



Long Leases (Scotland) Act 2012

2012 asp 9

PART 3

ALLOCATION OF RENTS AND RENEWAL PREMIUMS ETC.

Allocation of rent

39 Allocation of *cumulo* rent before appointed day

- (1) This section applies where—
 - (a) a *cumulo* rent is payable in relation to two or more leases, and
 - (b) one or more of the leases is a qualifying lease.
- (2) The landlord may, at any time before the appointed day, allocate the *cumulo* rent between the leases mentioned in subsection (1)(a).
- (3) The allocation under subsection (2) must be in such proportions as are reasonable in all the circumstances.
- (4) For the purposes of subsection (3), the proportions are presumed to be reasonable in so far as they accord with any apportionment of the *cumulo* rent that was effective immediately before the allocation under (2).
- (5) Where the landlord allocates the *cumulo* rent between two or more leases under subsection (2), the annual rent payable under each lease from the day on which the landlord gives notice to the tenant of the allocation is the annual rent allocated to the lease and such rent is not *cumulo* rent for the purposes of this Act.