



# Landlord and Tenant Act 1985

## 1985 CHAPTER 70

### *Service charges*

#### [<sup>F1</sup>20] **Limitation of service charges: consultation requirements**

- (1) Where this section applies to any qualifying works or qualifying long term agreement, the relevant contributions of tenants are limited in accordance with subsection (6) or (7) (or both) unless the consultation requirements have been either—
  - (a) complied with in relation to the works or agreement, or
  - (b) dispensed with in relation to the works or agreement by (or on appeal from) a leasehold valuation tribunal.
- (2) In this section “relevant contribution”, in relation to a tenant and any works or agreement, is the amount which he may be required under the terms of his lease to contribute (by the payment of service charges) to relevant costs incurred on carrying out the works or under the agreement.
- (3) This section applies to qualifying works if relevant costs incurred on carrying out the works exceed an appropriate amount.
- (4) The Secretary of State may by regulations provide that this section applies to a qualifying long term agreement—
  - (a) if relevant costs incurred under the agreement exceed an appropriate amount, or
  - (b) if relevant costs incurred under the agreement during a period prescribed by the regulations exceed an appropriate amount.
- (5) An appropriate amount is an amount set by regulations made by the Secretary of State; and the regulations may make provision for either or both of the following to be an appropriate amount—
  - (a) an amount prescribed by, or determined in accordance with, the regulations, and
  - (b) an amount which results in the relevant contribution of any one or more tenants being an amount prescribed by, or determined in accordance with, the regulations.

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*Status: Point in time view as at 01/04/2008. This version of this provision has been superseded.*

*Changes to legislation: Landlord and Tenant Act 1985, Section 20 is up to date with all changes known to be in force on or before 06 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)*

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- (6) Where an appropriate amount is set by virtue of paragraph (a) of subsection (5), the amount of the relevant costs incurred on carrying out the works or under the agreement which may be taken into account in determining the relevant contributions of tenants is limited to the appropriate amount.
- (7) Where an appropriate amount is set by virtue of paragraph (b) of that subsection, the amount of the relevant contribution of the tenant, or each of the tenants, whose relevant contribution would otherwise exceed the amount prescribed by, or determined in accordance with, the regulations is limited to the amount so prescribed or determined.]

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#### Textual Amendments

- F1** Ss. 20, 20ZA substituted (26.7.2002 for E. for certain purposes otherwise 31.10.2003 and 1.1.2003 for W. for certain purposes and otherwise 30.3.2004) for s. 20 by 2002 c. 15, s. 151; S.I. 2002/1912, art. 2(c); S.I. 2002/3012, art. 2(c); S.I. 2003/1986, art. 3(1) (subject to art. 3(2)-(7)); S.I. 2004/669, art. 2(d) (subject to art. 2(d)(i)-(vi))

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#### Modifications etc. (not altering text)

- C1** Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 4; S.I. 2003/1986, art. 2(a); S.I. 2004/669, art. 2(a)
- Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, art. 2(c)(ii) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(ii) (subject to Sch. 2); S.I. 2004/3056, art. 3(h) (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, art. 2(h) (subject to art. 3)
- C2** S. 20 applied (E.) (31.10.2003) by The Service Charges (Consultation Requirements) (England) Regulations 2003 (S.I. 2003/1987), reg. 4(1)

**Status:**

Point in time view as at 01/04/2008. This version of this provision has been superseded.

**Changes to legislation:**

Landlord and Tenant Act 1985, Section 20 is up to date with all changes known to be in force on or before 06 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.