



Landlord and Tenant Act 1987

CHAPTER 31

LANDLORD AND TENANT ACT 1987

PART I

TENANTS' RIGHTS OF FIRST REFUSAL

Preliminary

- 1 Qualifying tenants to have rights of first refusal on disposals by landlord.
- 2 Landlords for the purposes of Part I.
- 3 Qualifying tenants.
- 4 Relevant disposals.
- 4A Application of provisions to contracts.

Rights of first refusal

- 5 Landlord required to serve offer notice on tenants.
- 5A Offer notice: requirements in case of contract to be completed by conveyance, &c.
- 5B Offer notice: requirements in case of sale by auction.
- 5C Offer notice: requirements in case of grant or option or right of pre-emption.
- 5D Offer notice: requirements in case of conveyance not preceded by contract, &c.
- 5E Offer notice: disposal for non-monetary consideration.
- 6 Acceptance of landlord's offer: general provisions.
- 7 Failure to accept landlord's offer or to make nomination.
- 8 Landlord's obligations in case of acceptance and nomination.
- 8A Landlord's obligation: general provisions.
- 8B Landlord's obligation: election in case of sale at auction.

Status: Point in time view as at 16/01/2012.

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- 8C Election in case of disposal for non-monetary consideration.
- 8D Disposal in pursuance of option or right of pre-emption.
- 8E Covenant, &c affecting landlord's power to dispose.
- 9A Notice of withdrawal by nominated person.
- 9B Notice of withdrawal by landlord.
- 9 Withdrawal of either party from transaction.
- 10 Lapse of landlord's offer.
- 10A Offence of failure to comply with requirements of Part I.

Enforcement by tenants of rights against purchaser

- 11 Circumstances in which tenants' rights enforceable against purchaser
- 11A Right to information as to terms of disposal, &c.
- 12A Right of qualifying tenants to take benefit of contract.
- 12B Right of qualifying tenants to compel sale, &c. by purchaser.
- 12C Right of qualifying tenants to compel grant of new tenancy by superior landlord
- 12D Nominated persons: supplementary provisions.
- 12 Right of qualifying tenants to compel sale etc. by new landlord.
- 13 Determination of questions by leasehold valuation tribunal.
- 14 Withdrawal of nominated person from transaction under s.12B or 12C.
- 15 Right of qualifying tenants to compel grant of new tenancy by superior landlord.

Enforcement by tenants of rights against subsequent purchasers

- 16 Rights of qualifying tenants against subsequent purchaser.

Termination of rights against purchasers or subsequent purchasers

- 17 Termination of rights against purchaser or subsequent purchaser.

Notices served by prospective purchasers

- 18 Notices served by prospective purchasers to ensure that rights of first refusal do not arise.

Supplementary

- 18A The requisite majority of qualifying tenants.
- 19 Enforcement of obligations under Part I.
- 20 Construction of Part I and power of Secretary of State to prescribe modifications.

PART II

APPOINTMENT OF MANAGERS BY A LEASEHOLD VALUATION TRIBUNAL

- 21 Tenant's right to apply to court for appointment of manager.
- 22 Preliminary notice by tenant.
- 23 Application to court for appointment of manager.
- 24 Appointment of manager by a leasehold valuation tribunal.
- 24A Jurisdiction of leasehold valuation tribunal.
- 24B Leasehold valuation tribunal: applications and fees.

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PART III

COMPULSORY ACQUISITION BY TENANTS OF THEIR LANDLORD'S INTEREST

- 25 Compulsory acquisition of landlord's interest by qualifying tenants.
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- 27 Preliminary notice by tenants.
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- 35 Application by party to lease for variation of lease.
- 36 Application by respondent for variation of other leases.
- 37 Application by majority of parties for variation of leases.

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- 40 Application for variation of insurance provisions of lease of dwelling other than a flat.

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- 41 Amendments relating to service charges.
- 42 Service charge contributions to be held in trust.
- 42A Service charge contributions to be held in designated account
- 42B Failure to comply with section 42A

Insurance

- 43 Rights of tenants with respect to insurance.

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- 44 Recognised tenants' associations to be consulted about managing agents.
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PART VI

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- 50 Continuation of former landlord's liability to tenant where no notice of assignment.
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- 58 Exempt landlords and resident landlords.
- 59 Meaning of "lease", "long lease" and related expressions.
- 60 General interpretation.
- 61 Consequential amendments and repeals.
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SCHEDULES

SCHEDULE 1 — DISCHARGE OF MORTGAGES ETC.: SUPPLEMENTARY PROVISIONS

Part I — DISCHARGE IN PURSUANCE OF PURCHASE NOTICES

Construction

- 1 In this Part of this Schedule— "the consideration payable" means...

Duty of nominated person to redeem mortgages

- 2 (1) Where in accordance with section 12B(5)(a) an instrument will...

Determination of amounts due in respect of mortgages

- 3 (1) For the purpose of determining the amount payable in...

Payments into court

- 4 (1) Where under section 12B(5)(a) any property is to be...

Savings

- 5 (1) Where any property is discharged by section 12B(5)(a) from...
Part II — DISCHARGE IN PURSUANCE OF ACQUISITION ORDERS

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Construction

6 In this Part of this Schedule— “the consideration payable” means...

Duty of nominated person to redeem mortgages

7 (1) Where in accordance with section 32(1) an instrument will...

Determination of amounts due in respect of mortgages

8 (1) For the purpose of determining the amount payable in...

Payments into court

9 (1) Where under section 32 any premises are to be...

Savings

10 (1) Where any premises are discharged by section 32 from...

SCHEDULE 2 — AMENDMENTS RELATING TO SERVICE CHARGES

Meaning of “service charge” and “relevant costs”

1 In section 18(1) of the 1985 Act, for “flat” substitute...

Limitation of service charges: reasonableness

2 In section 19 of the 1985 Act—

Limitation of service charges: estimates and consultation

3 The following section shall be substituted for section 20 of...

Additional limitations on service charges

4 The following sections shall be inserted in the 1985 Act...

Request for summary of relevant costs

5 (1) Section 21 of the 1985 Act shall be amended...

Request to inspect supporting accounts etc.

6 In section 22 of the 1985 Act, after subsection (4)...

Effect of assignment on request

7 In section 24 of the 1985 Act, for “flat” substitute...

Exception where rent is registered and not entered as variable

8 In section 27 of the 1985 Act, for “flat” substitute...

Meaning of “qualified accountant”

9 (1) Section 28 of the 1985 Act shall be amended...

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Meaning of “recognised tenants’ association”

10 (1) Section 29 of the 1985 Act shall be amended...

Definitions

11 In section 30— (a) omit the definition of “flat”; and...

SCHEDULE 3 — RIGHTS OF TENANTS WITH RESPECT TO INSURANCE

Construction

1 In this Schedule— “landlord”, in relation to a tenant by...

Request for summary of insurance cover

2 (1) Where a service charge is payable by the tenant...

Request to inspect insurance policy etc.

3 (1) This paragraph applies where a tenant, or the secretary...

Request relating to insurance effected by superior landlord

4 (1) If a request is made under paragraph 2 in...

Effect of assignment on request

5 The assignment of a tenancy does not affect the validity...

Failure to comply with paragraph 2, 3 or 4 an offence

6 (1) It is a summary offence for a person to...

Tenant’s right to notify insurers of possible claim

7 (1) This paragraph applies to any dwelling in respect of...

Right to challenge landlord’s choice of insurers

8 (1) This paragraph applies to a tenancy of a dwelling...

Exception for tenants of certain public authorities

9 (1) Paragraphs 2 to 8 do not apply to a...

SCHEDULE 4 — CONSEQUENTIAL AMENDMENTS

1 In section 49(1) (rules to provide for notices of other...

2 In section 64 (certificates to be produced and noted on...

3 In Schedule 13 (provisions with respect to residuary bodies)—

4 In section 45 (disposals in relation to which ss.46 to...

5 Omit section 49 (information held by superior landlord).

6 In section 50(1) (offences), omit “or 49”.

7

SCHEDULE 5 — REPEALS

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