

## SCHEDULES

### SCHEDULE 7

#### SPECIAL MEASURES

##### *Special measures orders and orders under section 24 of the Landlord and Tenant Act 1987*

- 9 (1) The Landlord and Tenant Act 1987 is amended as follows.
- (2) In section 21(2) after “subsection (3)” insert “and section 24ZA”.
- (3) After section 24 insert—

##### **“24ZA Application for appointment of manager by special measures manager**

- (1) A special measures manager for an occupied higher-risk building may apply to the appropriate tribunal for an order under section 24 (as modified by subsection (4)) appointing a manager to act in relation to premises to which this section applies.
- (2) This section applies to premises consisting of the whole or part of the higher-risk building if the building or part contains two or more flats.
- (3) Section 22 applies in relation to such an application as if—
  - (a) for subsection (1) there were substituted—

“(1) Before an application for an order under section 24 is made in respect of any premises to which section 24ZA applies by a special measures manager for an occupied higher-risk building, a notice under this section must (subject to subsection (3)) be served by the special measures manager on—

- (a) the landlord;
  - (b) any person (other than the landlord) by whom obligations relating to the management of the premises or any part of them are owed to tenants of flats contained in those premises under a tenancy;
  - (c) each accountable person for the higher-risk building.”;
- (b) for subsection (2)(a) there were substituted—

“(a) specify the special measures manager’s name and an address in England and Wales at which any person on whom the notice is served may serve notices, including notices in proceedings, on the special measures manager in connection with this Part.”;

- (c) in subsection (2)(b)—
  - (i) for “tenant” there were substituted “special measures manager”;

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*Status: This is the original version (as it was originally enacted).*

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- (ii) for “this Part” there were substituted “section 24ZA”;
  - (d) in subsection (2)(c) for “tenant” there were substituted “special measures manager”.
- (4) Section 24 applies in relation to such an application as if—
- (a) in subsection (1) for “this Part” there were substituted “section 24ZA”;
  - (b) for subsection (2) there were substituted—
    - “(2) The appropriate tribunal may only make an order under this section where it is satisfied—
      - (a) that—
        - (i) the relevant person is in breach of any obligation owed by the person to the special measures manager by virtue of a special measures order, and
        - (ii) it is just and convenient to make the order in all the circumstances of the case; or
      - (b) that other circumstances exist which make it just and convenient for the order to be made.”;
    - (c) subsections (2A), (2B) and (10) were omitted.
- (5) In this section “special measures manager” has the meaning given by section 24(2D).”