



Landlord and Tenant Act 1985

1985 CHAPTER 70

Service charges

[^{F1}20] Limitation of service charges: consultation requirements

- (1) Where this section applies to any qualifying works or qualifying long term agreement, the relevant contributions of tenants are limited in accordance with subsection (6) or (7) (or both) unless the consultation requirements have been either—
 - (a) complied with in relation to the works or agreement, or
 - (b) [^{F2}except in the case of works to which section 20D applies,] dispensed with in relation to the works or agreement by (or on appeal from) [^{F3}the appropriate tribunal].
- (2) In this section “relevant contribution”, in relation to a tenant and any works or agreement, is the amount which he may be required under the terms of his lease to contribute (by the payment of service charges) to relevant costs incurred on carrying out the works or under the agreement.
- (3) This section applies to qualifying works if relevant costs incurred on carrying out the works exceed an appropriate amount.
- (4) The Secretary of State may by regulations provide that this section applies to a qualifying long term agreement—
 - (a) if relevant costs incurred under the agreement exceed an appropriate amount, or
 - (b) if relevant costs incurred under the agreement during a period prescribed by the regulations exceed an appropriate amount.
- (5) An appropriate amount is an amount set by regulations made by the Secretary of State; and the regulations may make provision for either or both of the following to be an appropriate amount—
 - (a) an amount prescribed by, or determined in accordance with, the regulations, and

Changes to legislation: Landlord and Tenant Act 1985, Section 20 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) an amount which results in the relevant contribution of any one or more tenants being an amount prescribed by, or determined in accordance with, the regulations.
- (6) Where an appropriate amount is set by virtue of paragraph (a) of subsection (5), the amount of the relevant costs incurred on carrying out the works or under the agreement which may be taken into account in determining the relevant contributions of tenants is limited to the appropriate amount.
- (7) Where an appropriate amount is set by virtue of paragraph (b) of that subsection, the amount of the relevant contribution of the tenant, or each of the tenants, whose relevant contribution would otherwise exceed the amount prescribed by, or determined in accordance with, the regulations is limited to the amount so prescribed or determined.]

Textual Amendments

- F1** Ss. 20, 20ZA substituted (26.7.2002 for E. for certain purposes otherwise 31.10.2003 and 1.1.2003 for W. for certain purposes and otherwise 30.3.2004) for s. 20 by [2002 c. 15, s. 151](#); [S.I. 2002/1912, art. 2\(c\)](#); [S.I. 2002/3012, art. 2\(c\)](#); [S.I. 2003/1986, art. 3\(1\)](#) (subject to [art. 3\(2\)-\(7\)](#)); [S.I. 2004/669, art. 2\(d\)](#) (subject to [art. 2\(d\)\(i\)-\(vi\)](#))
- F2** Words in s. 20(1)(b) inserted (1.4.2023 for specified purposes) by [Building Safety Act 2022 \(c. 30\), ss. 133\(2\), 170\(5\)](#); [S.I. 2023/362, reg. 2\(1\)\(g\)](#)
- F3** Words in s. 20(1)(b) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\), art. 1, Sch. 1 para. 50](#) (with [Sch. 3](#))

Modifications etc. (not altering text)

- C1** Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by [2002 c. 15, ss. 102, 181\(1\), Sch. 7 para. 4](#); [S.I. 2003/1986, art. 2\(a\)](#); [S.I. 2004/669, art. 2\(a\)](#)
Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by [2002 c. 15, ss. 172, 181\(1\)](#); [S.I. 2003/1986, art. 2\(c\)\(ii\)](#) (subject to [Sch. 2](#)); [S.I. 2004/669, art. 2\(c\)\(ii\)](#) (subject to [Sch. 2](#)); [S.I. 2004/3056, art. 3\(h\)](#) (subject to [art. 4](#) (as amended by [S.I. 2005/193, art. 2](#))); [S.I. 2005/1353, art. 2\(h\)](#) (subject to [art. 3](#))
- C2** S. 20 applied (E.) (31.10.2003) by [The Service Charges \(Consultation Requirements\) \(England\) Regulations 2003 \(S.I. 2003/1987\), reg. 4\(1\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(1AB) inserted by [2016 c. 22 Sch. 7 para. 18\(2\)](#)