STATUTORY INSTRUMENTS

1980 No. 1707

LANDLORD AND TENANT

The Protected Shorthold Tenancies (Notice to Tenant) Regulations 1980

Made - - - - *7th November* 1980

Coming into Operation *28th November* 1980

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by sections 52(3) and 151 of the Housing Act 1980(a) and of all other powers enabling them in that behalf, hereby make the following regulations:—

1. These regulations may be cited as the Protected Shorthold Tenancies (Notice to Tenant) Regulations 1980 and shall come into operation on 28th November 1980.

2. The requirements with which a notice has to comply in order to be valid for the purposes of section 52(1)(*b*) of the Housing Act 1980 are that it shall be in the form set out in the Schedule to these regulations.

(a) 1980 c. 51.

SCHEDULE

NOTICE OF A PROTECTED SHORTHOLD TENANCY

(The landlord must give this to the tenant *before* a protected shorthold tenancy is granted. It does not commit the tenant to take the tenancy.)

To .....
(Name of proposed tenant)

IMPORTANT—PLEASE READ THIS NOTICE CAREFULLY. IF THERE IS ANYTHING YOU DO NOT UNDERSTAND YOU SHOULD GET ADVICE (FOR EXAMPLE, FROM A SOLICITOR OR A CITIZENS' ADVICE BUREAU) BEFORE YOU AGREE TO TAKE A SHORTHOLD TENANCY.

N.B. This document is important; keep it in a safe place.

1. You are proposing to take a tenancy of the dwelling known as.....

from ..... 19..... to ..... 19.....
(day) (month) (year) (day) (month) (year)

2. This notice is to tell you that your tenancy is to be a *protected shorthold tenancy*. Under shorthold, provided you keep the terms of the tenancy, you are entitled to remain in the dwelling for the fixed period agreed at the start of the tenancy. At the end of this period the landlord has the right to repossession if he wants. Full details about shorthold are given in the Department of the Environment and Welsh Office booklet "Shorthold Tenancies" obtainable free from Rent Officers, council offices and housing aid centres. You are advised to read this booklet before you agree to take a shorthold tenancy.

*3. A fair rent of per is already registered for the dwelling under the Rent Act 1977.

This is the most you can be required to pay as rent until such time as a higher rent is registered. If I apply for a higher rent to be registered you will be told about my application and you will have the opportunity of a consultation with the Rent Officer.

* The landlord must delete whichever does not apply.

*3. A fair rent has not yet been registered for the dwelling under the Rent Act 1977. Within 28 days of the start of the tenancy I shall be applying for such a rent to be registered. However a certificate of fair rent under the Rent Act 1977 has been issued in respect of the dwelling and the rent specified in the certificate is per .

This is the most you can be required to pay as rent until such time as a higher rent is registered. If I apply for a higher rent to be registered you will be told about my application and you will have the opportunity of a consultation with the Rent Officer.

4. This notice is given to you on ..... 19.....

Signed .....
(on behalf of) .....
.....
.....
(Name and address of landlord)

SPECIAL NOTE FOR EXISTING TENANTS

IF YOU ARE ALREADY A PROTECTED OR STATUTORY TENANT UNDER THE RENT ACT 1977 YOUR PRESENT TENANCY CANNOT LAWFULLY BE CONVERTED INTO A SHORTHOLD. BUT SHOULD YOU GIVE IT UP AND TAKE A SHORTHOLD TENANCY IN SOME OTHER ACCOMMODATION, INCLUDING ANOTHER FLAT IN THE SAME BUILDING, YOU WILL ALMOST CERTAINLY HAVE LESS SECURITY UNDER SHORTHOLD THAN UNDER YOUR EXISTING TENANCY

Signed by authority
of the Secretary of State,
7th November 1980.

John Stanley,
Minister for Housing and Construction,
Department of the Environment.

6th November 1980.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

One of the conditions which has to be satisfied for a tenancy to be a protected shorthold tenancy is that, before the grant of the tenancy, the landlord has given the tenant a valid notice stating that the tenancy is to be a protected shorthold tenancy.

Section 52(3) of the Housing Act 1980 provides that a notice is not valid unless it complies with the requirements of regulations made by the Secretary of State. These regulations require that the notice is in the form set out in the Schedule.

SI 1980/1707
ISBN 0-11-007707-5

