

Changes to legislation: Landlord and Tenant Act 1985, Cross Heading: . . . Insurance effected by superior landlord is up to date with all changes known to be in force on or before 18 July 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

[^{F2}SCHEDULE

RIGHTS OF TENANTS WITH RESPECT TO INSURANCE

Textual Amendments

F2 Sch. added by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 43(2)

Modifications etc. (not altering text)

C1 Sch. modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 5; S.I. 2003/1986, art. 2(a); S.I. 2004/669, art. 2(a)

Sch. extended to Crown Land (E.) (30.9.2003) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, art. 2(c)(ii)(iii) (subject to savings in Sch. 2); S.I. 2004/669, art. 2(c)(ii)(iii) (subject to savings in Sch. 2)

^{F1}. . . Insurance effected by superior landlord

Textual Amendments

F1 Words in heading before Sch. para. 4 repealed (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 180, 181(1), Sch. 14; S.I. 2003/1986, arts. 1(2), 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2); S.I. 2004/669, art. 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2)

- 4 (1) If [^{F3}a notice is served] under paragraph 2 in a case where a superior landlord has effected, in whole or in part, the insurance of the dwelling in question and the landlord [^{F4}on whom the notice is served] is not in possession of the relevant information—
- (a) he shall in turn [^{F5}by notice in writing require the person who is his landlord to give him the relevant information] (and so on, if that person is not himself the superior landlord),
 - (b) the superior landlord shall comply with [^{F6}the notice] within a reasonable time, and
 - (c) the immediate landlord shall then comply with the tenant's or [^{F7}secretary's notice] in the manner provided by sub-paragraphs (4) to (7) of paragraph 2 within the time allowed by that paragraph or such further time, if any, as is reasonable in the circumstances.
- (2) If, in a case where a superior landlord has effected, in whole or in part, the insurance of the dwelling in question, a [^{F8}notice under paragraph 3 imposes a requirement relating] to any policy of insurance effected by the superior landlord—
- (a) the landlord [^{F9}on whom the notice is served] shall forthwith inform the tenant or secretary of that fact and of the name and address of the superior landlord, and
 - (b) that paragraph shall then apply to the superior landlord in relation to that policy as it applies to the immediate landlord.

Textual Amendments

F3 Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(a); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

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- F4** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(b); S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)
- F5** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(c); S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)
- F6** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(d); S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)
- F7** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(e); S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)
- F8** Words in Sch. para. 4(2) substituted (30.9.2003 for W. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(3)(a); S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)
- F9** Words in Sch. para. 4(2) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(3)(b); S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)

Effect of change of landlord

- [^{F10}4A (1) This paragraph applies where, at a time when a duty imposed on the landlord or a superior landlord by virtue of any of paragraphs 2 to 4 remains to be discharged by him, he disposes of the whole or part of his interest as landlord or superior landlord).
- (2) If the landlord or superior landlord is, despite the disposal, still in a position to discharge the duty to any extent, he remains responsible for discharging it to that extent.
- (3) If the other person is in a position to discharge the duty to any extent, he is responsible for discharging it to that extent.
- (4) Where the other person is responsible for discharging the duty to any extent (whether or not the landlord or superior landlord is also responsible for discharging it to that or any other extent)—
- (a) references to the landlord or superior landlord in paragraphs 2 to 4 are to, or include, the other person so far as is appropriate to reflect his responsibility for discharging the duty to that extent, but
 - (b) in connection with its discharge by that person, paragraphs 2(4) and 3(4) apply as if the reference to the day on which the landlord receives the notice were to the date of the disposal referred to in sub-paragraph (1).]

Textual Amendments

- F10** Sch. para. 4A and preceding sidenote inserted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 11; S.I. 2003/1986, **art. 2(c)(i)** (subject to Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (subject to Sch. 2)

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. 5(4) inserted by [2024 c. 22 Sch. 11 para. 2\(b\)](#)
- s. 13(1AB) inserted by [2016 c. 22 Sch. 7 para. 18\(2\)](#)
- s. 20A(1)(2) words substituted by [2024 c. 22 s. 53\(3\)s. 53\(4\)\(c\)](#)
- s. 20B(3)-(10) and words substituted for words by [2024 c. 22 s. 54](#)
- s. 20G-20I inserted by [2024 c. 22 s. 59](#)
- s. 20J20K inserted by [2024 c. 22 s. 64](#)
- s. 20CA20CB inserted by [2024 c. 22 s. 62\(3\)](#)
- s. 20ZA(8) inserted by [2024 c. 22 Sch. 11 para. 5\(d\)](#)
- s. 21C inserted by [2024 c. 22 s. 55\(3\)](#)
- s. 21D21E inserted by [2024 c. 22 s. 56\(2\)](#)
- s. 21F-21H inserted by [2024 c. 22 s. 57\(2\)](#)
- s. 25A inserted by [2024 c. 22 s. 58\(3\)](#)
- s. 26(1A) inserted by [2024 c. 22 Sch. 11 para. 16\(b\)](#)
- s. 26(4)-(7) inserted by [2024 c. 22 Sch. 9 para. 5\(b\)](#)
- s. 28(7)(8) inserted by [2024 c. 22 s. 56\(3\)\(d\)](#)
- s. 29(7) inserted by [2024 c. 22 Sch. 11 para. 8\(c\)](#)
- s. 30J and cross-heading inserted by [2024 c. 22 s. 63](#)
- s. 30K-30P and cross-heading inserted by [2024 c. 22 s. 67](#)
- s. 31(5) inserted by [2024 c. 22 Sch. 11 para. 11\(c\)](#)
- s. 35(3) inserted by [2024 c. 22 Sch. 11 para. 12\(b\)](#)
- s. 37A inserted by [2024 c. 22 s. 68\(2\)](#)
- s. 39A inserted by [2024 c. 22 s. 69\(1\)](#)
- Sch. para. 1A-1C and cross-heading inserted by [2024 c. 22 s. 60\(2\)](#)