



Leasehold Reform, Housing and Urban Development Act 1993

1993 CHAPTER 28

PART I

LANDLORD AND TENANT

CHAPTER II

INDIVIDUAL RIGHT OF TENANT OF FLAT TO ACQUIRE NEW LEASE

Preliminary inquiries by qualifying tenant

41 Right of qualifying tenant to obtain information about superior interests etc.

- (1) A qualifying tenant of a flat may give—
 - (a) to his immediate landlord, or
 - (b) to any person receiving rent on behalf of his immediate landlord,a notice requiring the recipient to state whether the immediate landlord is the owner of the freehold interest in the flat and, if not, to give the tenant such information as is mentioned in subsection (2) (so far as known to the recipient).
- (2) That information is—
 - (a) the name and address of the person who owns the freehold interest in the flat;
 - (b) the duration of the leasehold interest in the flat of the tenant's immediate landlord and the extent of the premises in which it subsists; and
 - (c) the name and address of every person who has a leasehold interest in the flat which is superior to that of the tenant's immediate landlord, the duration of any such interest and the extent of the premises in which it subsists.
- (3) If the immediate landlord of any such qualifying tenant is not the owner of the freehold interest in the flat, the tenant may also—

Status: Point in time view as at 01/12/1993.

Changes to legislation: Leasehold Reform, Housing and Urban Development Act 1993, Cross Heading: Preliminary inquiries by qualifying tenant is up to date with all changes known to be in force on or before 19 May 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)

- (a) give to the person who is the owner of that interest a notice requiring him to give the tenant such information as is mentioned in paragraph (c) of subsection (2) (so far as known to that person);
 - (b) give to any person falling within that paragraph a notice requiring him to give the tenant—
 - (i) particulars of the duration of his leasehold interest in the flat and the extent of the premises in which it subsists, and
 - (ii) (so far as known to him) such information as is mentioned in paragraph (a) of that subsection and, as regards any other person falling within paragraph (c) of that subsection, such information as is mentioned in that paragraph.
- (4) Any notice given by a qualifying tenant under this section shall, in addition to any other requirement imposed in accordance with subsections (1) to (3), require the recipient to state—
- (a) whether he has received in respect of any premises containing the tenant's flat—
 - (i) a notice under section 13 in the case of which the relevant claim under Chapter I is still current, or
 - (ii) a copy of such a notice; and
 - (b) if so, the date on which the notice under section 13 was given and the name and address of the nominee purchaser for the time being appointed for the purposes of section 15 in relation to that claim.
- (5) For the purposes of subsection (4)—
- (a) “the relevant claim under Chapter I”, in relation to a notice under section 13, means the claim in respect of which that notice is given; and
 - (b) any such claim is current if—
 - (i) that notice continues in force in accordance with section 13(11), or
 - (ii) a binding contract entered into in pursuance of that notice remains in force, or
 - (iii) where an order has been made under section 24(4)(a) or (b) or 25(6) (a) or (b) with respect to any such premises as are referred to in subsection (4)(a) above, any interests which by virtue of the order fall to be vested in the nominee purchaser for the purposes of Chapter I have yet to be so vested.
- (6) Any person who is required to give any information by virtue of a notice under this section shall give that information to the qualifying tenant within the period of 28 days beginning with the date of the giving of the notice.

Status:

Point in time view as at 01/12/1993.

Changes to legislation:

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