

Preliminary Notice
Application for the appointment of a manager
(Section 22, Landlord and Tenant Act 1987)

LVT/5A

Preliminary Notice: Application for the appointment of a manager

To (landlord)

Address of the property

(1)

We, the persons whose names and address are set out in the First Schedule attached, GIVE YOU NOTICE as follows:

1. This notice is served under Section 22 of the Landlord and Tenant Act 1987 by the tenant(s) of flats in.....⁽¹⁾ (The Property).
2. The tenant(s) intend to make an application for an order under Section 24 of the Act to be made by the.....⁽²⁾ Leasehold Valuation Tribunal to appoint a manager in respect of the property but will not do so if you comply with the requirements specified in paragraph 5 below.
3. The grounds on which the Tribunal will be asked to make the order are set out in the Second Schedule attached.
4. The matters which will be relied upon by the tenants for the purposes of establishing the grounds are set out in the Third Schedule attached.
5. The matters which are capable of being remedied by you and the steps to do so are set out in the Fourth Schedule attached; the tenants require you to take the steps specified for the purpose of remedying those matters within a period of.....⁽³⁾ from the date of this notice.
6. If your interest in the property is subject to a mortgage, Section 22(4) of the Act requires you to serve a copy of this notice on the mortgagee as soon as is reasonably practicable.

Address for the service
of notices in connection
with Part II of the Act
and in proceedings

(4)

Date

- Notes:**
- (1) the building, or part of a building, which is the subject of the application
 - (2) the relevant local Leasehold Valuation Tribunal (e.g. London, Southern and South Eastern, etc)
 - (3) this must be a reasonable period for the landlord to be able to carry out the specified remedies
 - (4) the address at which the landlord is to communicate with the tenants, either one tenant's own address or the address of your solicitor or other professional adviser

(continued overleaf)

First Schedule

Names and addresses of the tenants

(simply list the names and address of the tenants serving the notice; signatures are not necessary)

Second Schedule

Grounds for the appointment of a manager

Examples:

1. The landlord is in breach of obligation owed to the tenants under the lease
2. The landlord has made/proposed unreasonable service charges
3. The landlord is in breach of the Code of Practice approved by the Secretary of State under Section 87, Leasehold Reform, Housing and Urban Development Act 1993.
4. That other circumstances exist which make it just and convenient for the appointment of a manager.

Third Schedule

Matters relied on by the tenants

Examples:

1. Breaches of obligations owed to the tenants under the lease:
 - 1.1 etc (set out the requirements of the lease and particulars of the breaches).
2. Unreasonable service charges:
 - 2.1 etc (set out particulars to show unreasonableness of specific service charges)
3. Breaches of Code of Practice
 - 3.1 etc (set out the specific clauses of the Code and particulars of the breaches)
4. Other Circumstances:
 - 4.1 etc (set out the particulars of the specific circumstances other than those above)

Fourth Schedule

Matters specified in the Third Schedule which are considered capable of remedy; steps required to remedy them

Note these must be items already included as 'matters' in the Third Schedule, but which the landlord could be reasonably expected to put right. The Schedule must set out the matter and then what the tenants require the landlord to do to remedy it. It must clearly specify the action required and the time in which it is to be done.

Examples:

1. Breaches of obligations:
 - 1.1 etc (set out the alleged breach as in the Third Schedule, the remedy required of the landlord to put matters right and a reasonable time for him to do so)
 - etc

Please note the above are intended as examples only.

Your own schedules 1-4 should be on separate sheets and may each run to several pages.