



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 1

COMMONHOLD

Operation of commonhold

37 Enforcement and compensation

- (1) Regulations may make provision (including provision conferring jurisdiction on a court) about the exercise or enforcement of a right or duty imposed or conferred by or by virtue of—
 - (a) a commonhold community statement;
 - (b) the memorandum or articles of a commonhold association;
 - (c) a provision made by or by virtue of this Part.
- (2) The regulations may, in particular, make provision—
 - (a) requiring compensation to be paid where a right is exercised in specified cases or circumstances;
 - (b) requiring compensation to be paid where a duty is not complied with;
 - (c) enabling recovery of costs where work is carried out for the purpose of enforcing a right or duty;
 - (d) enabling recovery of costs where work is carried out in consequence of the failure to perform a duty;
 - (e) permitting a unit-holder to enforce a duty imposed on another unit-holder, on a commonhold association or on a tenant;
 - (f) permitting a commonhold association to enforce a duty imposed on a unit-holder or a tenant;
 - (g) permitting a tenant to enforce a duty imposed on another tenant, a unit-holder or a commonhold association;

Status: Point in time view as at 27/09/2004. This version of this provision has been superseded.

Changes to legislation: Commonhold and Leasehold Reform Act 2002, Section 37 is up to date with all changes known to be in force on or before 18 July 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)

- (h) permitting the enforcement of terms or conditions to which a right is subject;
 - (i) requiring the use of a specified form of arbitration, mediation or conciliation procedure before legal proceedings may be brought.
- (3) Provision about compensation made by virtue of this section shall include—
- (a) provision (which may include provision conferring jurisdiction on a court) for determining the amount of compensation;
 - (b) provision for the payment of interest in the case of late payment.
- (4) Regulations under this section shall be subject to any provision included in a commonhold community statement in accordance with regulations made by virtue of section 32(5)(b).

Status:

Point in time view as at 27/09/2004. This version of this provision has been superseded.

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