967**]** (conditions for exclusion of shared ownership leases from Part I of Leasehold Reform Act 1967) or, in the case of a tenancy granted before any such regulations were brought into force, with the first such regulations to be in force.

Textual Amendments

F43 Words in s. 26(1) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 25(1)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**

F44 Words in s. 26(2)(c) added (1.4.1997) by S.I. 1997/627, art. 2, **Sch. para. 4**

F45 Words in s. 26(3)(a) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 16(3)**

F46 Words inserted by Housing Act 1988 (c. 50, SIF 61, 75:1), s. 140(1), **Sch. 17 para. 68**

Modifications etc. (not altering text)

C53 S. 26 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C54 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Marginal Citations

M4 1985 c. 68.

M5 1980 c. 51.

27 Exception: rent registered and not entered as variable.

Sections 18 to 25 (limitation on service charges and requests for information about costs) do no apply to a service charge payable by the tenant of a **[**[F47]dwelling**]** the rent of which is registered under Part IV of the [M6]Rent Act 1977, unless the amount registered is, in pursuance of section 71(4) of that Act, entered as a variable amount.

Textual Amendments

F47 Word substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 8**

Modifications etc. (not altering text)

C55 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C56 S. 27 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C57 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

Marginal Citations

M6 1977 c. 42.

VALID FROM 30/09/2003

[F48]27A Liability to pay service charges: jurisdiction

(1) An application may be made to a leasehold valuation tribunal for a determination whether a service charge is payable and, if it is, as to—
- (a) the person by whom it is payable,
- (b) the person to whom it is payable,
- (c) the amount which is payable,
- (d) the date at or by which it is payable, and
- (e) the manner in which it is payable.

(2) Subsection (1) applies whether or not any payment has been made.

(3) An application may also be made to a leasehold valuation tribunal for a determination whether, if costs were incurred for services, repairs, maintenance, improvements,

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

insurance or management of any specified description, a service charge would be payable for the costs and, if it would, as to—

(a) the person by whom it would be payable,

(b) the person to whom it would be payable,

(c) the amount which would be payable,

(d) the date at or by which it would be payable, and

(e) the manner in which it would be payable.

(4) No application under subsection (1) or (3) may be made in respect of a matter which—

(a) has been agreed or admitted by the tenant,

(b) has been, or is to be, referred to arbitration pursuant to a post-dispute arbitration agreement to which the tenant is a party,

(c) has been the subject of determination by a court, or

(d) has been the subject of determination by an arbitral tribunal pursuant to a post-dispute arbitration agreement.

(5) But the tenant is not to be taken to have agreed or admitted any matter by reason only of having made any payment.

(6) An agreement by the tenant of a dwelling (other than a post-dispute arbitration agreement) is void in so far as it purports to provide for a determination—

(a) in a particular manner, or

(b) on particular evidence,

of any question which may be the subject of an application under subsection (1) or (3).

(7) The jurisdiction conferred on a leasehold valuation tribunal in respect of any matter by virtue of this section is in addition to any jurisdiction of a court in respect of the matter.**]**

Textual Amendments

F48 S. 27A inserted (E.W.) (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 155(1), 181(1); S.I. 2003/1986, arts. 1(2), **2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)

Modifications etc. (not altering text)

C58 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C59 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

C60 S. 27A(3): power to amend conferred (E.) (30.9.2003) (W.) (30.3.2004) by 2002 c. 15, ss. 150, 181(1), Sch. 9 para. 13(b); S.I. 2003/1986, **art. 2(c)(i)** (subject to savings in Sch. 2); S.I. 2004/699, **art. 2(c)(i)** (subject to savings in Sch. 2)

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

28 Meaning of "qualified accountant".

(1) The reference to a "qualified accountant" in section 21(6) (certification of summary of information about relevant costs) is to a person who, in accordance with the following provisions, has the necessary qualification and is not disqualified from acting.

[[F49](2) A person has the necessary qualification if he is eligible for appointment as a company auditor under section 25 of the Companies Act 1989.**]**

[F50](3) . . . . . .

(4) The following are disqualified from acting—

[F51](a) . . . . . .

(b) an officer **[**[F52], employee or partner**]** of the landlord or, where the landlord is a company, of an associated company;

(c) a person who is a partner or employee of any such officer or employee.

[[F53](d) an agent of the landlord who is a managing agent for any premises to which any of the costs covered by the summary in question relate;

(e) an employee or partner of any such agent.**]**

(5) For the purposes of subsection (4)(b) a company is associated with a landlord company if it is (within the meaning of section 736 of the Companies Act 1985) the landlord's holding company, a subsidiary of the landlord or another subsidiary of the landlord's holding company.

[[F54](5A) For the purposes of subsection (4)(d) a person is a managing agent for any premises to which any costs relate if he has been appointed to discharge any of the landlord's obligations relating to the management by him of the premises and owed to the tenants who may be required under the terms of their leases to contribute to those costs by the payment of service charges.**]**

(6) Where the landlord is a local authority **[**[F55]National Park Authority**]**, a new town corporation or the Development Board for Rural Wales—

(a) the persons who have the necessary qualification include members of the Chartered Institute of Public Finance and Accountancy, and

(b) subsection (4)(b) (disqualification of officers and employees of landlord) does not apply.

Textual Amendments

F49 S. 28(2) substituted (1.10.1991) by S.I. 1991/1997, **Sch. para. 60(a)** (with reg. 4)

F50 S. 28(3) repealed (1.10.1991) by S.I. 1991/1997, **Sch. para. 60(b)** (with reg. 4)

F51 S. 28(4)(a) repealed (1.10.1991) by S.I. 1991/1997, **Sch. para. 60(c)** (with reg. 4)

F52 Words substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 9(2)(a)**

F53 S. 28(4)(d)(e) added by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 9(2)(b)**

F54 S. 28(5A) inserted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 9(3)**

F55 Words in s. 28(6) inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 25(2)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**

Modifications etc. (not altering text)

C61 S. 28 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C62 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C63 S. 28(1) applied (1.11.1993) by 1993 c. 28, **s. 78(4)(a)**; S.I. 1993/2134, **art. 5**

29 Meaning of "recognised tenants' association".

(1) A recognised tenants' association is an association of **[**[F56]qualifying tenants (whether with or without other tenants)**]** which is recognised for purposes of the provisions of this Act relating to service charges either—

(a) by notice in writing given by the landlord to the secretary of the association, or

(b) by a certificate of a member of the local rent assessment committee panel.

(2) A notice given under subsection (1)(a) may be withdrawn by the landlord by notice in writing given to the secretary of the association not less than six months before the date on which it is to be withdrawn.

(3) A certificate given under subsection (1)(b) may be cancelled by any member of the local rent assessment committee panel.

(4) In this section the "local rent assessment committee panel" means the persons appointed by the Lord Chancellor under the [M7]Rent Act 1977 to the panel of persons to act as members of a rent assessment committee for the registration area in which **[**[F57]the dwellings let to the qualifying tenants are situated, and for the purposes of this section a number of tenants are qualifying tenants if each of them may be required under the terms of his lease to contribute to the same costs by the payment of a service charge.**]**.

[[F58](5) The Secretary of State may by regulations specify—

(a) the procedure which is to be followed in connection with an application for, or for the cancellation of, a certificate under subsection (1)(b);

(b) the matters to which regard is to be had in giving or cancelling such a certificate;

(c) the duration of such a certificate; and

(d) any circumstances in which a certificate is not to be given under subsection (1)(b).**]**

(6) Regulations under subsection (5)—

(a) may make different provisions with respect to different cases or descriptions of case, including different provision for different areas, and

(b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F56 Words substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 10(2)**

F57 Words substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 10(3)**

F58 S. 29(5) substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 10(4)**

Modifications etc. (not altering text)

C64 S. 29 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C65 Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))
Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**

C66 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

Marginal Citations

M7 1977 c. 42.

30 Meaning of "flat", "landlord" and "tenant".

In the provisions of this Act relating to service charges—

. . . . . [F59]

"landlord" includes any person who has a right to enforce payment of a service charge;

"tenant" includes

(a) a statutory tenant, and

(b) where the **[**[F60]dwelling**]** or part of it is sub-let, the sub-tenant.

Textual Amendments

F59 Definition of "flat" repealed by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), ss. 41, 61(2), Sch. 2 para. 11(a), **Sch. 5**

F60 Word substituted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 41, **Sch. 2 para. 11(b)**

Modifications etc. (not altering text)

C67 S. 30 amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 4, **Sch. 2 para. 61**) and Housing Act 1988 (c. 50, SIF 61), **s. 79(12)**

C68 Ss. 18-30 modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(b)**
Ss. 18-30 extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))

C69 Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

[F61 *Insurance*

Textual Amendments

F61 S. 30A inserted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), **s. 43(1)**

30A Rights of tenants with respect to insurance.

The Schedule to this Act (which confers on tenants certain rights with respect to the insurance of their dwellings) shall have effect.]

Modifications etc. (not altering text)

C70 S. 30A modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 5; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**

C71 Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

[F62 *Managing agents*

Textual Amendments

F62 S. 30B inserted by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), **s. 44**

30B Recognised tenants' associations to be consulted about managing agents.

(1) A recognised tenants' association may at any time serve a notice on the landlord requesting him to consult the association in accordance with this section on matters relating to the appointment or employment by him of a managing agent for any relevant premises.

(2) Where, at the time when any such notice is served by a recognised tenants' association, the landlord does not employ any managing agent for any relevant premises, the landlord shall, before appointing such a managing agent, serve on the association a notice specifying—

(a) the name of the proposed managing agent;

(b) the landlord's obligations to the tenants represented by the association which it is proposed that the managing agent should be required to discharge on his behalf; and

(c) a period of not less than one month beginning with the date of service of the notice within which the association may make observations on the proposed appointment.

(3) Where, at the time when a notice is served under subsection (1) by a recognised tenants' association, the landlord employs a managing agent for any relevant premises, the landlord shall, within the period of one month beginning with the date of service of that notice, serve on the association a notice specifying—

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(a) the landlord's obligations to the tenants represented by the association which the managing agent is required to discharge on his behalf; and

(b) a reasonable period within which the association may make observations on the manner in which the managing agent has been discharging those obligations, and on the desirability of his continuing to discharge them.

(4) Subject to subsection (5), a landlord who has been served with a notice by an association under subsection (1) shall, so long as he employs a managing agent for any relevant premises—

(a) serve on that association at least once in every five years a notice specifying—

(i) any change occurring since the date of the last notice served by him on the association under this section in the obligations which the managing agent has been required to discharge on his behalf; and

(ii) a reasonable period within which the association may make observations on the manner in which the managing agent has discharged those obligations since that date, and on the desirability of his continuing to discharge them;

(b) serve on that association, whenever he proposes to appoint any new managing agent for any relevant premises, a notice specifying the matters mentioned in paragraphs (a) to (c) of subsection (2).

(5) A landlord shall not, by virtue of a notice served by an association under subsection (1), be required to serve on the association a notice under subsection (4)(a) or (b) if the association subsequently serves on the landlord a notice withdrawing its request under subsection (1) to be consulted by him.

(6) Where—

(a) a recognised tenants' association has served a notice under subsection (1) with respect to any relevant premises, and

(b) the interest of the landlord in those premises becomes vested in a new landlord,

that notice shall cease to have effect with respect to those premises (without prejudice to the service by the association on the new landlord of a fresh notice under that subsection with respect to those premises).

(7) Any notice served by a landlord under this section shall specify the name and the address in the United Kingdom of the person to whom any observations made in pursuance of the notice are to be sent; and the landlord shall have regard to any such observations that are received by that person within the period specified in the notice.

(8) In this section—

"landlord", in relation to a recognised tenants' association, means the immediate landlord of the tenants represented by the association or a person who has a right to enforce payment of service charges payable by any of those tenants;

"managing agent", in relation to any relevant premises, means an agent of the landlord appointed to discharge any of the landlord's obligations to the tenants represented by the recognised tenants' association in question which relate to the management by him of those premises; and

"tenant" includes a statutory tenant;

and for the purposes of this section any premises (whether a building or not) are relevant premises in relation to a recognised tenants' association if any of the tenants

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

represented by the association may be required under the terms of their leases to contribute by the payment of service charges to costs relating to those premises.**]**

Modifications etc. (not altering text)

C72 S. 30B modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 6; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**

C73 Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(ii)** (subject to Sch. 2); S.I. 2004/3056, **art. 3(h)** (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to art. 3)

Miscellaneous

31 Reserve power to limit rents.

(1) The Secretary of State may by order provide for—

(a) restricting or preventing increases of rent for dwellings which would otherwise take place, or

(b) restricting the amount of rent which would otherwise be payable on new lettings of dwellings;

and may provide either generally or in relation to any specified description of dwelling.

(2) An order may contain supplementary or incidental provisions, including provisions excluding, adapting or modifying any provision made by or under an enactment (whenever passed) relating to rent or the recovery of overpaid rent.

(3) In this section—

"new letting" includes any grant of a tenancy, whether or not the premises were previously let, and any grant of a licence;

"rent" includes a sum payable under a licence, but does not include a sum attributable to rates or **[**[F63]council tax or**]**, in the case of dwellings of local authorities **[**[F64]National Park authority**]** or new town corporations, to the use of furniture, or the provision of services;

and for the purposes of this section an increase in rent takes place at the beginning of the rental period for which the increased rent is payable.

(4) An order under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F63 Words in the definition of "rent" in s. 31(3) inserted (1.4.1993) by S.I. 1993/651, art. 2(1), **Sch. 1 para. 16**

F64 Words in s. 31(3) inserted (23.11.1995) by 1995 c. 25, ss. 78, **Sch. 10 para. 25(3)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Supplementary provisions

[[F65]31A Jurisdiction of leasehold valuation tribunal.

(1) The jurisdiction conferred by this Act on a leasehold valuation tribunal is exercisable by a rent assessment committee constituted in accordance with Schedule 10 to the [M8]Rent Act 1977 which when so constituted for the purposes of exercising any such jurisdiction shall be known as a leasehold valuation tribunal.

(2) The power to make regulations under section 74(1)(b) of the Rent Act 1977 (procedure of rent assessment committees) extends to prescribing the procedure to be followed in connection with any proceedings before a leasehold valuation tribunal under this Act.

(3) Such regulations may, in particular, make provision—

(a) for securing consistency where numerous applications under this Act are or may be brought in respect of the same or substantially the same matters; and

(b) empowering a leasehold valuation tribunal to dismiss an application, in whole or in part, on the ground that it is frivolous or vexatious or otherwise an abuse of the process of the tribunal.

(4) No costs incurred by a party in connection with proceedings under this Act before a leasehold valuation tribunal shall be recoverable by order of any court.

(5) Paragraphs 2, 3 and 7 of Schedule 22 to the [M9]Housing Act 1980 (supplementary provisions relating to leasehold valuation tribunals: appeals and provision of information) apply to a leasehold valuation tribunal constituted for the purposes of this section.

(6) No appeal shall lie to the Lands Tribunal from a decision of a leasehold valuation tribunal under this Act without the leave of the leasehold valuation tribunal concerned or the Lands Tribunal.

(7) On any such appeal—

(a) the Lands Tribunal may exercise any power available to the leasehold valuation tribunal in relation to the original matter, and

(b) an order of the Lands Tribunal may be enforced in the same way as an order of the leasehold valuation tribunal.**]**

Textual Amendments

F65 Ss. 31A-31C inserted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, **s. 83(3)**; S.I. 1997/1851, **art. 2**; S.I. 1998/1768, **art. 2**

Marginal Citations

M8 1977 c. 42.

M9 1980 c. 51.

[[F66]31B Leasehold valuation tribunal: applications and fees.

(1) The Secretary of State may make provision by order as to the form of, or the particulars to be contained in, an application made to a leasehold valuation tribunal under this Act.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(2) The Secretary of State may make provision by order—
  (a) requiring the payment of fees in respect of any such application, or in respect of any proceedings before, a leasehold valuation tribunal under this Act; and
  (b) empowering a leasehold valuation tribunal to require a party to proceedings before it to reimburse any other party the whole or part of any fees paid by him.

(3) The fees payable shall be such as may be specified in or determined in accordance with the order subject to this limit, that the fees payable in respect of any one application or reference by the court together with any proceedings before the tribunal arising out of that application or reference shall not exceed £500 or such other amount as may be specified by order of the Secretary of State.

(4) An order under this section may make different provision for different cases or classes of case or for different areas.

(5) An order may in particular—
  (a) make different provision in relation to proceedings transferred to the tribunal from that applicable where an application was made to the tribunal, and
  (b) provide for the reduction or waiver of fees by reference to the financial resources of the party by whom they are to be paid or met.

(6) In the latter case the order may apply, subject to such modifications as may be specified in the order, any other statutory means-testing regime as it has effect from time to time.

(7) An order under this section shall be made by statutory instrument.

(8) No order altering the limit under subsection (3) shall be made unless a draft of the order has been laid before and approved by a resolution of each House of Parliament.

(9) Any other order under this section, unless it contains only such provision as is mentioned in subsection (1), shall be subject to annulment in pursuance of a resolution of either House of Parliament.**]**

Textual Amendments

F66 Ss. 31A-31C inserted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, **s. 83(3)**; S.I. 1997/1851, **art. 2**; S.I. 1998/1768, **art. 2**

[F67 31C Transfer of cases from county court.

(1) Where in any proceedings before a court there falls for determination a question falling within the jurisdiction of a leasehold valuation tribunal under this Act, the court—
  (a) may by order transfer to such a tribunal so much of the proceedings as relate to the determination of that question, and
  (b) may then dispose of all or any remaining proceedings, or adjourn the disposal of all or any of such proceedings, pending the determination of that question by the tribunal, as it thinks fit.

(2) When the tribunal has determined the question, the court may give effect to the determination in an order of the court.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(3) Any such order shall be treated as a determination by the court for the purposes of section 81 of the Housing Act 1996 (restriction on termination of tenancy for failure to pay service charge).

(4) Rules of court may prescribe the procedure to be followed in the court in connection with or in consequence of a transfer under this section.**]**

Textual Amendments

F67 Ss. 31A-31C inserted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, **s. 83(3)**; S.I. 1997/1851, **art. 2**; S.I. 1998/1768, **art. 2**

32 Provisions not applying to tenancies within Part II of the Landlord and Tenant Act 1954.

(1) The following provisions do not apply to a tenancy to which Part II of the [M10]Landlord and Tenant Act 1954 (business tenancies) applies—

[[F68]sections 1 to 3A**]** (information to be given to tenant),

section 17 (specific performance of landlord's repairing obligations).

(2) Section 11 (repairing obligations) does not apply to a new lease granted to an existing tenant, or to a former tenant still in possession, if the new lease is a tenancy to which Part II of the Landlord and Tenant Act 1954 applies and the previous lease either is such a tenancy or would be but for section 28 of that Act (tenancy not within Part II if renewal agreed between the parties).

In this subsection "existing tenant", "former tenant still in possession" and "previous lease" have the same meaning as in section 14(2).

(3) Section 31 (reserve power to limit rents) does not apply to a dwelling forming part of a property subject to a tenancy to which Part II of the [M11]Landlord and Tenant Act 1954 applies; but without prejudice to the application of that section in relation to a sub-tenancy of a part of the premises comprised in such a tenancy.

Textual Amendments

F68 Words in s. 32(1) substituted (1.10.1996) by 1996 c. 52, **s. 93(2)**; S.I. 1996/2212, **art. 2(2)**

Marginal Citations

M10 1954 c. 56.

M11 1954 c. 56.

33 Liability of directors, &c. for offences by body corporate.

(1) Where an offence under this Act which has been committed by a body corporate is proved—

(a) to have been committed with the consent or connivance of a director, manager, secretary or other similar officer of the body corporate, or a person purporting to act in any such capacity, or

(b) to be attributable to any neglect on the part of such an officer or person,

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

he, as well as the body corporate, is guilty of an offence and liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

34 Power of local housing authority to prosecute.

Proceedings for an offence under any provision of this Act may be brought by a local housing authority.

35 Application to Isles of Scilly.

(1) This Act applies to the Isles of Scilly subject to such exceptions, adaptations and modifications as the Secretary of State may by order direct.

(2) An order shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

36 Meaning of "lease" and "tenancy" and related expressions.

(1) In this Act "lease" and "tenancy" have the same meaning.

(2) Both expressions include—
- (a) a sub-lease or sub-tenancy, and
- (b) an agreement for a lease or tenancy (or sub-lease or sub-tenancy).

(3) The expressions "lessor" and "lessee" and "landlord" and "tenant", and references to letting, to the grant of a lease or to covenants or terms, shall be construed accordingly.

37 Meaning of "statutory tenant" and related expressions.

In this Act—
- (a) "statutory tenancy" and "statutory tenant" mean a statutory tenancy or statutory tenant within the meaning of the [M12]Rent Act 1977 or the [M13]Rent (Agriculture) Act 1976; and
- (b) "landlord", in relation to a statutory tenant, means the person who, apart from the statutory tenancy, would be entitled to possession of the premises.

Marginal Citations
M12 1977 c. 42.
M13 1976 c. 80.

38 Minor definitions.

In this Act—

"address" means a person's place of abode or place of business or, in the case of a company, its registered office;

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

[[F69]"arbitration agreement", "arbitration proceedings" and "arbitral tribunal" have the same meaning as in Part I of the [M14]Arbitration Act 1996;**]**

"co-operative housing association" has the same meaning as in the [M15]Housing Associations Act 1985;

"dwelling" means a building or part of a building occupied or intended to be occupied as a separate dwelling together with any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it;

"housing association" has the same meaning as in the Housing Associations Act 1985;

"local authority" means a district, county **[**[F70]county borough**]** or London borough council, the Common Council of the City of London or the Council of the Isles of Scilly and in sections 14(4), 26(1) and 28(6) includes . . . [F71]**[**[F72]the Broads Authority**][**[F73], a police authority established under **[**[F74]section 3 of the Police Act 1996**]**and**]**a joint authority established by Part IV of the [M16]Local Government Act 1985;

"local housing authority" has the meaning given by section 1 of the [M17]Housing Act 1985;

"new town corporation" means—

(a) a development corporation established by an order made, or treated as made, under the [M18]New Towns Act 1981, or

(b) the Commission for the New Towns;

"protected tenancy" has the same meaning as in the Rent Act 1977;

[[F75]"registered social landlord" has the same meaning as in the Housing Act 1985 (see section 5(4) and (5) of that Act);.**]**

"restricted contract" has the same meaning as in the Rent Act 1977;

"urban development corporation" has the same meaning as in Part XVI of the [M19]Local Government, Planning and Land Act 1980.

Textual Amendments

F69 Definition in s. 38 inserted (1.9.1997) by 1996 c. 52, **s. 83(5)**; S.I. 1997/1851, **art. 2**

F70 Words in s. 38 inserted (1.4.1996) by 1994 c. 19, s. 22(2), **Sch. 8 para. 7** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

F71 Words repealed by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(2), **Sch. 13 Pt. I**

F72 Words inserted by Norfolk and Suffolk Broads Act 1988 (c. 4, SIF 81:1), ss. 23(2), 27(2), **Sch. 6 para. 26**

F73 Words in s. 38 inserted (1.10.1994 subject to modifications in art. 6(3)-(6) of S.I. 1994/2025 and otherwise 1.4.1995 by S.I. 1994/3262) by 1994 c. 29, s. 43, **Sch. 4 Pt. II para. 60**; S.I. 1994/2025, **art. 6**; S.I. 1994/3262, art. 4, **Sch.**

F74 Words in s. 38 substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), **Sch. 7 Pt. I para. 1(2)(x)**

F75 Definition in s. 38 substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 16(4)**

Modifications etc. (not altering text)

C74 S. 38 extended by S.I. 1985/1884, art. 10, **Sch. 3 para. 4(y)**

Marginal Citations

M14 1996 c. 23.

M15 1985 c. 69.

M16 1985 c. 51

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

M17 1985 c. 68.
M18 1981 c. 64.
M19 1980 c. 65.

39 Index of defined expressions.

The following Table shows provisions defining or otherwise explaining expressions used in this Act (other than provisions) defining or explaining an expression in the same section):

address	**section 38**
[[F76]arbitration agreement, arbitration proceedings and arbitral tribunal	section 38**]**
co-operative housing association	section 38
dwelling	section 38
dwelling-house (in the provisions relating to repairing obligations)	section 16
fit for human habitation	section 10
flat (in the provisions relating to service charges)	section 30
housing association	section 38
landlord—	
(generally)	section 36(3)
(in sections 1 and 2)	section 1(3)
(in the provisions relating to rent books)	section 4(3)
(in the provisions relating to service charges)	section 30
(in relation to a statutory tenancy)	section 37(b)
lease, lessee and lessor—	
(generally)	section 36
(in the provisions relating to repairing obligations	section 16
local authority	section 38
local housing authority	section 38
new town corporation	section 38
protected tenancy	section 38
qualified accountant (for the purposes of section 21(6))	section 28
[[F77]registered social landlord**]**	section 38
recognised tenants' association	section 29

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

relevant costs (in relation to a service charge)	section 18(2)
restricted contract	section 38
service charge	section 18(1)
statutory tenant	section 37(a)
tenancy and tenant—	
(generally)	section 36
(in sections 1 and 2)	section 1(3)
(in the provisions relating to rent books)	section 4(3)
(in the provisions relating to service charges)	section 30
urban development corporation	section 38

Textual Amendments

F76 Words in s. 39 inserted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, **s. 83(6)**; S.I. 1997/1851, **art. 2**; S.I. 1998/1768, **art. 2**

F77 Words in s. 39 substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 16(5)**

Final provisions

40 Short title, commencement and extent.

(1) This Act may be cited as the Landlord and Tenant Act 1985.

(2) This Act comes into force on 1st April 1986.

(3) This Act extends to England and Wales.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

[F78SCHEDULE

S. 30A

RIGHTS OF TENANTS WITH RESPECT TO INSURANCE

Textual Amendments

F78 Sch. added by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), **s. 43(2)**

Modifications etc. (not altering text)

C75 Sch. modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 5; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**
Sch. extended to Crown Land (E.) (30.9.2003) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)(iii)** (subject to savings in Sch. 2); S.I. 2004/669, **art. 2(c)(ii)(iii)** (subject to savings in Sch. 2)

F78 Construction

1 In this Schedule—

"landlord", in relation to a tenant by whom a service charge is payable which includes an amount payable directly or indirectly for insurance, includes any person who has a right to enforce payment of that service charge;

"relevant policy", in relation to a dwelling, means any policy of insurance under which the dwelling is insured (being, in the case of a flat, a policy covering the building containing it); and

"tenant" includes a statutory tenant.

Request for summary of insurance cover

2 (1) Where a service charge is payable by the tenant of a dwelling which consists of or includes an amount payable directly or indirectly for insurance, the tenant may require the landlord in writing to supply him with a written summary of the insurance for the time being effected in relation to the dwelling.

(2) If the tenant is represented by a recognised tenants' association and he consents, the request may be made by the secretary of the association instead of by the tenant and may then be for the supply of the summary to the secretary.

(3) A request is duly served on the landlord if it is served on—

(a) an agent of the landlord named as such in the rent book or similar document, or

(b) the person who receives the rent on behalf of the landlord;

and a person on whom a request is so served shall forward it as soon as may be to the landlord.

(4) The landlord shall, within one month of the request, comply with it by supplying to the tenant or the secretary of the recognised tenants' association (as the case may require) such a summary as is mentioned in sub-paragraph (1), which shall include—

(a) the insured amount or amounts under any relevant policy, and

(b) the name of the insurer under any such policy, and

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(c) the risks in respect of which the dwelling or (as the case may be) the building containing it is insured under any such policy.

(5) In sub-paragraph (4)(a) "the insured amount or amounts", in relation to a relevant policy, means—

(a) in the case of a dwelling other than a flat, the amount for which the dwelling is insured under the policy; and

(b) in the case of a flat, the amount for which the building containing it is insured under the policy and, if specified in the policy, the amount for which the flat is insured under it.

(6) The landlord shall be taken to have complied with the request if, within the period mentioned in sub-paragraph (4), he instead supplies to the tenant or the secretary (as the case may require) a copy of every relevant policy.

(7) In a case where two or more buildings are insured under any relevant policy, the summary or copy supplied under sub-paragraph (4) or (6) so far as relating to that policy need only be of such parts of the policy as relate—

(a) to the dwelling, and

(b) if the dwelling is a flat, to the building containing it.

Request to inspect insurance policy etc.

3 (1) This paragraph applies where a tenant, or the secretary of a recognised tenants' association, has obtained either—

(a) such a summary as is referred to in paragraph 2(1), or

(b) a copy of any relevant policy or of any such parts of any relevant policy as relate to the premises referred to in paragraph 2(7)(a) or (b),

whether in pursuance of paragraph 2 or otherwise.

(2) The tenant, or the secretary with the consent of the tenant, may within six months of obtaining any such summary or copy as is mentioned in sub-paragraph (1)(a) or (b) require the landlord in writing to afford him reasonable facilities—

(a) for inspecting any relevant policy,

(b) for inspecting any accounts, receipts or other documents which provide evidence of payment of any premiums due under any such policy in respect of the period of insurance which is current when the request is made and the period of insurance immediately preceding that period, and

(c) for taking copies of or extracts from any of the documents referred to in paragraphs (a) and (b).

(3) Any reference in this paragraph to a relevant policy includes a reference to a policy of insurance under which the dwelling in question was insured for the period of insurance immediately preceding that current when the request is made under this paragraph (being, in the case of a flat, a policy covering the building containing it).

(4) Subsections (3) to (6) of section 22 shall have effect in relation to a request made under this paragraph as they have effect in relation to a request made under that section.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Request relating to insurance effected by superior landlord

4 (1) If a request is made under paragraph 2 in a case where a superior landlord has effected, in whole or in part, the insurance of the dwelling in question and the landlord to whom the request is made is not in possession of the relevant information—

(a) he shall in turn make a written request for the relevant information to the person who is his landlord (and so on, if that person is not himself the superior landlord),

(b) the superior landlord shall comply with that request within a reasonable time, and

(c) the immediate landlord shall then comply with the tenant's or secretary's request in the manner provided by sub-paragraphs (4) to (7) of paragraph 2 within the time allowed by that paragraph or such further time, if any, as is reasonable in the circumstances.

(2) If, in a case where a superior landlord has effected, in whole or in part, the insurance of the dwelling in question, a request under paragraph 3 relates to any policy of insurance effected by the superior landlord—

(a) the landlord to whom the request is made shall forthwith inform the tenant or secretary of that fact and of the name and address of the superior landlord, and

(b) that paragraph shall then apply to the superior landlord in relation to that policy as it applies to the immediate landlord.

VALID FROM 30/09/2003

Effect of change of landlord

[F79 4A (1) This paragraph applies where, at a time when a duty imposed on the landlord or a superior landlord by virtue of any of paragraphs 2 to 4 remains to be discharged by him, he disposes of the whole or part of his interest as landlord or superior landlord).

(2) If the landlord or superior landlord is, despite the disposal, still in a position to discharge the duty to any extent, he remains responsible for discharging it to that extent.

(3) If the other person is in a position to discharge the duty to any extent, he is responsible for discharging it to that extent.

(4) Where the other person is responsible for discharging the duty to any extent (whether or not the landlord or superior landlord is also responsible for discharging it to that or any other extent)—

(a) references to the landlord or superior landlord in paragraphs 2 to 4 are to, or include, the other person so far as is appropriate to reflect his responsibility for discharging the duty to that extent, but

(b) in connection with its discharge by that person, paragraphs 2(4) and 3(4) apply as if the reference to the day on which the landlord receives the notice were to the date of the disposal referred to in sub-paragraph (1).]

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Textual Amendments

F79 Sch. para. 4A and preceding sidenote inserted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 11; S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art 2(c)(i)** (subject to Sch. 2)

Effect of assignment on request

5 The assignment of a tenancy does not affect the validity of a request made under paragraph 2, 3 or 4 before the assignment; but a person is not obliged to provide a summary or make facilities available more than once for the same dwelling and for the same period.

Failure to comply with paragraph 2, 3 or 4 an offence

6 (1) It is a summary offence for a person to fail, without reasonable excuse, to perform a duty imposed on him by or by virtue of paragraph 2, 3 or 4.

(2) A person committing such an offence is liable on conviction to a fine not exceeding level 4 on the standard scale.

Tenant's right to notify insurers of possible claim

7 (1) This paragraph applies to any dwelling in respect of which the tenant pays to the landlord a service charge consisting of or including an amount payable directly or indirectly for insurance.

(2) Where—

(a) it appears to the tenant of any such dwelling that damage has been caused—

(i) to the dwelling, or

(ii) if the dwelling is a flat, to the dwelling or to any other part of the building containing it,

in respect of which a claim could be made under the terms of a policy of insurance, and

(b) it is a term of that policy that the person insured under the policy should give notice of any claim under it to the insurer within a specified period,

the tenant may, within that specified period, serve on the insurer a notice in writing stating that it appears to him that damage has been caused as mentioned in paragraph (a) and describing briefly the nature of the damage.

(3) Where—

(a) any such notice is served on an insurer by a tenant in relation to any such damage, and

(b) the specified period referred to in sub-paragraph (2)(b) would expire earlier than the period of six months beginning with the date on which the notice is served,

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

the policy in question shall have effect as regards any claim subsequently made in respect of that damage by the person insured under the policy as if for the specified period there were substituted that period of six months.

(4) Where the tenancy of a dwelling to which this paragraph applies is held by joint tenants, a single notice under this paragraph may be given by any one or more of those tenants.

(5) The Secretary of State may by regulations prescribe the form of notices under this paragraph and the particulars which such notices must contain.

(6) Any such regulations—
- (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and
- (b) shall be made by statutory instrument.

Right to challenge landlord's choice of insurers

[F80 8 (1) This paragraph applies where a tenancy of a dwelling requires the tenant to insure the dwelling with an insurer nominated by the landlord.

(2) The tenant or landlord may apply to a county court or leasehold valuation tribunal for a determination whether—
- (a) the insurance which is available from the nominated insurer for insuring the tenant's dwelling is unsatisfactory in any respect, or
- (b) the premiums payable in respect of any such insurance are excessive.

(3) No such application may be made in respect of a matter which—
- (a) has been agreed or admitted by the tenant,
- (b) under an arbitration agreement to which the tenant is a party is to be referred to arbitration, or
- (c) has been the subject of determination by a court or arbitral tribunal.

(4) On an application under this paragraph the court or tribunal may make—
- (a) an order requiring the landlord to nominate such other insurer as is specified in the order, or
- (b) an order requiring him to nominate another insurer who satisfies such requirements in relation to the insurance of the dwelling as are specified in the order.

(5) Any such order of a leasehold valuation tribunal may, with the leave of the court, be enforced in the same way as an order of a county court to the same effect.

(6) An agreement by the tenant of a dwelling (other than an arbitration agreement) is void in so far as it purports to provide for a determination in a particular manner, or on particular evidence, of any question which may be the subject of an application under this paragraph.]

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

Textual Amendments

F80 Sch. para. 8 substituted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, **s. 83(2)**; S.I. 1997/1851, **art. 2**; S.I. 1998/1768, **art. 2**

*Exception for tenants of certain public authorities***]**

9 (1) Paragraphs 2 to 8 do not apply to a tenant of—

a local authority,

[[F81]a National Park authority**]**

a new town corporation, or

the Development Board for Rural Wales,

unless the tenancy is a long tenancy, in which case paragraphs 2 to 5 and 7 and 8 apply but paragraph 6 does not.

(2) Subsections (2) and (3) of section 26 shall apply for the purposes of sub-paragraph (1) as they apply for the purposes of subsection (1) of that section.

TABLE OF DERIVATIONS

1. The following abbreviations are used in this Table:—	Acts of Parliament
1957	= The Housing Act 1957 (c. 56).
1961	= The Housing Act 1961 (c. 65).
1962	= The Landlord and Tenant Act 1962 (c. 50).
1963 (c. 33)	= The London Government Act 1963.
1968 (c. 23)	= The Rent Act, 1968.
1969	= The Housing Act 1969 (c. 33).
1972 (c. 70)	= The Local Government Act 1972.
1974	= The Housing Act 1974 (c. 44).
1975	= The Housing Rents and Subsidies Act 1975 (c. 6).
1976 (c. 80)	= The Rent (Agriculture) Act 1976.
1977 (c. 42)	= The Rent Act 1977.
1980	= The Housing Act 1980 (c. 51).
1980 (c. 65)	= The Local Government, Planning and Land Act 1980.
1981 (c. 64)	= The New Towns Act 1981.
1982 (c. 48)	= The Criminal Justice Act 1982.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

1985 (c. 9)	= The Companies Consolidation (Consequential Provisions) Act 1985.
1985(c. 51)	= The Local Government Act 1985.

Subordinate legislation

S.I. 1975/512 = The Isles of Scilly (Housing) Order 1975.

2. The Table does not show the effect of Transfer of Functions Orders.

3. The letter R followed by a number indicates that the provision gives effect to the Recommendation bearing that number in the Law Commissions' Report of the Consolidation of the Housing Acts (Cmnd. 9515).

4. The entry "drafting" indicates a provision of a mechanical or editorial nature affecting the arrangement of the consolidation; for instance, a provision introducing the provisions which follow or introducing a definition to avoid undue repetition of the defining words.

Provision	**Derivation**
1(1)	1974 s. 121(1).
(2)	1974 s. 121(1); 1980 s. 144; 1982 (c. 48) ss. 37, 46(1).
(3)	1974 s. 121(9).
2(1), (2)	1974 s. 121(2).
(3)	1974 s. 121(4).
(4)	1974 s. 121(5); 1980 s. 144; 1982 (c. 48 ss. 37, 46(1).
3(1)	1974 s. 122(1), (2).
(2)	1974 s. 122(4).
(3)	1974 s. 122(5); 1980 s. 144; 1982 (c. 48) ss. 37, 46(1).
(4)	1974 s. 122(8), (9)(a).
4(1)	1962 s. 1(1).
(2)	1962 s. 1(2).
(3)	1962 ss. 1(1), 6(1)(a).
Provision	Derivation
5(1)	1962 s. 2(1); 1976 (c. 80) Sch. 8 para. 9; 1977 (c. 42) Sch. 23 para. 31(a), (b).
(2)	1962 s. 2(1); 1968 (c. 23) Sch. 15.
(3)	1962 s. 6(1)(b).
6(1)	1962 s. 3(1).
(2)	1962 s. 3(2).

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

7(1), (2)	1962 s. 4(1), (3); 1982 (c. 48) ss. 37, 46(1), Sch. 3.
(3)	1962 s. 4(2), (3); 1982 (c. 48) ss. 37, 46(1), Sch. 3.
(4)	1962 s. 4(4).
8(1), (2)	1957 s. 6(2), (3).
(3)	1957 s. 6(1), (2).
(4)	1957 s. 6(1); 1963 (c. 33) Sch. 8 para. 2.
(5)	1957 s. 6(2) proviso.
(6)	1957 s. 189(1) “house” (a).
9(1), (2)	1957 s. 7.
(3)	1957 ss. 7, 189(1) “house” (a).
10	1957 s. 4(1); 1969 s. 71.
11(1)	1961 s. 32(1).
(2)	1961 s. 32(2).
(3)	1961 s. 32(3).
(4)	1961 s. 32(1), (2).
(5)	1961 s. 32(1).
(6)	1961 s. 32(4).
12(1)	1961 s. 33(7).
(2)	1961 s. 33(6).
13(1)	1961 s. 33(1).
(2)	1961 s. 33(2), (5).
14(1), (2)	1961 s. 33(3).
(3)	1961 s. 33(4).
(4)	1977 (c. 42) ss. 14, 15(3); 1980 s. 80(1)(a)-(c), (2), (3); 1980 (c. 65) s. 155(1); 1981 (c. 64) Sch. 12 para. 24.
(5)	1980 s. 80(1)(d), (e).
15	1961 s. 33(8).
16	1961 s. 32(5).
17(1)	1974 s. 125(1).
(2)	1974 s. 125(2); R.14(i).
18(1)(3)	1980 Sch. 19 para. 1(1).
19(1)	1980 Sch. 19 paras. 2, 3.
(2)	1980 Sch. 19 para. 2.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(3)	180 Sch. 19 para. 11.
(4)	1980 Sch. 19 para. 12.
20(1)	1980 Sch. 19 paras. 2, 4(1).
(2)	1980 Sch. 19 para. 4(2).
(3)	1980 Sch. 19 para. 5(1)(6).
(4)	1980 Sch. 19 para. 5(7).
(5)	1980 Sch. 19 para. 6.
(6)	1980 s. 151(1), (3).
21(1)	1980 Sch. 19 para. 7(1), (5).
(2)	1980 Sch. 19 para. 7(2).
(3)	1980 Sch. 19 para. 9.
(4)	1980 Sch. 19 para. 7(1).
(5), (6)	1980 Sch. 19 para. 7(3)
22(1), (2)	1980 Sch. 19 para. 7(4).
(3)	1980 Sch. 19 para. 9.
(4)	1980 Sch. 19 para. 7(4).
23(1), (2)	1980 Sch. 19 para. 8(1), (2).
24	1980 Sch. 19 para. 10.
25(1), (2)	1980 Sch. 19 para. 13(1); 1982 (c. 48) ss. 37, 46(1).
26(1)	1980 s. 50(1) "development corporation", "local authority"**[**[F81]"a National Park authority"**]**, Sch. 19 para. 14(1), (2)(a).
(2), (3)	1980 Sch. 3 para. 1(2), (2A), (3), Sch. 19 para. 14(1); 1984 Sch. 1 para. 12, Sch. 11 para. 33(1).
27	1980 Sch. 19 para. 15.
28(1)	drafting.
(2)	1980 Sch. 16 para. 3(2), Sch. 19 para. 17(1); 1985 (c. 9) Sch. 2.
(3)	1980 Sch. 16 para. 3(4), Sch. 19 para. 17(1).
(4)	1980 Sch. 19 para. 17(2).
(5)	1980 Sch. 19 para. 17(2)(b); 1985 (c. 9) Sch. 2.
(6)	1980 Sch. 19 para. 14(1),(2)(b).
29(1)	1980 Sch. 19 para. 20.

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

(2), (3)	1980 Sch. 19 para. 21(1).
(4)	1980 Sch. 19 para. 20(b).
(5)	1980 Sch. 19 para. 21(2).
(6)	1980 s. 151(1), (3).
30	
"flat"	1980 Sch. 19 para. 16.
"landlord"	1980 Sch. 19 para. 18.
"tenant"	1980 Sch. 19 para. 19.
31(1)	1975 ss. 11(1), 15(1), (5).
(2)	1975 ss. 11(2), 15(5).
(3)	1975 s. 11(10), (11).
(4)	1975 ss. 11(3), 15(1).
32(1)	1974 ss. 121(9), 122(8), 125(2).
(2)	1961 s. 33(3).
(3)	1975 s. 11(11) "dwelling".
33)1)	1962 s. 4(6); 1974 ss. 121(6), 122(6); 1980 Sch. 19 para. 13(2).
(2)	1974 ss. 121(7), 122(7); 1980 Sch. 19 para. 13(3); R.28.
34	1962 s. 5(2); 1968 (c. 23) Sch. 15; 1972 (c. 70) s. 222(1); 1974 s. 121(8); 1977 (c. 42) s. 149(2), Sch. 23 para. 32, Sch. 24 para. 30.
35(1), (2)	1972 s. 103; 1975 s. 17(11), Sch. 5 para. 7(1); S.I. 1972/1204; S.I. 1975/512; R.29.
36	1961 s. 32(5); 1974 ss. 121(9), 125(2); 1975 s. 11(11) "new letting"; drafting.
37	1962 s. 6(1)(a); 1974 ss. 121(9), 122(8), 125(2); 1976 (c. 80) Sch. 8 para. 31; 1977 (c. 42) Sch. 23 para. 66; 1980 Sch. 19 para. 18; R.14(i).
38	
"address"	1962 s. 6(2); 1974 ss. 121(3), 122(3), Sch. 13 para. 9.
"co-operative housing association"	1977 (c. 42) s. 15(3)(d); 1980 s. 80(1)(b); drafting.
"dwelling"	1974 s. 129(1) "dwelling"; 1975 s. 16(1) "dwelling".

Status: *Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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)*

"housing association"	1977 (c. 42) s. 15(3)(a); 1980 s. 80(1)(b).
"local authority" **[**[F81] "a National Park authority" **]**	1975 ss. 11(11), 16(1) "local authority"**[**[F81]"a National Park authority"**]**; 1977 (c. 42) s. 14(1)(a)-(c); 1980 s. 80(1)(c); 1985 (c. 51 Sch. 13 para. 21, Sch. 14 paras. 56, 58 (h).
"local housing authority"	1962 s. 5(2); 1968 (c. 23) Sch. 15; 1974 s. 121(8); S.I. 1975/512; 1977 (c. 42) s. 149(2), Sch. 23 para. 32, Sch. 24 para. 30; 1980 s. 50(1) "local authority"**[**[F81]"a National Park authority"**]**, Sch. 19 para. 14(1)(a).
"new town corporation"	1977 (c. 42) s. 14(d), (e); 1980 ss. 50(1) "development corporation", 80(1)(c), Sch. 19 para. 14(1)(a), (c); 1981 (c. 64;) Sch. 12 para. 24; drafting.
"protected tenancy"	1962 s. 2(1); 1968 (c. 23) Sch. 15; 1977 (c. 42) Sch. 23 para. 31(b), Sch. 24 para. 30.
"registered"	1977 (c. 42) s. 15(3)(a); 1980 s. 80(1)(b).
"restricted contract"	1962 s. 2(1); 1977 (c. 42) Sch. 23 para. 31(a).
"urban development corporation"	1977 (c. 42) s. 14(1)(g); 1980 s. 80(1)(c); 1980 (c. 65) s. 155(1).
39	drafting.
40	drafting.

Textual Amendments

F81 Words in Sch. para. 9 inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 25(1)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**

Modifications etc. (not altering text)

C76 Sch. para. 9(1) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 4, 5, **Sch. 2 para. 61** and as amended by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 61, **Sch. 4 para. 3(a)(ii)**)
Sch. para. 9(1) extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(c)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2))
Sch. para. 9(1) modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(c)**

Status:
Point in time view as at 01/09/1997. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation:
Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 26 May 2024. 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.