



# Landlord and Tenant Act 1985

## 1985 CHAPTER 70

### *Service charges*

#### **[<sup>F1</sup>20C Limitation of service charges: costs of proceedings.**

- (1) A tenant may make an application for an order that all or any of the costs incurred, or to be incurred, by the landlord in connection with proceedings before a court [<sup>F2</sup>, residential property tribunal] or leasehold valuation tribunal [<sup>F3</sup> or the First-tier Tribunal], or the [<sup>F4</sup>Upper Tribunal], or in connection with arbitration proceedings, are not to be regarded as relevant costs to be taken into account in determining the amount of any service charge payable by the tenant or any other person or persons specified in the application.
- (2) The application shall be made—
  - (a) in the case of court proceedings, to the court before which the proceedings are taking place or, if the application is made after the proceedings are concluded, to [<sup>F5</sup>the county court];  
[ in the case of proceedings before a residential property tribunal, to a leasehold valuation tribunal;]
  - (b) in the case of proceedings before a leasehold valuation tribunal, to the tribunal before which the proceedings are taking place or, if the application is made after the proceedings are concluded, to any leasehold valuation tribunal;  
[ in the case of proceedings before the First-tier Tribunal, to the tribunal;]
  - (c) in the case of proceedings before the [<sup>F8</sup>Upper Tribunal], to the tribunal;
  - (d) in the case of arbitration proceedings, to the arbitral tribunal or, if the application is made after the proceedings are concluded, to [<sup>F5</sup>the county court].
- (3) The court or tribunal to which the application is made may make such order on the application as it considers just and equitable in the circumstances.]

*Status: Point in time view as at 22/04/2014.*

*Changes to legislation: Landlord and Tenant Act 1985, Section 20C is up to date with all changes known to be in force on or before 18 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)*

### Textual Amendments

- F1** S. 20C substituted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, s. 83(4); S.I. 1997/1851, art. 2; S.I. 1998/1768, art. 2
- F2** Words in s. 20C(1) inserted (6.4.2006 for E. and 16.6.2006 for W.) by Housing Act 2004 (c. 34), ss. 265(1), 270, Sch. 15 para. 32(1)(2); S.I. 2006/1060, art. 2(d) (with Sch.); S.I. 2006/1535, art. 2(b) (with art. 3, Sch.)
- F3** Words in s. 20C(1) inserted (1.7.2013) by The Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036), art. 1, Sch. 1 para. 52(a) (with Sch. 3)
- F4** Words in s. 20C(1) substituted (1.6.2009) by The Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009 (S.I. 2009/1307), art. 5(1)(2), Sch. 1 para. 177 (with Sch. 5)
- F5** Words in s. 20C(2) substituted (22.4.2014) by Crime and Courts Act 2013 (c. 22), s. 61(3), Sch. 9 para. 52; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** S. 20C(2)(aa) inserted (6.4.2006 for E. and 16.6.2006 for W.) by Housing Act 2004 (c. 34), ss. 265(1), 270, Sch. 15 para. 32(1)(3); S.I. 2006/1060, art. 2(d) (with Sch.); S.I. 2006/1535, art. 2(b) (with art. 3, Sch.)
- F7** S. 20C(2)(ba) inserted (1.7.2013) by The Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036), art. 1, Sch. 1 para. 52(b) (with Sch. 3)
- F8** Words in s. 20C(2)(c) substituted (1.6.2009) by The Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009 (S.I. 2009/1307), art. 5(1)(2), Sch. 1 para. 177 (with Sch. 5)

### 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)

**Status:**

Point in time view as at 22/04/2014.

**Changes to legislation:**

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