
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

SCHEDULE 10

RIGHT TO VARY LEASE TO REPLACE RENT WITH PEPPERCORN RENT

Liability for costs: failed claims

- 14 (1) A tenant is liable to the landlord for a prescribed amount in respect of non-litigation costs if the tenant's claim ceases to have effect by virtue of paragraph 12(1), unless it ceases to have effect by virtue of—
- (a) paragraph 12(1)(b), or
 - (b) paragraph 12(1)(h) because of the application of section 55 of the LRHUDA 1993.
- (2) For the purposes of this paragraph—
- (a) “prescribed” means prescribed by, or determined in accordance with, regulations made—
 - (i) in relation to England, by the Secretary of State;
 - (ii) in relation to Wales, by the Welsh Ministers;
 - (b) “non-litigation costs” are costs that are or could be incurred by a landlord as a result of a claim under this Schedule other than in connection with proceedings before a court or tribunal;
 - (c) where a claim ceases to have effect by virtue of a person who was a tenant assigning their lease without assigning the claim under paragraph 3(8), “tenant” includes that person.
- (3) A statutory instrument containing regulations under this paragraph is subject to the negative procedure.