STATUTORY INSTRUMENTS

1965 No. 1976

LANDLORD AND TENANT

The Rent Regulation (Forms etc.) (England and Wales) Regulations 1965

Made - - - -	*17th November* 1965
Laid before Parliament	*25th November* 1965
Coming into Operation	*8th December* 1965

The Minister of Housing and Local Government, in exercise of his powers under section 46 of the Rent Act 1965(a) and of all other powers enabling him in that behalf, hereby makes the following regulations 1, 2, 4, 5, 7 and 8 and, except in relation to Wales and Monmouthshire, the following regulations 3 and 6 and the Secretary of State, in exercise of his powers under sections 46 and 48 of the said Act and of all other powers enabling him in that behalf, hereby makes, in relation to Wales and Monmouthshire, the following regulations 1, 2, 3 and 6 :—

1. These regulations may be cited as the Rent Regulation (Forms etc.) (England and Wales) Regulations 1965 and shall come into operation on 8th December 1965.

2.—(1) In these regulations the expression "the Act" means the Rent Act 1965.

(2) The Interpretation Act 1889(b) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. The forms contained in Schedule 1 to these regulations shall be the forms to be used for the purposes of notices of increase of rent under Part I of the Act in cases to which those forms are applicable.

4. The register kept for the purposes of the Act under section 26(1) thereof shall contain the particulars with regard to a regulated tenancy which are set out in Schedule 2 to these regulations.

5. The fee to be paid under section 26(4) of the Act for a copy of an entry in the register certified under the hand of the rent officer or a person duly authorised by him shall be two shillings and sixpence.

6. The forms contained in Schedule 3 to these regulations shall be the forms to be used for the purposes of Schedules 3 and 4 to the Act in cases to which those forms are applicable.

7. The particulars to be furnished to the rent officer when an application is made under paragraph 1 of Schedule 3 to the Act for the registration of a rent for a dwellinghouse shall be those specified in Form No. 4 in Schedule 3 to these regulations.

8. The manner of notifying the rent officer for the purposes of paragraph 16(5) of Schedule 3 to the Act that a regulated tenancy has been granted shall be by the landlord serving on the rent officer a notice in the form set out in Schedule 4 to these regulations or in a form substantially to the same effect.

(a) 1965 c. 75.

(b) 52 & 53 Vict. c. 63.

Given under the official seal of the Minister of Housing and Local Government on 17th November 1965.

(L.S.)

R. H. S. Crossman,
Minister of Housing and Local Government.

James Griffiths,
One of Her Majesty's Principal Secretaries of State.

Welsh Office.
17th November 1965.

THE SCHEDULES

SCHEDULE 1

Forms of Notice of Increase of Rent

FORM NO. 1

RENT ACT 1965

Section 6(2). Notice of Increase of Unregistered Rent under Regulated Tenancy on account of Increased Rates (Note 1)

Date.....

To....., tenant of .....

1. I hereby inform you that the rates on the above-mentioned premises have been increased as follows :—

Strike out words in square brackets if they do not apply.

Previous rates per [half year] [annum]	*New rates per [half year] [annum]*	*Date of new rates as from*
£ s. d.	£ s. d.	

2. I hereby give you notice that the rent lawfully recoverable from you as tenant will be increased accordingly as follows:—

Present rent per	*Increase in rent per* ..... (Note 2)	*New rent per*	*Date of new rent* (Note 3)
£ s. d.	£ s. d.	£ s. d.	*as from*

(Note 4) [3. There will be due from you on the day after the service of this notice the sum of £ s. d., being arrears of the above increase.]

Signature of [landlord] [agent authorised to serve this notice] .....

[Name of landlord if notice served by agent .....]

Address of landlord .....

.....

[Address of agent .....

.....]

NOTES

1. This Notice of Increase is needed where a dwellinghouse is let on a tenancy—

(*a*) which is regulated under the Rent Act 1965; and

(*b*) which either has become a statutory tenancy or will become one under section 9(3) of the Act (see Note 5); and

(*c*) for which the rent has not been registered under the Act; and

(*d*) for which the rent is one which is inclusive of rates paid by the landlord or the superior landlord.

2. If this is the first Notice of Increase of rent on account of rates which has been served during the statutory tenancy, the amount of increase which can be charged is the amount by which the rates for each rental period to which this Notice applies are more than the rates for the rental period when the contractual tenancy came to an end and the tenant held over on a statutory tenancy. In adjusting the figures where the two rental periods to be compared are not of equal length, a period of one month is to be treated as equivalent to 1/12th of a year and a period of one week as equivalent to 1/52nd of a year.

If this is not the first such Notice of Increase, the amount of increase which can be charged is the amount by which the rates for each rental period to which this Notice relates are more than the rates for the rental period(s) to which the last previous Notice of Increase related.

The amount of rates for any rental period is ascertained by dividing the rates for the whole rating period in which the rent for that rental period is payable by the number which is obtained by dividing the number of days in the rating period by the number of days in the rental period.

Until the local authority's demand for rates in a new rating period is made, the tenant's liability on account of rates continues to be based on the rates for the previous rating period. When the demand for the new period is received, the tenant's liability must be recalculated. If the rates have gone up, the landlord is entitled on serving this Notice to an increase of rent on account of the increased rates. If there is a further demand for rates during the rating period, for example, because the rateable value has been increased as the result of a proposal, the tenant's liability must similarly be recalculated in order to ascertain what increase of rent the landlord is entitled to on account of the increased rates.

3. The date cannot be earlier than six weeks before the service of this Notice. If this Notice is served while the regulated tenancy is still a contractual one, the date must be one later than the date on which the tenancy could be brought to an end by a notice to quit served at the same time as this Notice.

4. This paragraph will only be needed where the date for the increase is a date earlier than the service of this Notice and there have been rent days between the earlier date and the date of service of this Notice.

5. If this Notice is served while the regulated tenancy is still a contractual one and the landlord, by serving a notice to quit at the same time as this Notice, could bring the tenancy to an end before the date specified in this Notice for the increased rent to take effect, this Notice will operate to convert the tenancy into a statutory tenancy as from that date.

FORM No. 2

RENT ACT 1965

Section 6(6). Notice of Increase of Unregistered Rent under Regulated Tenancy on account of Improvement (Notes 1 & 2)

Date.....

To....., tenant of .....

I hereby give you notice that the rent lawfully recoverable from you as tenant of the above-mentioned premises will be increased as follows:—

Present rent	*Increase in rent*	*New rent*	*Date of new rent*
per	*per*	*per*	(Note 3)
£ s. d.	£ s. d.	£ s. d.	*as from*

This increase represents an annual increase of 12½% of £ s. d. (Note 4) which is the amount spent on making the improvement (Note 5) described below. You have certain rights of appeal which are explained in Note 6 to this form.

Description of Improvement

Strike out words in square brackets if they do not apply.

Signature of [landlord] [agent authorised to serve this notice] .....

[Name of landlord if notice served by agent .....]

Address of landlord .....

.....

[Address of agent .....

.....]

NOTES

1. This Notice of Increase is needed where a dwellinghouse is let on a tenancy—

(*a*) which is regulated under the Rent Act 1965; and

(*b*) which either has become a statutory tenancy or will become one under section 9(3) of the Act (see Note 7); and

(*c*) for which the rent has not been registered under the Act.

2. A rent under a regulated tenancy may only be increased on account of an improvement if the improvement was completed both after 8th December 1965 and after the date as from which that rent was agreed.

3. This Notice cannot be retrospective and the date to be inserted here should be a date after the date of the service of this Notice.

4. The sum to be inserted here must not include any part of the expenditure on the improvement which has been met by a local authority under section 30 of the Housing (Financial Provisions) Act 1958 or section 4 of the House Purchase and Housing Act 1959 (Improvement and Standard Grants); or section 12 of the Clean Air Act 1956 (Grants for smokeless fuel burning appliances); or by a local authority or the British Airports Authority under section 15 of the Airports Authority Act 1965 (Soundproofing Grants).

5. Improvements for this purpose include structural alterations, extensions and additions to the premises and the provision of additional fixtures or fittings; but they do not include anything done by way of decoration or repair.

Private street works carried out under sections 174, 189 or 190 of the Highways Act 1959 or any corresponding provision in any local Act also count as an improvement to any premises having access to the street. If other premises belonging to the landlord besides those occupied by the tenant benefit from street works, the landlord's expenditure must be apportioned by agreement in writing between the landlord and the tenant or be determined by the county court. Neither the necessity for the street works nor the amount of the landlord's expenditure in connection with them can be questioned by the tenant.

6. If the tenant claims that any improvement was unnecessary or that an unreasonable amount was spent on it, he can, not later than one month after the service of this Notice, or such longer time as the court may allow, apply to the county court for an order cancelling or reducing the increase of rent stated in this Notice.

No such application may be made in the following cases—

(*a*) where the improvement was made with the assistance of an improvement or standard grant from the local authority; or

(*b*) where the improvement works consist of the soundproofing of a dwellinghouse near an aerodrome and a grant towards the works has been paid by the British Airports Authority or by a local authority acting on their behalf; or

(*c*) where the tenant has in writing consented to the improvement and acknowledged that the rent could be increased on account of it.

7. If this Notice is served while the regulated tenancy is still a contractual one and the landlord, by serving a notice to quit at the same time as this Notice, could bring the tenancy to an end before the date specified in this Notice for the increased rent to take effect, this Notice will operate to convert the tenancy into a statutory tenancy as from that date.

FORM No. 3

RENT ACT 1965

Section 7. Notice of Increase of Rent under Regulated Tenancy up to amount of Registered Rent (Note 1)

Date.....

To....., tenant of .....

1. A rent of £ s. d. per..... was registered on .....

as the fair rent for the above-mentioned premises (Note 2).

2. Under the Rent Act 1965 the landlord is entitled to increase the rent for any rental period beginning while a regulated tenancy is a statutory tenancy (Note 3) up to the amount of the registered rent.

Strike out words in square brackets if they do not apply.

[3. It is noted in the register that the rates for the above-mentioned premises are paid by the landlord. These are currently £ s. d. per [half year] [year] and the landlord is entitled to add this amount to the registered rent.]

4. I hereby give you notice that your rent will be increased as follows:—

Present rent per ..... £ s. d.	*Increase in rent* per ..... £ s. d.	*New rent* per ..... £ s. d.	*Date of new rent* (Notes 4 and 5) *as from*

[5. The new rent includes the sum of £ s. d. per ..... in respect of rates paid by the landlord.]

Signature of [landlord] [agent authorised to serve this notice] .....

[Name of landlord if notice served by agent .....]

Address of landlord .....

.....

[Address of agent .....

.....]

NOTES

1. This Notice of Increase is needed where a dwellinghouse is let on a tenancy—

(*a*) which is regulated under the Rent Act 1965; and

(*b*) which either has become a statutory tenancy or will become one under section 9(3) of the Act (see Note 6); and

(*c*) for which a fair rent has been registered under the Act.

2. The Register may be inspected at the office of the Rent Officer. The address of this office can be obtained from the local council or a Citizens' Advice Bureau.

3. If there is still a contract of tenancy between the landlord and tenant the registration of a fair rent which is higher than the rent payable under that contract does not allow the landlord to increase the rent to the amount on the Register unless there is a provision to that effect in the contract. If, however, a contractual tenancy has come to an end and the tenant is holding over as a statutory tenant under the Rent Acts then the landlord may increase the rent to the amount on the Register by the service of this Notice.

4. This date must not be a date earlier than the date of registration of the rent nor earlier than 4 weeks before the service of this Notice.

If this Notice is served while the regulated tenancy is still a contractual one, the date must be one later than the date on which the tenancy could be brought to an end by a notice to quit served at the same time as this Notice.

5. The registered rent will remain the maximum rent until it is altered as the result of an application to the Rent Officer to register a different rent. For 3 years after the registration no new application can be made unless either it is made by the landlord and tenant acting together or there has been a change in the circumstances taken into account when the rent was registered, for example, a change in the state of repair of the premises.

6. If this Notice is served while the regulated tenancy is still a contractual one and the landlord, by serving a notice to quit at the same time as this Notice, could bring the tenancy to an end before the date specified in this Notice for the increased rent to take effect, this Notice will operate to convert the tenancy into a statutory tenancy as from that date.

SCHEDULE 2

Particulars with regard to regulated tenancy to be entered in register of rents kept by Rent Officer

1. Names and addresses of landlord and tenant.

2. Name and address of landlord's agent.

3. Nature of tenancy (whether contractual or statutory and, if contractual, for what periods or term and date of commencement).

4. Allocation between landlord and tenant of liabilities for repairs.

5. Services provided by the landlord.

6. Furniture provided by the landlord.

7. Any other terms of the tenancy taken into consideration in determining the fair rent.

SCHEDULE 3

Forms to be used for the purposes of Schedules 3 and 4 of the Act relating to the registration of rents

FORM NO. 4

RENT ACT 1965

Schedule 3, paragraph 2.

APPLICATION FOR REGISTRATION OF FAIR RENT

To the Rent Officer

[I] [We jointly] hereby apply for registration of a fair rent for the premises named in paragraph 1 below, and submit particulars of the premises and the tenancy accordingly.

Strike out words in square brackets which do not apply.

Signed .....
[landlord] [landlord's agent]
.....
[tenant] [tenant's agent]
Date.....

The Particulars

1. Address of premises:

2. Rateable value of premises on 23rd March 1965 (or on date such a value was first shown in the Valuation List if this date is after 23rd March 1965):

3. Current gross value for rating purposes of premises:

4. Name of tenant:

5. Name and address of landlord:

[6. Name and address of landlord's agent:]

7. Description of premises, including the number of rooms, and a note of any accommodation shared by the tenant(s) with the landlord or with anyone else:

*If these cannot be stated briefly, a copy of the agreement may be attached.

8. Terms of the tenancy* including date of commencement, rent now paid, repairing obligations and details of any services provided by the landlord:

9. Rent proposed to be registered:

[10. Any change in the state of the premises which it is claimed by the applicant(s) has occurred during the present tenancy by reason of—

(*a*) failure by the tenant (including a former tenant) to comply with the terms of the tenancy:

(*b*) improvements carried out by the tenant (including a former tenant) other than under the terms of the tenancy:]

[11. Date of last registration or confirmation of fair rent:]

[12. Grounds of application if made by landlord or tenant acting alone within 3 years of previous registration or confirmation:]

FORM NO. 5

RENT ACT 1965

NOTICE REQUIRING FURTHER INFORMATION

Schedule 3, paragraph 10

Date.....

To....., [landlord] [tenant] of .....

Strike out words in square brackets which do not apply.

(1) The application for registration of a rent for the above-named premises, made by ..... on ..... has been referred by the Rent Officer for ..... to a Rent Assessment Committee. To enable them to consider this application the Committee to whom the matter has been referred hereby require you to supply them, not later than ....., with the further information indicated below. You should send this information to:

(2) The further information required is:

(3) If you fail without reasonable cause to comply with this notice you will be liable on summary conviction to a fine not exceeding £50 and on a second or subsequent conviction to a fine not exceeding £100.

Signed .....

for the Rent Assessment Committee.

FORM NO. 6

RENT ACT 1965

APPLICATION FOR CERTIFICATE OF FAIR RENT

Schedule 4, paragraph 3.

To the Rent Officer

I hereby apply for a Certificate of Fair Rent to be issued for the premises named in paragraph 1 below, [and submit plans and specifications of the works to be carried out].

Signed ....., [applicant]

[agent authorised to make the application]

Name and address of applicant.....

.....

[Name and address of agent.....

.....]

Strike out words in square brackets which do not apply.

Date.....

(1) Address of premises:

(2) Grounds of application:

(i) [Erection] [conversion] [improvement] [of premises];

(ii) [Proposal to let premises on a regulated tenancy] [for the first time]

[after more than three years since the last registration or confirmation of a fair rent].

[(3) Date of last registration or confirmation of fair rent:]

(4) Rent which it is proposed should be specified in the Certificate of Fair Rent:

(5) Terms of regulated tenancy which it is intended to grant:

[(6) The premises are let on a regulated tenancy to:]

SCHEDULE 4

FORM NO. 7

RENT ACT 1965

Schedule 3, paragraph 16(5).

NOTICE OF GRANT OF REGULATED TENANCY

To the Rent Officer

(1) Address of premises:

(2) The regulated tenancy of the above-named premises which it was proposed to grant, and in respect of which the rent was provisionally registered on ..... (date) has been granted on the terms indicated in the register to ..... (name of tenant) and commenced on ..... (date)

Signed .....

[landlord] [agent authorised to serve this notice]

[Name of landlord if notice served by agent .....]

Address of landlord .....

.....

[Address of agent .....

.....]

Date .....

Strike out words in square brackets which do not apply.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations apply throughout England and Wales and prescribe forms to be used for the purposes of the Rent Act 1965. They also deal with certain other matters which the Act requires to be prescribed.

The forms contained in Schedule 1 to the regulations or forms substantially to the like effect are those to be used in certain cases where a landlord increases the rent under a tenancy regulated under the Act.

Schedule 2 contains the particulars of a tenancy which the rent officer is to enter in the register of rents when he registers a fair rent under the Act. Regulation 5 provides that a fee of 2s. 6d. is to be paid in order to obtain from the rent officer a certified copy of an entry in the register of rents.

The forms contained in Schedules 3 and 4 or forms substantially to the like effect are for use in connexion with applications to register rents and to obtain certificates of fair rent. In particular, Form No. 4 contains the information which is to be given to the rent officer by a person who applies for the registration of a fair rent.