



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 2

COLLECTIVE ENFRANCHISEMENT BY TENANTS OF FLATS

Qualifying rules

118 Premises with resident landlord

- (1) Section 10 of the 1993 Act (premises with a resident landlord) is amended as follows.
- (2) For subsection (1) (requirements that premises not be or form part of purpose-built block of flats and that they have been occupied for at least twelve months as only or principal home of owner of freehold or a family member) substitute—
 - “(1) For the purposes of this Chapter any premises falling within section 3(1) are premises with a resident landlord at any time if—
 - (a) the premises are not, and do not form part of, a purpose-built block of flats;
 - (b) the same person has owned the freehold of the premises since before the conversion of the premises into two or more flats or other units; and
 - (c) he, or an adult member of his family, has occupied a flat or other unit contained in the premises as his only or principal home throughout the period of twelve months ending with that time.”
- (3) For subsection (4) (premises held on trust) substitute—

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 118. (See end of Document for details)

- “(4) Where the freehold of any premises is held on trust, subsection (1) applies as if—
- (a) the requirement in paragraph (b) were that the same person has had an interest under the trust (whether or not also a trustee) since before the conversion of the premises, and
 - (b) paragraph (c) referred to him or an adult member of his family.”

Commencement Information

- II** S. 118 wholly in force at 1.1.2003; s. 118 not in force at Royal Assent, see s. 181(1); s. 118 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. 118 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](#))

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