
Changes to legislation: Tribunals, Courts and Enforcement Act 2007, Cross Heading: Law of Property Act 1925 (c. 20) is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

SCHEDULES

SCHEDULE 14

RENT ARREARS RECOVERY: AMENDMENTS

Law of Property Act 1925 (c. 20)

21 The Law of Property Act 1925 is amended as follows.

Commencement Information

I1 Sch. 14 para. 21 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

22 In section 109 (powers etc. of receiver appointed by mortgagee), in subsection (3), for “, distress” substitute “ or under section 72(1) of the Tribunals, Courts and Enforcement Act 2007 (commercial rent arrears recovery) ”.

Commencement Information

I2 Sch. 14 para. 22 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

23 Section 121(2) ceases to have effect.

Commencement Information

I3 Sch. 14 para. 23 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

24 In section 150 (surrender of a lease, without prejudice to underleases with a view to the grant of a new lease), in subsection (5), for “by distress or” substitute “ under section 72(1) of the Tribunals, Courts and Enforcement Act 2007 (commercial rent arrears recovery) or by ”.

Commencement Information

I4 Sch. 14 para. 24 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

25 In section 162 (restrictions on the perpetuity rule) in subsection (1) omit paragraph (a).

Commencement Information

I5 Sch. 14 para. 25 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

26 In section 189 (indemnities against rents) omit subsection (1).

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Commencement Information

I6 Sch. 14 para. 26 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

- 27 (1) Section 190 (equitable apportionment of rents and remedies for non-payment or breach of covenant) is amended as follows.
- (2) Omit subsection (2).
- (3) For subsections (4) and (5) substitute—
- “(4) Subsection (5) applies where—
- (a) any default is made in payment of the whole or part of a rent by the person (“the defaulter”) who, by reason of a charge or apportionment within subsection (3), is liable to pay it, and
- (b) the lessee for the time being of any other land comprised in the lease, in whom, as respects that land, the residue of the term or interest created by the lease is vested, (“the paying lessee”) pays or is required to pay the whole or part of the rent which ought to have been paid by the defaulter.
- (5) Section 72(1) of the Tribunals, Courts and Enforcement Act 2007 (commercial rent arrears recovery) applies, subject to the other provisions of Chapter 2 of Part 3 of that Act, to the recovery by the paying lessee from the defaulter of the rent paid by the paying lessee which ought to have been paid by the defaulter, as if the paying lessee were the landlord, and the defaulter his tenant, under the lease.”
- (4) In subsection (7) omit “owner or”.

Commencement Information

I7 Sch. 14 para. 27 in force at 6.4.2014 by S.I. 2014/768, art. 2(1)(b)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(8)(bza) inserted by [2022 c. 36 s. 23\(2\)](#)
- s. 13(8)(bzb) inserted by [2022 c. 36 s. 24\(9\)](#)
- s. 16(3)(a) word inserted by [2015 c. 2 s. 85\(3\)\(a\)](#)
- s. 16(3)(b) and word inserted by [2015 c. 2 s. 85\(3\)\(b\)](#)
- s. 16(3A)(3B) inserted by [2015 c. 2 s. 85\(4\)](#)
- s. 22(6) inserted by [2022 c. 35 Sch. 4 para. 4\(2\)](#)
- s. 23(8) inserted by [2022 c. 35 Sch. 4 para. 4\(3\)](#)
- s. 25A inserted by [2022 c. 36 s. 80\(1\)](#)
- s. 29(3A) inserted by [2022 c. 36 s. 81\(6\)](#)
- Sch. 5 para. 11A and cross-heading inserted by [2022 c. 36 s. 80\(2\)](#)
- Sch. 7 para. 6(1)(e) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)
- Sch. 7 para. 6(4)(b) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)