

Leasehold Reform (Ground Rent) Bill [HL]

RUNNING LIST OF ALL AMENDMENTS IN GRAND COMMITTEE

Tabled up to and including

27 May 2021

[Sheets HL Bill 1(a) to (c)]

Clauses 1 to 12
Schedule

Clauses 13 to 26
Title

Clause 1

LORD BLENCATHRA

Page 1, line 6, leave out paragraph (b)

Page 1, line 9, leave out subsection (2) and insert –

“(2) Where the conditions apply, a lease is a regulated lease even if it was granted on or before the day on which this Act is passed.”

Clause 2

LORD YOUNG OF COOKHAM

Page 1, line 22, leave out paragraph (b)

Member’s explanatory statement

This amendment is to probe the application of the bill where premises are part business and part residential.

Clause 5

LORD KENNEDY OF SOUTHWARK

Page 4, line 3, at end insert –

“(2A) Where a landlord charges any remedial costs during the course of the lease, the permitted rent in respect of the landlord’s share in the demised premises is a peppercorn.”

Member’s explanatory statement

This amendment provides that a landlord of a shared ownership property may not charge ground rent in respect of the landlord’s share if any remedial costs are charged.

Page 4, line 3, at end insert –

“(2A) Where a landlord charges a service charge of more than £100 per month, the permitted rent in respect of the landlord’s share in the demised premises is a peppercorn.”

Member’s explanatory statement

This amendment provides that a landlord of a shared ownership property may not charge ground rent in respect of the landlord’s share if service charges exceed £100 per month.

After Clause 6

LORD BLENCATHRA

Insert the following new Clause –

“Ground rent payment on permitted leases before this Act comes into force

- (1) Ground rent payments on regulated leases granted before this Act comes into force must not exceed £250 per year.
- (2) Any leaseholder that has paid over £250 per year in ground rent up to the date that this Act comes into force must have all monies above £1,000 per year reimbursed by the landlord of the property.”

After Clause 18

LORD KENNEDY OF SOUTHWARK

Insert the following new Clause –

“Ground rent for existing long leases

Within 30 days of the day on which section 3 comes into force (for any kind of lease), the Secretary of State must publish draft legislation to restrict ground rents on all existing long residential leases to a peppercorn.”

Member’s explanatory statement

This amendment aims to ensure that the Government introduces further legislation to remove ground rent for all leaseholders, whereas the Act currently only applies to newly established leases.

This amendment replaces an amendment tabled in the name of Lord Kennedy of Southwark, published on HL Bill 1(b)

Insert the following new Clause –

“Assessment of financial impact for tenants in long leases of dwellings

- (1) Within 30 days of the day on which section 3 comes into force (for any kind of lease), the Secretary of State must publish an assessment of the financial impact of this Act for tenants in long leases of dwellings.
- (2) The assessment must consider whether further legislation is necessary to address the financial consequences of this Act for tenants in long leases of dwellings, including but not limited to in relation to –
 - (a) lease forfeiture;
 - (b) transfer fees;
 - (c) redress schemes;

After Clause 18 - continued

(d) enfranchisement.

(3) The Government must lay the assessment before Parliament.”

Member’s explanatory statement

This amendment would ensure that the Government must publish an assessment considering the financial impact of this Act for leaseholders, and whether further legislation is required.

Clause 25

LORD BLENCATHRA

Page 14, line 11, leave out subsections (1) to (8) and insert—

“This Act comes into force on the day on which it is passed.”

LORD KENNEDY OF SOUTHWARK

Page 14, line 15, at end insert “or within 6 months of the day on which this Act is passed, whichever is earlier.”

Member’s explanatory statement

This amendment would ensure that the Bill comes into force within 6 months of the day on which it is passed, if regulations are not introduced by then.

Page 14, line 18, leave out subsection (4)

Member’s explanatory statement

This amendment aims to ensure that the provisions also apply to retirement properties, whereas at present the Bill will prevent to provisions coming into force for retirement properties before April 2023.