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STATUTORY INSTRUMENTS

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**2023 No. 895**

**The Building Safety (Leaseholder Protections etc.) (England) (Amendment) Regulations 2023**

**Amendment of regulation 6**

**8.**—(1) Regulation 6 (leaseholder deed of certificate: landlord’s steps and requirements for leaseholders) is amended as follows.

(2) Omit paragraph (1).

(3) In paragraph (4)(c) after “certificate” insert “and the evidence referred to in paragraph (7)”.

(4) After paragraph (10) insert—

“(10A) Within one week of receiving a leaseholder deed of certificate the current landlord must provide a copy of the certificate to any RMC, RTM company or named manager in relation to the building to which the certificate relates.

(10B) Where a current landlord fails to comply with the requirement in paragraph (10A) the costs of a relevant measure relating to a relevant defect in the building to which the leaseholder deed of certificate relates are prescribed costs under paragraph 16(4) of Schedule 8 to the Act and so 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 of premises in that building and must not be met from a relevant reserve fund as defined in paragraph 10 of Schedule 8 to the Act.”.