

SCHEDULE 3

regulations 5(c) and 8(3)

FORM OF COUNTER-NOTICE
COMMONHOLD AND LEASEHOLD REFORM ACT 2002
Counter-notice

To *[name and address]* (See Note 1 below)

1. * I admit that, on *[insert date on which claim notice was given]*, *[insert name of company by which claim notice was given]* ("the company") was entitled to acquire the right to manage the premises specified in the claim notice.

* I allege that, by reason of *[specify provision of Chapter 1 of Part 2 of the Commonhold and Leasehold Reform Act 2002 relied on]*, on *[insert date on which claim notice was given]*, *[insert name of company by which claim notice was given]* ("the company") was not entitled to acquire the right to manage the premises specified in the claim notice.

**Delete one of these statements, as the circumstances require.*

2. If the company has been given one or more counter-notices containing such a statement as is mentioned in paragraph (b) of subsection (2) of section 84 of the Commonhold and Leasehold Reform Act 2002, the company may apply to a leasehold valuation tribunal for a determination that, on the date on which notice of the claim was given, the company was entitled to acquire the right to manage the premises specified in the claim notice (See Note 2 below).

3. If the company has been given one or more counter-notices containing such a statement as is mentioned in paragraph (b) of subsection (2) of section 84 of the Commonhold and Leasehold Reform Act 2002, the company does not acquire the right to manage those premises unless—

- (a) on an application to a leasehold valuation tribunal, it is finally determined that the company was entitled to acquire the right to manage the premises; or
- (b) the person by whom the counter-notice was given agrees, or the persons by whom the counter-notices were given agree, in writing that the company was so entitled. (See Note 3 below)

Signed:

[Signature of person on whom claim notice served, or of agent of such person. Where an agent signs, insert also "Duly authorised agent of [insert name of person on whom claim notice served]"

Address:

[Give the address to which future communications relating to the subject-matter of the notice should be sent]

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Date:

[Insert date]

OR

Signed by authority of the company on whose behalf this notice is given

[Signature of authorised member or officer and statement of position in company]

Address:

[Give the address to which future communications relating to the subject-matter of the notice should be sent]

Date:

[Insert date]

Notes

1. The counter-notice is to be given to the company that gave the claim notice (a notice in the form set out in Schedule 2 to the Right to Manage (Prescribed Particulars and Forms) (England) Regulations 2003 of a claim to exercise the right to manage specified premises). The company's name and address are given in that notice.

2. An application to a leasehold valuation tribunal must be made within the period of two months beginning with the day on which the counter-notice (or, where more than one, the last of the counter-notices) was given.

3. For the time at which an application is finally determined, see section 84(7) and (8) of the Commonhold and Leasehold Reform Act 2002.