

These notes refer to the Commonhold and Leasehold Reform Act 2002 (c.15) which received Royal Assent on 1st May 2002

COMMONHOLD AND LEASEHOLD REFORM ACT 2002

EXPLANATORY NOTES

COMMENTARY ON THE SECTIONS: PART 1

Exercising the right

Section 98: Functions relating to approvals

180. *Section 98* specifies the procedure to be followed under the right to manage where an approval (including a consent or a licence) is required under a lease.
181. *Subsections (2) and (3)* provide that where a tenant is required to seek approval under a lease, the functions of the landlord, or of a third party, in granting approvals become functions of the company. This only applies to residential long leases.
182. *Subsection (4)* provides that the company must not grant approval without having given 30 days' written notice to the landlord in respect of approvals for specified matters, and 14 days' written notice in all other cases.
183. *Subsection (5)* provides for regulations to specify other matters for which the landlord is to be given longer than 14 days' notice, and what period should apply.
184. *Subsection (6)* provides that any obligation placed on a tenant under a lease to obtain the approval of a landlord or a third party for any matter will instead be an obligation to obtain the approval of the RTM company.