



Landlord and Tenant Act 1987

CHAPTER 31

LANDLORD AND TENANT ACT 1987

PART I

TENANTS' RIGHTS OF FIRST REFUSAL

Preliminary

- 1 Qualifying tenants to have rights of first refusal on disposals by landlord
- 2 Landlords for the purposes of Part I
- 3 Qualifying tenants
- 4 Relevant disposals

Notices conferring rights of first refusal

- 5 Requirement to serve notice conferring rights of first refusal
- 6 Acceptance of landlord's offer
- 7 Rejection of landlord's offer: counter-offer by tenants
- 8 Fresh offer by landlord: further negotiations between parties
- 9 Withdrawal of either party from transaction
- 10 Lapse of landlord's offer

Enforcement by tenants of rights against new landlords

- 11 Duty of new landlord to furnish particulars of disposal made in contravention of Part I
- 12 Right of qualifying tenants to compel sale etc. by new landlord
- 13 Determination by rent assessment committees of questions relating to purchase notices
- 14 Withdrawal of nominated person from transaction
- 15 Right of qualifying tenants to compel grant of new tenancy by superior landlord

Enforcement by tenants of rights against subsequent purchasers

- 16 Right of qualifying tenants to compel sale etc. by subsequent purchaser

Termination of rights against new landlords etc.

- 17 Termination of rights against new landlord or subsequent purchaser

Notices served by prospective purchasers

- 18 Notices served by prospective purchasers to ensure that rights of first refusal do not arise

Supplementary

- 19 Enforcement of obligations under Part I
20 Construction of Part I and power of Secretary of State to prescribe modifications

PART II

APPOINTMENT OF MANAGERS BY THE COURT

- 21 Tenant's right to apply to court for appointment of manager
22 Preliminary notice by tenant
23 Application to court for appointment of manager
24 Appointment of manager by the court

PART III

COMPULSORY ACQUISITION BY TENANTS OF THEIR LANDLORD'S INTEREST

- 25 Compulsory acquisition of landlord's interest by qualifying tenants
26 Qualifying tenants
27 Preliminary notice by tenants
28 Applications for acquisition orders
29 Conditions for making acquisition orders
30 Content of acquisition orders
31 Determination of terms by rent assessment committees
32 Discharge of existing mortgages
33 Acquisition order where landlord cannot be found
34 Discharge of acquisition order and withdrawal by tenants

PART IV

VARIATION OF LEASES

Applications relating to flats

- 35 Application by party to lease for variation of lease
36 Application by respondent for variation of other leases
37 Application by majority of parties for variation of leases

Orders varying leases

- 38 Orders by the court varying leases
39 Effect of orders varying leases: applications by third parties

Applications relating to dwellings other than flats

- 40 Application for variation of insurance provisions of lease of dwelling other than a flat

PART V

MANAGEMENT OF LEASEHOLD PROPERTY

Service charges

- 41 Amendments relating to service charges
42 Service charge contributions to be held in trust

Insurance

- 43 Rights of tenants with respect to insurance

Managing agents

- 44 Recognised tenants' associations to be consulted about managing agents

Management by registered housing associations

- 45 Extension of permissible objects of registered housing associations as regards the management of leasehold property

PART VI

INFORMATION TO BE FURNISHED TO TENANTS

- 46 Application of Part VI, etc.
47 Landlord's name and address to be contained in demands for rent etc.
48 Notification by landlord of address for service of notices
49 Extension of circumstances in which notices are sufficiently served
50 Continuation of former landlord's liability to tenant where no notice of assignment
51 Right of tenant to search proprietorship register for landlord's name and address

PART VII

GENERAL

- 52 Jurisdiction of county courts
53 Regulations and orders
54 Notices
55 Application to Isles of Scilly
56 Crown land
57 Financial provision
58 Exempt landlords and resident landlords
59 Meaning of "lease", "long lease" and related expressions
60 General interpretation
61 Consequential amendments and repeals
62 Short title, commencement and extent

SCHEDULES

SCHEDULE 1 — DISCHARGE OF MORTGAGES ETC.: SUPPLEMENTARY PROVISIONS

PART I — DISCHARGE IN PURSUANCE OF PURCHASE NOTICES

Construction

1 In this Part of this Schedule— "the consideration payable" means...

Duty of nominated person to redeem mortgages

2 (1) Where in accordance with section 12(4)(a) an instrument will...

Determination of amounts due in respect of mortgages

3 (1) For the purpose of determining the amount payable in...

Payments into court

4 (1) Where under section 12(4)(a) any property is to be...

Savings

5 (1) Where any property is discharged by section 12(4)(a) from...

PART II — DISCHARGE IN PURSUANCE OF ACQUISITION ORDERS

Construction

6 In this Part of this Schedule— "the consideration payable" means...

Duty of nominated person to redeem mortgages

7 (1) Where in accordance with section 32(1) an instrument will...

Determination of amounts due in respect of mortgages

8 (1) For the purpose of determining the amount payable in...

Payments into court

9 (1) Where under section 32 any premises are to be...

Savings

10 (1) Where any premises are discharged by section 32 from...

SCHEDULE 2 — AMENDMENTS RELATING TO SERVICE CHARGES

Meaning of "service charge" and "relevant cost"s

1 In section 18(1) of the 1985 Act, for "flat" substitute...

Limitation of service charges: reasonableness

2 In section 19 of the 1985 Act—

Limitation of service charges: estimates and consultation

3 The following section shall be substituted for section 20 of...

Additional limitations on service charges

4 The following sections shall be inserted in the 1985 Act...

Request for summary of relevant costs

5 (1) Section 21 of the 1985 Act shall be amended...

Request to inspect supporting accounts etc.

6 In section 22 of the 1985 Act, after subsection (4)...

Effect of assignment on request

7 In section 24 of the 1985 Act, for "flat" substitute...

Exception where rent is registered and not entered as variable

8 In section 27 of the 1985 Act, for "flat" substitute...

Meaning of "qualified accountant"

9 (1) Section 28 of the 1985 Act shall be amended...

Meaning of 'recognised tenants' association'

10 (1) Section 29 of the 1985 Act shall be amended...

Definitions

11 In section 30— (a) omit the definition of "flat"; and...

SCHEDULE 3 — RIGHTS OF TENANTS WITH RESPECT TO INSURANCE

Construction

1 In this Schedule— "landlord", in relation to a tenant by...

Request for summary of insurance cover

2 (1) Where a service charge is payable by the tenant...

Request to inspect insurance policy etc.

3 (1) This paragraph applies where a tenant, or the secretary...

Request relating to insurance effected by superior landlord

4 (1) If a request is made under paragraph 2 in...

Effect of assignment on request

5 The assignment of a tenancy does not affect the validity...

Status: This is the original version (as it was originally enacted).

Failure to comply with paragraph 2, 3 or 4 an offence

6 (1) It is a summary offence for a person to...

Tenant's right to notify insurers of possible claim

7 (1) This paragraph applies to any dwelling in respect of...

Right to challenge landlord's choice of insurers

8 (1) This paragraph applies to a tenancy of a dwelling...

Exception for tenants of certain public authorities

9 (1) Paragraphs 2 to 8 do not apply to a...

SCHEDULE 4 — CONSEQUENTIAL AMENDMENTS

LAND REGISTRATION ACT 1925 (C.21)

- 1 In section 49(1) (rules to provide for notices of other...
2 In section 64 (certificates to be produced and noted on...

LOCAL GOVERNMENT ACT 1985 (C.51)

3 In Schedule 13 (provisions with respect to residuary bodies)—

HOUSING ACT 1985 (C.68)

- 4 In section 45 (disposals in relation to which ss.46 to...
5 Omit section 49 (information held by superior landlord).
6 In section 50(1) (offences), omit "or 49".

HOUSING ASSOCIATIONS ACT 1985 (C.69)

7 In section 107(3) (extent), for "section 4(3)(g)" substitute "section 4(3)
(ddd)..."

SCHEDULE 5 — REPEALS