



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 5

OTHER PROVISIONS ABOUT LEASES

Forfeiture of leases of dwellings

167 Failure to pay small amount for short period

- (1) A landlord under a long lease of a dwelling may not exercise a right of re-entry or forfeiture for failure by a tenant to pay an amount consisting of rent, service charges or administration charges (or a combination of them) (“the unpaid amount”) unless the unpaid amount—
 - (a) exceeds the prescribed sum, or
 - (b) consists of or includes an amount which has been payable for more than a prescribed period.
- (2) The sum prescribed under subsection (1)(a) must not exceed £500.
- (3) If the unpaid amount includes a default charge, it is to be treated for the purposes of subsection (1)(a) as reduced by the amount of the charge; and for this purpose “default charge” means an administration charge payable in respect of the tenant’s failure to pay any part of the unpaid amount.
- (4) In this section “long lease of a dwelling” does not include—
 - (a) a tenancy to which Part 2 of the Landlord and Tenant Act 1954 (c. 56) (business tenancies) applies,

Status: Point in time view as at 11/04/2018.

Changes to legislation: Commonhold and Leasehold Reform Act 2002, Section 167 is up to date with all changes known to be in force on or before 10 September 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)

- (b) a tenancy of an agricultural holding within the meaning of the Agricultural Holdings Act 1986 (c. 5) in relation to which that Act applies, or
- (c) a farm business tenancy within the meaning of the Agricultural Tenancies Act 1995 (c. 8).

(5) In this section—

- “administration charge” has the same meaning as in Part 1 of Schedule 11,
- “dwelling” has the same meaning as in the 1985 Act,
- “landlord” and “tenant” have the same meaning as in Chapter 1 of this Part,
- “long lease” has the meaning given by sections 76 and 77 of this Act, except that a shared ownership lease is a long lease whatever the tenant’s total share,
- “prescribed” means prescribed by regulations made by the appropriate national authority, and
- “service charge” has the meaning given by section 18(1) of the 1985 Act.

Commencement Information

- II** S. 167 wholly in force at 31.5.2005; s. 167 not in force at Royal Assent see s. 181(1); s. 167 in force for specified purposes at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(c\)](#); s. 167 in force for specified purposes at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(c\)](#); s. 167 in force so far as not already in force at 28.2.2005 for E. by [S.I. 2004/3056](#), [art. 3\(e\)](#); s. 167 in force so far as not already in force at 31.5.2005 for W. by [S.I. 2005/1353](#), [art. 2\(e\)](#)

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