



Landlord and Tenant (Covenants) Act 1995

1995 CHAPTER 30

Apportionment of liability between assignor and assignee

10 Procedure for making apportionment bind other party to lease

- (1) For the purposes of section 9 the parties to an agreement falling within subsection (1) or (2) of that section apply for an apportionment to become binding on the appropriate person if, either before or within the period of four weeks beginning with the date of the assignment in question, they serve on that person a notice informing him of—
 - (a) the proposed assignment or (as the case may be) the fact that the assignment has taken place;
 - (b) the prescribed particulars of the agreement; and
 - (c) their request that the apportionment should become binding on him.
- (2) Where an application for an apportionment to become binding has been made in accordance with subsection (1), the apportionment becomes binding on the appropriate person if—
 - (a) he does not, within the period of four weeks beginning with the day on which the notice is served under subsection (1), serve on the parties to the agreement a notice in writing objecting to the apportionment becoming binding on him, or
 - (b) he does so serve such a notice but the court, on the application of the parties to the agreement, makes a declaration that it is reasonable for the apportionment to become binding on him, or
 - (c) he serves on the parties to the agreement a notice in writing consenting to the apportionment becoming binding on him and, if he has previously served a notice objecting thereto, stating that that notice is withdrawn.
- (3) Where any apportionment becomes binding in accordance with this section, this shall be regarded as occurring at the time when the assignment in question takes place.
- (4) In this section—

Status: This is the original version (as it was originally enacted).

“the appropriate person” has the same meaning as in section 9;

“the court” means a county court;

“prescribed” means prescribed by virtue of section 27.