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STATUTORY INSTRUMENTS

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**2022 No. 1030**

**The Tribunal Procedure (Amendment No. 2) Rules 2022**

**Amendments to the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013**

4.—(1) The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013(1) are amended as follows.

(2) In rule 1(3) (citation, commencement and interpretation), after the definition of “Tribunal” insert—

““unresponsive grantor case” means an application for an order under paragraph 27D of Part 4A (code rights in respect of land connected to leased premises: unresponsive occupiers) of Schedule 3A to the Communications Act 2003(2).”

(3) In rule 13 (orders for costs, reimbursement of fees and interest on costs)—

(a) in paragraph (1)—

(i) at the beginning, insert “Subject to paragraph (1ZA),”;

(ii) in sub-paragraph (b), after “proceedings”, omit the words from “in” to the end of that sub-paragraph;

(b) after paragraph (1) insert—

“(1ZA) The Tribunal may not make an order for costs under paragraph (1)(b) in proceedings under—

(a) Part 5 of the Rent Act 1977(3) (rents under restricted contracts); or

(b) Part 1 of the Housing Act 1988(4) (assured tenancies, shorthold and non-shorthold).”

(4) In rule 31(3) (decision with or without a hearing), in sub-paragraph (a) after “28 days’ notice” insert “or, in an unresponsive grantor case, not less than 14 days’ notice.”

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(1) [S.I. 2013/1169](#); relevant amending instruments are [S.I. 2019/925](#), [S.I. 2021/322](#) and [S.I. 2021/1183](#).  
(2) [2003 c. 21](#); Part 4A of Schedule 3A will be inserted by section 1 of the Telecommunications Infrastructure (Leasehold Property) Act 2021 (c. 7) when brought into force.  
(3) [1977 c. 42](#). This Act is amended by the Transfer of Functions Order 2013 ([S.I. 2013/1036](#)), which under Article 2(1) transfers the functions of rent assessment committees for areas in England to the First-tier Tribunal or, where determined by or under tribunal procedure rules in any particular case, the Upper Tribunal.  
(4) [1988 c. 50](#). This Act is amended by [S.I. 2013/1036](#) which transfers the functions of rent assessment committees for areas in England to the First-tier Tribunal or, where determined by or under tribunal procedure rules in any particular case, the Upper Tribunal.