

Status: Point in time view as at 01/10/2009.

Changes to legislation: *Housing Act 1996, Cross Heading: Effect of disposal by landlord is up to date with all changes known to be in force on or before 07 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)*

SCHEDULES

SCHEDULE 4

RIGHTS EXERCISABLE BY SURVEYOR APPOINTED BY TENANTS’ ASSOCIATION

Modifications etc. (not altering text)

- C1** Sch. 4 (except para. 7) modified (30.9.2003 for E., 30.3.2004 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 181(1), **Sch. 7 para. 15(1)**; S.I. 2003/1986, art. 2(a); S.I. 2004/669, art. 2(a) (with Sch. 2)
- C1** Sch. 4 extended to Crown Land (30.9.2003 for E. for specified purposes, 30.3.2004 for W. for specified purposes, 28.2.2005 for E. for specified purposes, 31.5.2005 for W. for specified purposes) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), **ss. 172**, 181(1); S.I. 2003/1986, art. 2(c)(ii) (with Sch. 2); S.I. 2004/669, art. 2(c)(ii) (with Sch. 2); S.I. 2004/3056, art. 3(h) (with art. 4); S.I. 2005/1353, art. 2(h)

Effect of disposal by landlord

- 7 (1) Where a notice under paragraph 3 has been given or a request under paragraph 4 has been made to a landlord, and at a time when any obligations arising out of the notice or request remain to be discharged by him—
- (a) he disposes of the whole or part of his interest as landlord of any member of the tenants’ association, and
 - (b) the person acquiring that interest (“the transferee”) is in a position to discharge any of those obligations to any extent,
- that person shall be responsible for discharging those obligations to that extent, as if he had been given the notice under paragraph 3 or had received the request under paragraph 4.
- (2) If the landlord is, despite the disposal, still in a position to discharge those obligations, he remains responsible for doing so.
- Otherwise, the transferee is responsible for discharging them to the exclusion of the landlord.
- (3) In connection with the discharge of such obligations by the transferee, paragraphs 3 to 6 apply with the substitution for any reference to the date on which notice was given under paragraph 3 or the request was made under paragraph 4 of a reference to the date of the disposal.
- (4) In this paragraph “disposal” means a disposal whether by the creation or transfer of an estate or interest, and includes the surrender of a tenancy; and references to the transferee shall be construed accordingly.

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