

Status: Point in time view as at 28/06/2022.

Changes to legislation: Building Safety Act 2022, Paragraph 16 is up to date with all changes known to be in force on or before 02 August 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)

SCHEDULES

SCHEDULE 8

REMEDIATION COSTS UNDER QUALIFYING LEASES ETC

Information from landlords

- 16 (1) The Secretary of State may by regulations make provision requiring a relevant landlord to give prescribed information or documents to a relevant tenant or other prescribed person.
- (2) Information or documents may be prescribed if they relate to any matter with which [this Schedule](#) is concerned.
- (3) The regulations may require the information or documents to be given in a prescribed way.
- (4) The regulations may provide that where a relevant landlord fails to comply with the regulations, prescribed costs—
- (a) are not to be regarded as relevant costs to be taken into account in determining the amount of a service charge payable under a relevant lease, and
 - (b) must not be met from a relevant reserve fund.
- (5) The regulations may make provision for and in connection with an application to the First-tier Tribunal for an order—
- (a) determining whether a relevant landlord has failed to comply with the regulations, and
 - (b) if so, requiring the relevant landlord to provide specified information or documents to a specified person by a specified time.

“Specified” here means specified in the order.

- (6) Nothing in sub-paragraph (5) limits the effect of regulations made by virtue of sub-paragraph (4).
- (7) Information or documents may be specified in an order under sub-paragraph (5) only if the regulations require them to be provided to the specified person.
- (8) In [this paragraph](#)—
- “relevant costs” has the meaning given by section 18 of the Landlord and Tenant Act 1985 (and this applies in relation to a lease of premises that does not include a dwelling as it applies in relation to a lease of a dwelling);
 - “relevant landlord” means a landlord under a relevant lease;
 - “relevant lease” means a lease of premises in a relevant building;
 - “relevant reserve fund” has the meaning given by paragraph 10;
 - “relevant tenant” means a tenant under a relevant lease.

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Commencement Information

II Sch. 8 para. 16 in force at 28.6.2022, see **s. 170(3)(a)**

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