



# Landlord and Tenant Act 1985

## 1985 CHAPTER 70

### *Service charges*

#### **[<sup>F1</sup>20ZA Consultation requirements: supplementary**

- (1) Where an application is made to [<sup>F2</sup>the appropriate tribunal] for a determination to dispense with all or any of the consultation requirements in relation to any qualifying works or qualifying long term agreement, the tribunal may make the determination if satisfied that it is reasonable to dispense with the requirements.
- (2) In section 20 and this section—
  - “qualifying works” means works on a building or any other premises, and
  - “qualifying long term agreement” means (subject to subsection (3)) an agreement entered into, by or on behalf of the landlord or a superior landlord, for a term of more than twelve months.
- (3) The Secretary of State may by regulations provide that an agreement is not a qualifying long term agreement—
  - (a) if it is an agreement of a description prescribed by the regulations, or
  - (b) in any circumstances so prescribed.
- (4) In section 20 and this section “the consultation requirements” means requirements prescribed by regulations made by the Secretary of State.
- (5) Regulations under subsection (4) may in particular include provision requiring the landlord—
  - (a) to provide details of proposed works or agreements to tenants or the recognised tenants’ association representing them,
  - (b) to obtain estimates for proposed works or agreements,
  - (c) to invite tenants or the recognised tenants’ association to propose the names of persons from whom the landlord should try to obtain other estimates,
  - (d) to have regard to observations made by tenants or the recognised tenants’ association in relation to proposed works or agreements and estimates, and

*Status: Point in time view as at 01/04/2023.*

*Changes to legislation: Landlord and Tenant Act 1985, Section 20ZA 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)*

- (e) to give reasons in prescribed circumstances for carrying out works or entering into agreements.

[ And in the case of works to which [section 20D](#) applies, regulations under <sup>F3</sup>(5A) subsection (4) may also include provision requiring the landlord—

- (a) to give details of the steps taken or to be taken under [section 20D\(2\)](#),  
 (b) to give reasons about prescribed matters, and any other prescribed information, relating to the taking of such steps, and  
 (c) to have regard to observations made by tenants or the recognised tenants' association in relation to the taking of such steps.]

(6) Regulations under section 20 or this section—

- (a) may make provision generally or only in relation to specific cases, and  
 (b) may make different provision for different purposes.

(7) Regulations under section 20 or this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.]

#### Textual Amendments

- F1** Ss. 20, 20ZA substituted (26.7.2002 for E. for certain purposes and 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\(d\)\(i\)-\(vi\)](#))
- F2** Words in s. 20ZA(1) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), [art. 1, Sch. 1 para. 51](#) (with [Sch. 3](#))
- F3** [S. 20ZA\(5A\)](#) inserted (1.4.2023 for specified purposes) by [Building Safety Act 2022 \(c. 30\)](#), [ss. 133\(3\)](#), [170\(5\)](#); [S.I. 2023/362, reg. 2\(1\)\(g\)](#)

#### 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](#))

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