
STATUTORY INSTRUMENTS

2022 No. 711

**The Building Safety (Leaseholder
Protections) (England) Regulations 2022**

Application to First-tier Tribunal

11.—(1) This regulation applies where a leaseholder or relevant landlord (the “applicant”) wishes to apply to the First-tier Tribunal for an order under paragraph 16(5) of Schedule 8 to the Act.

(2) The applicant can make an application under paragraph (1) above where—

(a) the applicant believes that a relevant landlord has made a false claim in the landlord’s certificate provided under regulation 6, including but not limited to—

(i) stating that the relevant landlord is not the developer⁽¹⁾ of the relevant building or is not associated with the developer; or

(ii) stating the relevant landlord does not meet the contribution condition;

(b) the relevant landlord or current landlord has not given the leaseholder sufficient time⁽²⁾ to provide information to prove they have a qualifying lease⁽³⁾.

(3) In this regulation, “relevant landlord” has the meaning given in paragraph 16(8) of Schedule 8 to the Act.

⁽¹⁾ See paragraph 2(4) of Schedule 8 to the Act for the definition of “developer”.

⁽²⁾ See The Building Safety (Leaseholder Protections) (Information etc.) (England) Regulations 2022.

⁽³⁾ See section 119 of the Act for the definition of “qualifying lease”.