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*Status: Point in time view as at 01/04/2008.*

*Changes to legislation: Mental Capacity Act 2005, Cross Heading: Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) is up to date with all changes known to be in force on or before 21 June 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)*

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## SCHEDULES<sup>1</sup>

### SCHEDULE 6

#### MINOR AND CONSEQUENTIAL AMENDMENTS

*Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)*

- 39 (1) For paragraph 4 of Schedule 2 to the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) (landlord under a disability), substitute—

“4 (1) This paragraph applies where a Chapter I or Chapter II landlord lacks capacity (within the meaning of the Mental Capacity Act 2005) to exercise his functions as a landlord.

(2) For the purposes of the Chapter concerned, the landlord's place is to be taken—

- (a) by a donee of an enduring power of attorney or lasting power of attorney (within the meaning of the 2005 Act), or a deputy appointed for him by the Court of Protection, with power to exercise those functions, or
- (b) if no deputy or donee has that power, by a person authorised in that respect by that court.”.

- (2) That amendment does not affect any proceedings pending at the commencement of this paragraph in which a receiver or a person authorised under Part 7 of the Mental Health Act 1983 (c. 20) is acting on behalf of the landlord.

**Status:**

Point in time view as at 01/04/2008.

**Changes to legislation:**

Mental Capacity Act 2005, Cross Heading: Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) is up to date with all changes known to be in force on or before 21 June 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.