



Landlord and Tenant Act 1987

1987 CHAPTER 31

PART I

TENANTS' RIGHTS OF FIRST REFUSAL

Supplementary

[^{F1}18A The requisite majority of qualifying tenants.

- (1) In this Part “the requisite majority of qualifying tenants of the constituent flats” means qualifying tenants of constituent flats with more than 50 per cent. of the available votes.
- (2) The total number of available votes shall be determined as follows—
 - (a) where an offer notice has been served under section 5, that number is equal to the total number of constituent flats let to qualifying tenants on the date when the period specified in that notice as the period for accepting the offer expires;
 - (b) where a notice is served under section 11A without a notice having been previously served under section 5, that number is equal to the total number of constituent flats let to qualifying tenants on the date of service of the notice under section 11A;
 - (c) where a notice is served under section 12A, 12B or 12C without a notice having been previously served under section 5 or section 11A, that number is equal to the total number of constituent flats let to qualifying tenants on the date of service of the notice under section 12A, 12B or 12C, as the case may be.
- (3) There is one available vote in respect of each of the flats so let on the date referred to in the relevant paragraph of subsection (2), which shall be attributed to the qualifying tenant to whom it is let.
- (4) The persons constituting the requisite majority of qualifying tenants for one purpose may be different from the persons constituting such a majority for another purpose.]

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Textual Amendments

F1 S. 18A inserted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 2**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

19 Enforcement of obligations under Part I.

- (1) The court may, on the application of any person interested, make an order requiring any person who has made default in complying with any duty imposed on him by any provision of this Part to make good the default within such time as is specified in the order.
- (2) An application shall not be made under subsection (1) unless—
 - (a) a notice has been previously served on the person in question requiring him to make good the default, and
 - (b) more than 14 days have elapsed since the date of service of that notice without his having done so.
- (3) The restriction imposed by section 1(1) may be enforced by an injunction granted by the court.

20 Construction of Part I and power of Secretary of State to prescribe modifications.

- (1) In this Part—
 - [^{F2}“acceptance notice” has the meaning given by section 6(3);]
 - [^{F3}“appropriate tribunal” means—
 - (a) in relation to premises in England, the First-tier Tribunal or, where determined by or under Tribunal Procedure Rules, the Upper Tribunal; and
 - (b) in relation to premises in Wales, a leasehold valuation tribunal;]
 - “associated company”, in relation to a body corporate, means another body corporate which is (within the meaning of [^{F4}section 1159 of the Companies Act 2006]) that body’s holding company, a subsidiary of that body or another subsidiary of that body’s holding company;
 - [^{F5}“constituent flat” shall be construed in accordance with section 5(1) or 11(2), as the case may require;]
 - “disposal” [^{F6}shall be construed in accordance with section 4(3) and section 4A (application of provisions to contracts)], and references to the acquisition of an estate or interest shall be construed accordingly;
 - “landlord”, in relation to any premises, shall be construed in accordance with section 2;
 - [^{F7} . . .]
 - [^{F8}“the nominated person” means the person or persons for the time being nominated by the requisite majority of the qualifying tenants of the constituent flats for the purposes of section 6, 12A, 12B or 12C, as the case may require;]
 - “offer notice” means a notice served by a landlord under section 5;
 - “the original disposal” means the relevant disposal referred to in section 11(1);

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[^{F9}“the protected interest” means the estate, interest or other subject-matter of an offer notice;]

[^{F10}“the protected period” has the meaning given by section 6(4);]

[^{F11}“purchase notice” has the meaning given by section 12B(2);]

[^{F12}“purchaser” has the meaning given by section 11(3);]

“qualifying tenant”, in relation to a flat, shall be construed in accordance with section 3;

“relevant disposal” shall be construed in accordance with section 4;

“the requisite majority”, in relation to qualifying tenants, shall be construed in accordance with [^{F13}section 18A];

“transferee”, in relation to a disposal, shall be construed in accordance with section 4(3).

(2) In this Part—

(a) any reference to an offer ^{F14}. . . is a reference to an offer ^{F14}. . . made subject to contract, and

(b) any reference to the acceptance of an offer ^{F14}. . . is a reference to its acceptance subject to contract.

(3) Any reference in this Part to a tenant of a particular description shall be construed, in relation to any time when the interest under his tenancy has ceased to be vested in him, as a reference to the person who is for the time being the successor in title to that interest.

(4) The Secretary of State may by regulations make such modifications of any of the provisions of sections 5 to 18 as he considers appropriate, and any such regulations may contain such incidental, supplemental or transitional provisions as he considers appropriate in connection with the regulations.

(5) In subsection (4) “modifications” includes additions, omissions and alterations.

Textual Amendments

F2 Definition of “acceptance notice” in s. 20(1) substituted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(2)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

F3 Words in s. 20(1) inserted (1.7.2013) by The Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036), **art. 1, Sch. 1 para. 66** (with Sch. 3)

F4 Words in s. 20(1) substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), **art. 1(2), Sch. 1 para. 88** (with art. 10)

F5 Definition of “constituent flat” in s. 20(1) substituted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(3)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

F6 Words in definition of “disposal” in s. 20(1) substituted (1.10.1996) by 1996 c. 52, s. 89(3); S.I. 1996/2212, **art. 2(2)** (with Sch.)

F7 Definition of “the new landlord” in s. 20(1) repealed (1.10.1996) by 1996 c. 52, ss. 92(1), 227, **Sch. 6 Pt. IV para. 3(4), Sch. 19 Pt. III**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

F8 Definition of “the nominated person” in s. 20(1) inserted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(5)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

F9 Definition of “the protected interest” substituted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(6)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

F10 Definition of “the protected period” in s. 20(1) inserted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(7)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

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- F11** Definition of “purchase notice” in s. 20(1) substituted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(8)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)
- F12** Definition of “purchaser” in s. 20(1) inserted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(9)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)
- F13** Words in definition of “the requisite majority” in s. 20(1) substituted (1.10.1996) by 1996 c. 52, s. 92(1), **Sch. 6 Pt. IV para. 3(10)**; S.I. 1996/2212, **art. 2(2)** (with Sch.)
- F14** Words in s. 20(2) repealed (1.10.1996) by 1996 c. 52, ss. 92(1), 227, Sch. 6 para. 4, **Sch. 19 Pt. III**; S.I. 1996/2212, **art. 2(2)** (with Sch.)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(2)(abb) inserted by [2002 c. 15 Sch. 10 para. 14](#)