



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 1

COMMONHOLD

Operation of commonhold

37 Enforcement and compensation

- (1) Regulations may make provision (including provision conferring jurisdiction on a court) about the exercise or enforcement of a right or duty imposed or conferred by or by virtue of—
 - (a) a commonhold community statement;
 - (b) the [^{F1}articles] of a commonhold association;
 - (c) a provision made by or by virtue of this Part.
- (2) The regulations may, in particular, make provision—
 - (a) requiring compensation to be paid where a right is exercised in specified cases or circumstances;
 - (b) requiring compensation to be paid where a duty is not complied with;
 - (c) enabling recovery of costs where work is carried out for the purpose of enforcing a right or duty;
 - (d) enabling recovery of costs where work is carried out in consequence of the failure to perform a duty;
 - (e) permitting a unit-holder to enforce a duty imposed on another unit-holder, on a commonhold association or on a tenant;
 - (f) permitting a commonhold association to enforce a duty imposed on a unit-holder or a tenant;
 - (g) permitting a tenant to enforce a duty imposed on another tenant, a unit-holder or a commonhold association;

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 37. (See end of Document for details)

- (h) permitting the enforcement of terms or conditions to which a right is subject;
 - (i) requiring the use of a specified form of arbitration, mediation or conciliation procedure before legal proceedings may be brought.
- (3) Provision about compensation made by virtue of this section shall include—
- (a) provision (which may include provision conferring jurisdiction on a court) for determining the amount of compensation;
 - (b) provision for the payment of interest in the case of late payment.
- (4) Regulations under this section shall be subject to any provision included in a commonhold community statement in accordance with regulations made by virtue of section 32(5)(b).

Textual Amendments

- F1** Words in s. 37(1)(b) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), **Sch. 1 para. 194(9)** (with art. 10)

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