



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 5

OTHER PROVISIONS ABOUT LEASES

Forfeiture of leases of dwellings

171 Power to prescribe additional or different requirements

- (1) The appropriate national authority may by regulations prescribe requirements which must be met before a right of re-entry or forfeiture may be exercised in relation to a breach of a covenant or condition in a long lease of an unmortgaged dwelling.
- (2) The regulations may specify that the requirements are to be in addition to, or instead of, requirements imposed otherwise than by the regulations.
- (3) In this section “long lease of a dwelling” does not include—
 - (a) a tenancy to which Part 2 of the Landlord and Tenant Act 1954 (c. 56) (business tenancies) applies,
 - (b) a tenancy of an agricultural holding within the meaning of the Agricultural Holdings Act 1986 (c. 5) in relation to which that Act applies, or
 - (c) a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995 (c. 8).
- (4) For the purposes of this section a dwelling is unmortgaged if it is not subject to a mortgage, charge or lien.

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 171. (See end of Document for details)

(5) In this section—

“dwelling” has the same meaning as in the 1985 Act, and

“long lease” has the meaning given by sections 76 and 77 of this Act, except that a shared ownership lease is a long lease whatever the tenant’s total share.

Commencement Information

- II** S. 171 wholly in force at 31.5.2005; s. 171 not in force at Royal Assent see s. 181(1); s. 171 in force for specified purposes at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(c\)](#); s. 171 in force for specified purposes at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(c\)](#); s. 171 in force so far as not already in force at 28.2.2005 for E. by [S.I. 2004/3056](#), [art. 3\(g\)](#); s. 171 in force so far as not already in force at 31.5.2005 for W. by [S.I. 2005/1353](#), [art. 2\(g\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 171.