
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 167(1) of the Commonhold and Leasehold Reform Act 2002 prevents a landlord under a long lease of a dwelling from exercising a right of re-entry or forfeiture for failure by a tenant to pay an amount consisting of rent, service charges or administration charges (or a combination of them) unless the unpaid amount exceeds the prescribed sum or consists of, or includes, an amount which has been payable for more than a prescribed period.

Regulation 2 of these Regulations, which apply only in relation to dwellings in England, prescribes the sum of £350 and a period of three years.

A regulatory impact assessment of the implementation of section 167 in the form that is the subject of these Regulations, and in other forms, was included in a Consultation Paper issued by the Office of the Deputy Prime Minister in October 2002. A copy may be accessed at www.odpm.gov.uk or obtained from Leasehold Reform Branch, Office of the Deputy Prime Minister, Zone 2J6, Eland House, Bressenden Place, London SW1E 5DU (Telephone: 020 7944 3462).