

# Commonhold and Leasehold Reform Act 2002

# **2002 CHAPTER 15**

#### PART 2

LEASEHOLD REFORM

#### **CHAPTER 5**

OTHER PROVISIONS ABOUT LEASES

Managers appointed by F1... tribunal

#### **Textual Amendments**

F1 Words in s. 160 cross-heading omitted (1.7.2013) by virtue of The Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036), art. 1, Sch. 1 para. 140 (with Sch. 3)

# 160 Third parties with management responsibilities

- (1) The 1987 Act has effect subject to the following amendments.
- (2) In section 22 (notice by tenant before application for appointment of manager is made)
  - (a) in subsection (1), for "on the landlord by the tenant" substitute "by the tenant on—
    - (i) the landlord, and
    - (ii) any person (other than the landlord) by whom obligations relating to the management of the premises or any part of them are owed to the tenant under his tenancy",

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Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Cross Heading: Managers appointed by ... tribunal. (See end of Document for details)

- (b) in subsection (2)(a), for "the landlord" substitute "any person on whom the notice is served",
- (c) in subsection (2)(b), for "landlord complies with the requirement specified in pursuance of that paragraph" substitute "requirement specified in pursuance of that paragraph is complied with",
- (d) in subsection (2)(d), for "the landlord, require the landlord" substitute "any person on whom the notice is served, require him", and
- (e) in subsection (3)—
  - (i) after "this section" insert " on a person ", and
  - (ii) for "landlord" substitute " person ".
- (3) In section 23(1) (application to tribunal for appointment of manager), for "landlord having taken the steps that he was required to take in pursuance of that provision" substitute "person required to take steps in pursuance of that paragraph having taken them".
- (4) In section 24 (appointment of manager by tribunal)—
  - (a) in subsection (2), for "the landlord" (in both places) substitute "any relevant person",
  - (b) after that subsection insert—
    - "(2ZA) In this section "relevant person" means a person—
      - (a) on whom a notice has been served under section 22, or
      - (b) in the case of whom the requirement to serve a notice under that section has been dispensed with by an order under subsection (3) of that section.",
  - (c) in subsection (5), for "the landlord" substitute "any relevant person",
  - (d) in subsection (9A), for "a landlord's application" substitute "the application of any relevant person", and
  - (e) in subsection (11), for "section" substitute "Part".
- (5) In section 29(3), insert at the end"which was made by reason of an act or omission on the part of the landlord."

#### **Commencement Information**

I1 S. 160 wholly in force at 1.1.2003; s. 160 not in force at Royal Assent, see s. 181(1); s. 160 in force at 26.7.2002 for E. by S.I. 2002/1912, art. 2(b)(i) (subject to transitional provisions and savings in Sch. 2); s. 160 in force at 1.1.2003 for W. by S.I. 2002/3012, art. 2(b)(i) (subject to transitional provisions and savings in Sch. 2)

# 161 Restriction of resident landlord exception

In section 21 of the 1987 Act (tenant's right to apply to tribunal for appointment of manager), after subsection (3) insert—

"(3A) But this Part is not prevented from applying to any premises because the interest of the landlord in the premises is held by a resident landlord if at least one-half of the flats contained in the premises are held on long leases which are not tenancies to which Part 2 of the Landlord and Tenant Act 1954 (c. 56) applies."

Part 2 – Leasehold reform

Chapter 5 – Other provisions about leases

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# **Commencement Information**

S. 161 wholly in force at 1.1.2003; s. 161 not in force at Royal Assent, see s. 181(1); s. 161 in force at 26.7.2002 for E. by S.I. 2002/1912, art. 2(b)(i) (subject to transitional provisions and savings in Sch. 2); s. 161 in force at 1.1.2003 for W. by S.I. 2002/3012, art. 2(b)(i) (subject to transitional provisions and savings in Sch. 2)

# **Changes to legislation:**

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Cross Heading: Managers appointed by ... tribunal.