

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: Landlord and Tenant Act 1954, Part III is up to date with all changes known to be in force on or before 19 June 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)*

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## SCHEDULES

### FIRST SCHEDULE **E+W**

#### SUPPLEMENTARY PROVISIONS AS TO PAYMENTS FOR ACCRUED TENANT’S REPAIRS

#### PART III **E+W**

##### VARIATION OF AGREEMENT OR DETERMINATION AS TO TIME FOR MAKING PAYMENT

- 13 The tenant may apply to the court for the variation, on the grounds and to the extent hereinafter specified, of any agreement or determination for the making of a payment for accrued tenant’s repairs.
- 14 The grounds on which an agreement or determination may be varied on an application under the last foregoing paragraph are the following:—
- (a) that the expenditure reasonably incurred by the landlord in carrying out the relevant initial repairs substantially exceeded the estimated cost thereof; or
  - (b) that the applicant is not the person who was the tenant at the time of the previous agreement or determination and that there are considerations arising out of the personal circumstances of the applicant which ought to be taken into account in determining the manner of making the payment.
- 15 The extent to which an agreement or determination may be so varied on an application under paragraph 13 of this Schedule is the following:—
- (a) if the agreement or determination was for the making of the payment otherwise than by instalments, and the payment has not been fully made, by substituting therefor a determination that the payment or balance of the payment should be made by instalments;
  - (b) if the agreement or determination was for the making of a payment by instalments, by substituting for the instalments agreed or determined instalments of such smaller amounts, payable at such times, as may be determined by the court.
- 16 Where an agreement or determination is varied under this Part of this Schedule, the foregoing provisions of this Schedule shall thereafter apply with the necessary modifications.

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