

SCHEDULES

SCHEDULE 4

RIGHTS EXERCISABLE BY SURVEYOR APPOINTED BY TENANTS' ASSOCIATION

Right to inspect premises

- 4 (1) The surveyor also has the right to inspect any common parts comprised in relevant premises or any appurtenant property.

- (2) In sub-paragraph (1)—

“common parts”, in relation to a building or part of a building, includes the structure and exterior of the building or part and any common facilities within it;

“relevant premises” means so much of—

- (i) the building or buildings containing the dwellings let to members of the tenants' association, and

- (ii) any other building or buildings,

as constitute premises in relation to which management functions are discharged in respect of the costs of which service charges are payable by members of the association; and

“appurtenant property” means so much of any property not contained in relevant premises as constitutes property in relation to which any such management functions are discharged.

For the purposes of the above definitions “management functions” includes functions with respect to the provision of services, or the repair, maintenance or insurance of property.

- (3) On being requested to do so, the landlord shall afford the surveyor reasonable access for the purposes of carrying out an inspection under this paragraph.

- (4) Such reasonable access shall be afforded to the surveyor free of charge.

This does not mean that the landlord cannot treat as part of his costs of management any costs incurred by him in connection with affording reasonable access to the surveyor.

- (5) A request is duly made under this paragraph to the landlord of a tenant if it is made to a person appointed by the landlord to deal with such requests or, if no such person has been appointed, to a person who receives on behalf of the landlord the rent payable by that tenant.

A person to whom such a request is made shall notify the landlord of the request as soon as may be.