
STATUTORY INSTRUMENTS

2022 No. 711

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

Determination of the value of a qualifying lease

9.—(1) Subject to paragraph (2), for the purposes of paragraph 4 and/or paragraph 6(6) of Schedule 8 to the Act the value of a qualifying lease is—

- (a) where the leasehold interest of the dwelling (“D”) to which the qualifying lease relates was most recently disposed of after 31 December 2020, the price paid at completion (in pounds sterling to the nearest pound) for that leasehold interest;
- (b) where the most recent disposal of D took place on the open market on or before 31 December 2020, to be determined by applying the following formula—

$$V_y \times M_y$$

where—

V_y is the price paid at completion (in pounds sterling to the nearest pound) for D;

M_y is the multiplier for the year in which that disposal took place, as set out in the table in Schedule 2.

(2) Where it is not possible to identify the price paid on completion of the most recent disposal of D then the value of the qualifying leasehold interest is to be treated as equal to the value of the substitute qualifying lease.

(3) In this regulation—

- (a) “substitute qualifying lease” means a qualifying lease of the most recently disposed of dwelling in the same building, ignoring any dwellings which had an internal floorspace which is more than 15% larger or 15% smaller than D; and
- (b) any reference to a disposal means a disposal on the open market.