

COMMONHOLD AND LEASEHOLD REFORM ACT 2002

EXPLANATORY NOTES

COMMENTARY ON THE SECTIONS: PART 1

Ground rent

Section 166: Requirement to notify long leaseholders that rent is due

281. *Section 166* provides that a residential long leaseholder is not liable to pay rent unless the landlord has issued a notice in accordance with the requirements of this section.
282. *Subsection (2)* provides that the notice must specify the amount of the payment, the date on which the leaseholder is liable to pay it and (if different) the date on which it would have been payable under the terms of the lease. It also provides that it should contain such further information as may be prescribed by regulations.
283. *Subsection (3)* provides that the date on which the payment is due must be at least 30 days and not more than 60 days after the day on which the notice is given, and not before the date it would have been due under the terms of the lease.
284. *Subsection (4)* provides that where the due date under the notice is later than that specified in the lease, any provisions in the lease which enable the landlord to impose a charge or take other action for late or non-payment will not apply until after the due date in the notice.
285. *Subsection (5)* provides that the notice must be in the form prescribed by regulations and may be sent by post.
286. *Subsection (6)* provides that a notice sent by post must be sent to the leaseholder at the dwelling in question unless the leaseholder has notified the landlord in writing that it should be sent to another address.
287. *Subsection (7)* provides that rent does not include a service charge or an administration charge within the meaning of this Chapter.
288. *Subsection (8)* provides that the requirements of this section do not apply to a business tenancy or an agricultural tenancy.