

Status: Point in time view as at 22/04/2014.

Changes to legislation: Landlord and Tenant Act 1985, Cross Heading: Tenant's right to notify insurers of possible claim is up to date with all changes known to be in force on or before 10 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)

[^{F1}SCHEDULE

RIGHTS OF TENANTS WITH RESPECT TO INSURANCE

Textual Amendments

F1 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)

Tenant's right to notify insurers of possible claim

- 7 (1) This paragraph applies to any dwelling in respect of which the tenant pays to the landlord a service charge consisting of or including an amount payable directly or indirectly for insurance.
- (2) Where—
- (a) it appears to the tenant of any such dwelling that damage has been caused—
- (i) to the dwelling, or
- (ii) if the dwelling is a flat, to the dwelling or to any other part of the building containing it,
- in respect of which a claim could be made under the terms of a policy of insurance, and
- (b) it is a term of that policy that the person insured under the policy should give notice of any claim under it to the insurer within a specified period,
- the tenant may, within that specified period, serve on the insurer a notice in writing stating that it appears to him that damage has been caused as mentioned in paragraph (a) and describing briefly the nature of the damage.
- (3) Where—
- (a) any such notice is served on an insurer by a tenant in relation to any such damage, and
- (b) the specified period referred to in sub-paragraph (2)(b) would expire earlier than the period of six months beginning with the date on which the notice is served,
- the policy in question shall have effect as regards any claim subsequently made in respect of that damage by the person insured under the policy as if for the specified period there were substituted that period of six months.
- (4) Where the tenancy of a dwelling to which this paragraph applies is held by joint tenants, a single notice under this paragraph may be given by any one or more of those tenants.
- (5) The Secretary of State may by regulations prescribe the form of notices under this paragraph and the particulars which such notices must contain.
- (6) Any such regulations—

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- (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and
- (b) shall be made by statutory instrument.]

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