



# Commonhold and Leasehold Reform Act 2002

## 2002 CHAPTER 15

### PART 2

#### LEASEHOLD REFORM

### CHAPTER 5

#### OTHER PROVISIONS ABOUT LEASES

#### *Managers appointed by<sup>F1</sup>... tribunal*

#### Textual Amendments

- F1** Words in s. 160 cross-heading omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 140](#) (with Sch. 3)

#### **160 Third parties with management responsibilities**

- (1) The 1987 Act has effect subject to the following amendments.
- (2) In section 22 (notice by tenant before application for appointment of manager is made)
  - (a) in subsection (1), for “on the landlord by the tenant” substitute “by the tenant on—
    - (i) the landlord, and
    - (ii) any person (other than the landlord) by whom obligations relating to the management of the premises or any part of them are owed to the tenant under his tenancy”,

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**Changes to legislation:** There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Cross Heading: Managers appointed by ... tribunal. (See end of Document for details)

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- (b) in subsection (2)(a), for “the landlord” substitute “ any person on whom the notice is served ”,
  - (c) in subsection (2)(b), for “landlord complies with the requirement specified in pursuance of that paragraph” substitute “ requirement specified in pursuance of that paragraph is complied with ”,
  - (d) in subsection (2)(d), for “the landlord, require the landlord” substitute “ any person on whom the notice is served, require him ”, and
  - (e) in subsection (3)—
    - (i) after “this section” insert “ on a person ”, and
    - (ii) for “landlord” substitute “ person ”.
- (3) In section 23(1) (application to tribunal for appointment of manager), for “landlord having taken the steps that he was required to take in pursuance of that provision” substitute “ person required to take steps in pursuance of that paragraph having taken them ”.
- (4) In section 24 (appointment of manager by tribunal)—
- (a) in subsection (2), for “the landlord” (in both places) substitute “ any relevant person ”,
  - (b) after that subsection insert—
 

“(2ZA) In this section “relevant person” means a person—

    - (a) on whom a notice has been served under section 22, or
    - (b) in the case of whom the requirement to serve a notice under that section has been dispensed with by an order under subsection (3) of that section.”,
  - (c) in subsection (5), for “the landlord” substitute “ any relevant person ”,
  - (d) in subsection (9A), for “a landlord’s application” substitute “ the application of any relevant person ”, and
  - (e) in subsection (11), for “section” substitute “ Part ”.
- (5) In section 29(3), insert at the end “which was made by reason of an act or omission on the part of the landlord.”

#### Commencement Information

- II** S. 160 wholly in force at 1.1.2003; s. 160 not in force at Royal Assent, see s. 181(1); s. 160 in force at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in [Sch. 2](#)); s. 160 in force at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in [Sch. 2](#))

## 161 Restriction of resident landlord exception

In section 21 of the 1987 Act (tenant’s right to apply to tribunal for appointment of manager), after subsection (3) insert—

- “(3A) But this Part is not prevented from applying to any premises because the interest of the landlord in the premises is held by a resident landlord if at least one-half of the flats contained in the premises are held on long leases which are not tenancies to which Part 2 of the Landlord and Tenant Act 1954 (c. 56) applies.”

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**Changes to legislation:** There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Cross Heading: Managers appointed by ... tribunal. (See end of Document for details)

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### Commencement Information

- I2** S. 161 wholly in force at 1.1.2003; s. 161 not in force at Royal Assent, see s. 181(1); s. 161 in force at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in [Sch. 2](#)); s. 161 in force at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in [Sch. 2](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Cross Heading: Managers appointed by ... tribunal.