



Leasehold Reform (Ground Rent) Act 2022

2022 CHAPTER 1

Enforcement

13 Recovery of prohibited rent by tenant

- (1) Subsection (2) applies where—
 - (a) a tenant has made a payment of a prohibited rent under a regulated lease, and
 - (b) in breach of section 3(1) all or part of the payment has not been refunded.
- (2) The tenant may apply to the appropriate tribunal for an order under this section (a “recovery order”).
- (3) A recovery order is an order requiring the person specified in the application to pay to the tenant, before the end of the period of 28 days beginning with the day after that on which the order is made, the amount of prohibited rent that has not been refunded.
- (4) The persons who may be specified in the application are—
 - (a) the landlord under the lease at the time the payment was made,
 - (b) the landlord under the lease at the time the application is made, or
 - (c) where the payment was made to a person acting on behalf of the landlord under the lease, that person.
- (5) Where part or all of two or more payments of a prohibited rent made by a tenant under the same lease have not been refunded, the appropriate tribunal may make a single recovery order in respect of all the prohibited rent that has not been refunded.
- (6) The appropriate tribunal may not make a recovery order if an enforcement authority has made an order under section 10 in respect of the prohibited rent that has not been refunded.
- (7) This section is without prejudice to any other remedy available to the tenant for recovering a payment of a prohibited rent.

Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform (Ground Rent) Act 2022, Section 13. (See end of Document for details)

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Commencement Information

- I1** S. 13 not in force at Royal Assent, see [s. 25\(2\)](#)
- I2** [S. 13](#) in force at 30.6.2022 for specified purposes by [S.I. 2022/694](#), [reg. 3](#)
- I3** [S. 13](#) in force at 1.4.2023 in so far as not already in force by [S.I. 2022/694](#), [reg. 4](#)

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