STATUTORY INSTRUMENTS

1969 No. 1184

LANDLORD AND TENANT

The Rent Regulation (Forms etc.) (England and Wales) Regulations 1969

Made - - - -	*15th August* 1969
Laid before Parliament	*22nd August* 1969
Coming into Operation	*25th August* 1969

The Minister of Housing and Local Government, in exercise of his powers under sections 37(1) and 50(1) of the Rent Act 1968(**a**), section 9 of the Prices and Incomes Act 1968(**b**) and section 56(1) of the Housing Act 1969(**c**) and of all other powers enabling him in that behalf, hereby makes the following regulations 1, 2, 3, 6, 7, 9 and 10 and, except in relation to Wales and Monmouthshire, the following regulations 4, 5, 8, 11 and 12, and the Secretary of State, in exercise of his powers under sections 37(1), 50(1) and 114(1) of the Rent Act 1968, section 9 of the Prices and Incomes Act 1968, section 56(1) of the Housing Act 1969 and of all other powers enabling him in that behalf, hereby makes, in relation to Wales and Monmouthshire, the following regulations 1, 2, 4, 5, 8, 11 and 12:—

1. These regulations may be cited as the Rent Regulation (Forms etc.) (England and Wales) Regulations 1969 and shall come into operation on 25th August 1969.

2.—(1) In these regulations "the Act" means the Rent Act 1968, "the Housing Act" means the Housing Act 1969, "the principal regulations" means the Rent Regulation (Forms etc.) (England and Wales) Regulations 1965(**d**) and "the Prices and Incomes Regulations" means the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968(**e**).

(2) The Interpretation Act 1889(**f**) applies for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. Regulations 4, 5, 7 and 8 of, and Schedules 2 and 4 to, the principal regulations are hereby revoked by the Minister.

4. Regulations 1, 2, 3 and 6 of, and Schedules 1 and 3 to, the principal regulations (being the remainder of those regulations), the Rent Regulation (Forms etc.) (England and Wales) (Amendment) Regulations 1967(**g**) and regulation 9 of, and Part II of the Schedule to, the Prices and Incomes Regulations are hereby revoked by the Minister and the Secretary of State.

5. 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 III of the Act in cases to which those forms are applicable.

(**a**) 1968 c.23. (**b**) 1968 c. 42. (**c**) 1969 c. 33.
(**d**) S.I. 1965/1976 (1965 III, p. 5841). (**e**) S.I. 1968/1080 (1968 II, p. 2913).
(**f**) 1889 c. 63. (**g**) S.I. 1967/1648 (1967 III, p. 4504).

6. The register kept for the purposes of Part IV of the Act under section 43(1) thereof shall contain the particulars with regard to a regulated tenancy which are set out in Schedule 2 to these regulations.

7. The fee to be paid under section 43(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.

8. The forms contained in Schedule 3 to these regulations shall be the forms to be used for the purpose of sections 44 and 45(4) of, and Schedule 7 to, the Act and Schedule 2 to the Housing Act in cases to which those forms are applicable.

9. The particulars to be supplied to the rent officer when an application is made under section 44 of the Act for the registration of a rent for a dwelling-house shall be those specified in Form No. 6 or Form No. 7 in Schedule 3 to these regulations, according to which of those forms is applicable; and the particulars to be so supplied when an application is made under section 45(4) of the Act shall be those specified in Form No. 8 in the said Schedule.

10. The manner of notifying the rent officer for the purposes of paragraph 13 of Schedule 6 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.

11. The form contained in Schedule 5 to these regulations shall be the form of the notice to be served by a local authority pursuant to section 45(1) of the Housing Act, and such notice shall contain the information and explanation specified in that form.

12. The Prices and Incomes Regulations (of which regulation 9 is revoked by regulation 4 of these regulations) shall be amended as follows—

(1) In regulation 3 (exceptions from restrictions on increases) at the end of paragraph (1) there shall be inserted the following sub-paragraph:—

(*e*) is a rent to which paragraph 1 or paragraph 8 of Schedule 3 to the Housing Act 1969 applies.

(2) In regulation 4 (further exception in respect of rent apportioned to services) in paragraph (3), for "paragraph (3)" there shall be substituted "paragraph (2)".

(3) In regulation 5 (phasing of increases in rent) in paragraph (2), after the words "while section 9 of the Act is in force may" there shall be inserted the words "(subject to paragraph (3A.) of this regulation)", and after paragraph (3) of that regulation there shall be inserted the following paragraph:—

(3A.) Where any rent is registered to which paragraph 1 or paragraph 8 of Schedule 3 to the Housing Act 1969 applies, the rent payable shall not be increased by virtue of these regulations.

THE SCHEDULES

SCHEDULE 1

Forms of Notice of Increase of Rent

FORM No. 1

RENT ACT 1968

Notice of Increase of Unregistered Rent under Regulated Tenancy on account of Increased Rates (Note 1) — Section 23

Date.....

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

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

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

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

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

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

[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.] (Note 4)

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 1968; and

(*b*) which either has become a statutory tenancy or will become one under section 26(3) of the Act (see Note 5) or is a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954; 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, then except in the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act

1954, 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 the case of a first Notice of Increase of rent on account of rates which has been served during a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954 and where the rent is one arrived at by agreement, the amount of increase which can be charged is the amount by which the rates for each rental period to which the Notice applies are more than the rates for the first rental period of such 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 1968

Section 25 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 *per* ..... £ s. d.	*Increase in rent* *per* ..... £ s. d.	*New rent* *per* ..... £ s. d.	*Date of new rent* (Note 3) *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

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

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

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

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 1968; and

(*b*) which either has become a statutory tenancy or will become one under section 26(3) of the Act (see Note 7) or is a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954; and

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

This notice of increase cannot be used in a case where improvements have been made with respect to which a grant under Part I of the Housing Act 1969 is payable, or has been paid. In such a case the rent can only be increased following the registration of a rent under the Rent Act.

2. A rent may be increased by this Notice only on account of an improvement 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 under the Act of 1958 or the Act of 1959 mentioned in Note 4; or

(*b*) where the improvement works consist of the soundproofing of a dwelling-house 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 ten ncy into a statutory tenancy as from that date.

FORM No. 3

RENT ACT 1968

Section 22

Notice of Increase of Rent under Regulated Tenancy up to amount of Registered Rent except where the increase is subject to phasing under the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968 or where there are restrictions on rent increases under the Housing Act 1969 (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.

2. Under the Rent Act 1968 the landlord is entitled to increase the rent for any rental period beginning while a regulated tenancy is a statutory tenancy (Notes 2 and 5) 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 3 and 4) *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 1968; and

(*b*) which either has become a statutory tenancy or will become one under section 26(3) of the Act (see Note 5) or is a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954; and

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

But this form of Notice of Increase cannot be used where the registration is subject to phasing under the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968, or where there are restrictions on increases of rent under the Housing Act 1969. An explanatory leaflet can be obtained from the Rent Officer.

2. 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 Act then the landlord may increase the rent to the amount on the Register by the service of this Notice.

3. 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, except in the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954 and where the application for the registration of a fair rent was made before the commencement of such tenancy. In such a case, if the Notice of Increase is given within 4 weeks after the date on which the rent was registered, the date must not be earlier than the commencement of such tenancy nor earlier than the date from which the registration takes effect.

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. The registered rent will remain the maximum rent until a different rent is registered. For 3 years after the registration takes effect 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.

5. If this Notice is served while the regulated tenancy is till 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. 4

RENT ACT 1968
(PRICES AND INCOMES ACT 1968)

Rent Act, Section 22

Notice of Increase of Rent where the Registration is subject to Phasing.

Date.....

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

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

1. A rent of £ *s.* *d.* per.....was registered on..... as the fair rent for the above-mentioned premises (Notes 2 and 3) [of which £ *s.* *d.* per.....was distinguished as the amount fairly attributable to services provided by the landlord or a superior landlord (Note 6)].

2. The entitlement of the landlord in respect of a regulated tenancy which is a statutory tenancy to increase the rent up to the amount of the registered rent is, by virtue of section 9 of the Prices and Incomes Act 1968 and the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968, subject to certain limits. (Notes 4 and 5).

[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 rent he is otherwise permitted to obtain. (Note 7)].

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 8 and 9) *as from*

5. This is a notice taking effect within the [first][second] year of phasing (Note 5) and the following information is relevant to the calculation of the increase.

Recoverable rent immediately before commencement of first year of phasing (Note 4) £ *s.* *d.* per.....

[Services apportionment (Note 6) £ *s.* *d.* per.....]

[6. 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 dwelling-house is let on a tenancy—

(*a*) which is regulated under the Rent Act 1968; and

(*b*) which either has become a statutory tenancy or will become one under section 26(3) of that Act (Note 9); and

(*c*) for which a fair rent is registered under that Act and the increase relates to a period within the first or second year of phasing under the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968 (referred to elsewhere in these notes as "the Regulations") (Note 5).

2. 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 unless the terms of the contract permit him to do so. In a case where the limits on increases in the Regulations would apply those limits continue to apply notwithstanding any contract entered into on or after 10th July 1968.

3. If a contractual tenancy has come to an end and the tenant is holding over as a statutory tenant under the Rent Act, the landlord may increase the rent by the service of Notice(s) of Increase to the limits in the Regulations.

4. The limits permitted by the Regulations are based on:

(i) the "recoverable rent", which will in general be the rent actually payable immediately before the first year of phasing but which may be higher in certain cases where the landlord has not yet obtained his full entitlement; and

(ii) the registered rent.

5. Separate limits apply during the first and second years of phasing. The first year of phasing means the year commencing with the date when the first rent is determined and registered by the rent officer on or after 10th July 1968. The second year of phasing is the year immediately following the first year of phasing. The limitation continues until the end of whichever phasing year is current on 31st December 1969.

6. Further details about the phasing scheme are contained in the leaflet "Phasing of Rent Increases—Notes for Tenants and Landlords", which may be obtained from the Rent Officer. The leaflet explains, among other things, the term "recoverable rent", the limits of increase permitted in each year of phasing and the way to calculate, from the amount of the registered rent distinguished as fairly attributable to services provided by the landlord or a superior landlord, the services apportionment which is not subject to any phasing restriction.

7. The phasing restrictions do not apply to any changes in rent resulting from changes in rates borne by the landlord or a superior landlord.

8. This date must be a date which is not earlier than:—

(i) the date of registration, or

(ii) four weeks before the service of this Notice, or

(iii) the commencement of the first year of phasing or of the second year of phasing, as the case may be.

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 (Note 9).

9. 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. 5

RENT ACT 1968
(HOUSING ACT 1969)

Rent Act, Section 22

Notice of Increase of Rent where there are restrictions on rent increases under the Housing Act 1969 (Note 1).

Date.....

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

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

1. A rent of £ s. d. per.....was registered on..... as the fair rent for the above-mentioned premises (Notes 2 and 3) [of which £ s. d. per.....was noted in the register as the amount apportioned to services provided by the landlord or a superior landlord (Note 6)].

2. Where an increase in rent results from the conversion of a controlled tenancy under the Housing Act 1969, or where it results from improvements grant-aided under Part I of that Act, the landlord may recover the increase only in certain stages in accordance with section 52 and Schedule 3 of that Act. (Notes 4, 5 and 7).

[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 rent he is otherwise permitted to obtain. (Note 8).]

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 9 and 10) *as from*

5. This is a notice taking effect within the [first] [second] [third] [fourth] year of the period of delay (Note 5) and the following information is relevant to the calculation of the increase.

Previous limit at date of first registration of rent after conversion of tenancy or completion of improvements— £ *s. d. per*.....

If the rent referred to in paragraph 1 is not the first after the conversion of the tenancy or the completion of the improvements, details of other rents registered since that event (Note 4) £ *s. d. per*..... registered on

Amount apportioned to services (Note 6) £ *s. d. per*.....

[6. 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 dwelling-house is let on a tenancy—

(*a*) which is regulated under the Rent Act 1968; and

(*b*) which either has become a statutory tenancy or will become one under section 26(3) of that Act (Note 10); and

(*c*) for which a rent is registered under that Act and the increase relates to a period during which the increase in rent up to the registered rent is subject to restrictions under Schedule 3 to the Housing Act 1969—namely, where a controlled tenancy is converted under the Act of 1969 into a regulated tenancy or where, in the case of a regulated tenancy, improvements are grant-aided under Part I of that Act.

2. If there is still a contract of tenancy between the landlord and tenant the registration of a rent which is higher than the rent payable under that contract does not allow the landlord to increase the rent unless the terms of the contract permit him to do so. Where the increase is subject to restrictions under the Housing Act 1969 the limits under that Act continue to apply notwithstanding any agreement purporting to entitle the landlord to charge a higher rent.

3. If a contractual tenancy has come to an end and the tenant is holding over as a statutory tenant under the Rent Act, the landlord may increase the rent by the service of Notice(s) of Increase to the limits permitted under the Housing Act.

4. The limits permitted by Schedule 3 to the Housing Act are based on:

(i) the "previous limit", which will in general be the rent (less any rates) actually payable on the date on which the first rent was registered after the conversion of the tenancy or completion of the improvements. It may be higher if the landlord has not served any statutory notice of increase which he was entitled to serve; and

(ii) the rent(s) registered since the tenancy was converted or the improvements were completed.

5. The Schedule provides for a period of delay of four years in the case of tenancies converted from control to regulation, and of two years in the case of regulated tenancies where improvements are grant-aided under Part I of the Act. The period of delay begins on the date of the first registration after the conversion of the tenancy, or the completion of the improvements, as the case may be. As the rent may be increased up to the registered rent by amounts of not less than 7s. 6d. per week each year, the full registered rent may in some cases be reached before the end of the period of delay.

6. Under Schedule 3 to the Housing Act increases in rent treated as due to a rise in the cost of services provided by the landlord or a superior landlord are excluded from the restrictions. This applies where an amount is noted in the register as apportioned to services.

7. A leaflet obtainable from the Rent Officer explains the scheme for restrictions on rent increases under Schedule 3 to the Housing Act 1969.

8. The restrictions on increases do not apply to any changes in rent resulting from changes in rates borne by the landlord or a superior landlord.

9. This date must be a date which is not earlier than:—

(i) the date of registration, or

(ii) four weeks before the service of this Notice, or

(iii) the commencement of the first rental period beginning during the first, second, third or fourth year of the period of delay as the case may be.

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 (Note 10).

10. 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.

8. In the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954, particulars of the initial repairs.

SCHEDULE 3

Forms to be used for the purposes of sections 44 *and* 45(4) *and Schedules* 6 *and* 7 *of the Rent Act* 1968 *and Schedule* 2 *of the Housing Act* 1969, *relating to the registration of rents.*

FORM No. 6

RENT ACT 1968

Section 44

APPLICATION FOR REGISTRATION OF FAIR RENT except in the case of an application supported by a certificate of fair rent or in the case of a statutory tenancy which will arise, or has arisen, at the end of a long tenancy under Part I of the Landlord and Tenant Act 1954

To the Rent Officer

THE PARTICULARS

1. Address of premises

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

3. Name of tenant

4. Name and address of landlord

5. Description of premises (including the number of rooms and, if part only of a building, on which floor or floors)

6. Note of any accommodation of which tenant has shared use: state whether sharing is with landlord or another tenant

7. Details of any services provided by the landlord or a superior landlord

8. Terms of the tenancy

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

(*a*) Date of commencement

(*b*) Rent now payable exclusive/inclusive of rates

£ s. d. per

*(*c*) Repairing obligations

(i) of landlord

(ii) of tenant

*(*d*) Other terms

9. 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 under the present tenancy) to comply with the terms of the tenancy

(*b*) improvements, including replacements of any fixtures or fittings, carried out by the tenant (including a former tenant under the present tenancy) other than under the terms of the tenancy

10. Where improvements have been made, has a grant under Part I of the Housing Act 1969 (whether standard, discretionary or special) been obtained, or is one being obtained, from the local authority?

11. Grounds of application if made by landlord or tenant acting alone within three years of the date on which the previous registration took effect (or where on a previous application for the registration of a different rent the registered rent was confirmed, the date of that application)

12. Fair rent proposed by the applicant(s) to be registered (EXCLUSIVE of rates) £ s. d. per

13. If any services are provided by the landlord or a superior landlord state what amount if any of the fair rent proposed in 12 above should be noted in the register as fairly attributable to the provision of services £ s. d. per

*I/We jointly hereby apply for registration of a fair rent for the premises named in paragraph 1 above, and submit these particulars of the premises and the tenancy accordingly.

*Strike out words which do not apply.

Signed.....
*(Landlord/Landlord's Agent)

.....
*(Tenant/Tenant's Agent)

In a joint application both parties should sign.

If signed by agent,
name and address of agent.....

.....

Date.....

NOTE: Where a JOINT APPLICATION is made there is no right to have the matter referred to a rent assessment committee if the rent officer determines that the rent proposed in the application is a fair rent.

FORM No. 7
RENT ACT 1968

Section 44

APPLICATION FOR REGISTRATION OF FAIR RENT in the case of a statutory tenancy which will arise, or has arisen, at the end of a long tenancy under Part I of the Landlord and Tenant Act 1954

To the Rent Officer

THE PARTICULARS

1. Address of premises

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

3. Name of tenant

4. Name and address of landlord

5. Description of premises (including the number of rooms and, if part only of a building, on which floor or floors)

6. Note of any accommodation of which tenant has shared use: state whether sharing is with landlord or another tenant

7. Details of any services provided by the landlord or a superior landlord

8. (*a*) The date on which the statutory tenancy will commence or has commenced

   (*b*) Terms of the tenancy agreed between the landlord and the tenant or determined by the court. (If these cannot be stated briefly, a copy of the agreement or order may be attached.)

   (*c*) Particulars of any initial repairs which have not been completed at the date of the application

9. Any change in the state of the premises which it is claimed by the applicant(s) has occurred during the statutory tenancy by reason of:—

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

   (*b*) improvements, including replacements of any fixtures or fittings, carried out by the statutory tenant (including a former statutory tenant) other than under the terms of the statutory tenancy

10. Where improvements have been made has a grant under Part I of the Housing Act 1969 (whether standard, discretionary or special) been obtained, or is one being obtained, from the local authority?

11. Grounds of application if made by landlord or tenant acting alone within three years of the date on which the previous registration took effect (or where on previous application for the registration of a different rent the registered rent was confirmed, the date of that application)

12. Fair rent proposed by the applicant(s) to be registered (EXCLUSIVE of rates) £ s. d. per

13. If any services are provided by the landlord or a superior landlord state what amount, if any, of the fair rent proposed in 12 above should be noted in the register as fairly attributable to the provision of services £ s. d. per

*I/We jointly hereby apply for registration of a fair rent for the premises named in paragraph 1 above, and submit these particulars of the premises and the tenancy accordingly.

*Strike out words which do not apply.

Signed.....

*Landlord/Landlord's Agent

.....

*Tenant/Tenant's Agent

In a joint application both parties should sign.

If signed by agent, name and address of agent.....

.....

Date.....

NOTE: Where a JOINT APPLICATION is made there is no right to have the matter referred to a rent assessment committee if the rent officer determines that the rent proposed in the application is a fair rent.

FORM No. 8

RENT ACT 1968

APPLICATION FOR REGISTRATION OF FAIR RENT

Section 45(4)

supported by Certificate of Fair Rent

To the Rent Officer

THE PARTICULARS

1. Name and address of applicant
2. Address of premises to which Certificate of Fair Rent relates
3. Date of Certificate of Fair Rent
4. If the premises were subject to a controlled tenancy when the Certificate of Fair Rent was issued, has a qualification certificate been issued by the local authority?
5. If the premises were not subject to a controlled tenancy or a regulated tenancy when the Certificate of Fair Rent was issued has a regulated tenancy been granted on the terms shown in the Certificate? If so, give name of tenant and date of commencement of tenancy
6. Where proposed works were specified in the Certificate of Fair Rent
   (*a*) have these works been carried out?
   (*b*) has a grant under Part I of the Housing Act 1969 (whether standard, discretionary or special) been obtained, or is one being obtained, from the local authority?

I hereby apply for the registration of a rent for the premises named in paragraph 2 above in accordance with the Certificate of Fair Rent.

*I also enclose a copy of the qualification certificate and a copy of the Certificate of Fair Rent. (This applies where the tenancy has been converted from a controlled tenancy into a regulated tenancy as a result of a qualification certificate issued by the local authority under Section 46(3) of the Housing Act 1969.)

*Strike out words which do not apply.

Signed.....

*(Applicant/Agent authorised to make the application).

If signed by agent,
name and address of agent.....

Date.....

FORM No. 9

RENT ACT 1968

NOTICE REQUIRING FURTHER INFORMATION

Schedule 6, paragraph 7.

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. 10

RENT ACT 1968

Schedule 7, paragraph 1

APPLICATION FOR CERTIFICATE OF FAIR RENT
except where the dwelling is subject to a controlled tenancy

To the Rent Officer

1. Address of premises
2. In the case of existing premises, rateable value on 23 March 1965 (or on date such a value was first shown in the Valuation List if this date is after 23 March 1965)
3. Grounds of application
   (*a*) *Erection/Conversion/Improvement of premises
   (*b*) *Proposal to let premises on a regulated tenancy

*Strike out words which do not apply.

4. Description of existing premises (including the number of rooms and, if part only of a building, on which floor or floors)
5. Brief description of proposed works shown in accompanying plans and specifications
   Estimated cost
6. Has an application been made to the local authority for a grant under Part I of the Housing Act 1969 (whether standard, discretionary or special) or is such an application being made?
7. Note of any accommodation of which tenant has shared use: state whether sharing is with landlord or another tenant
8. Details of any services provided, or to be provided, by the landlord or a superior landlord
9. Where it is proposed to grant a regulated tenancy, state:—
   (*a*) Whether tenancy will be for a fixed term and, if so, for how long
   (*b*) Repairing obligations—
      (i) of landlord
      (ii) of tenant
   (*c*) Other terms
10. Where there is an existing regulated tenancy state name of the tenant.
    Terms of tenancy
    (*a*) Date of commencement of tenancy
    (*b*) Rent now payable £.....s.....d..... per exclusive/inclusive of rates
    (*c*) *Repairing obligations—
       (i) of landlord
       (ii) of tenant
    (*d*) *Other terms

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

11. Where there is an existing regulated tenancy, also state:—

(*a*) Any disrepair or defect which the applicant claims is due to the failure of the tenant (including a former tenant under the present tenancy) to comply with the terms of the tenancy:

(*b*) Any improvements, including any replacements of fixtures or fittings, which have been carried out by the tenant (including a former tenant under the present tenancy) other than under the terms of the tenancy:

12. Fair rent proposed by the applicant to be specified in the Certificate of Fair Rent:

(EXCLUSIVE of rates) £ s. d. per

13. If any services are, or will be, provided by the landlord or a superior landlord state what amount, if any, of the fair rent proposed in 12 above should be noted in the certificate as fairly attributable to the provision of services

£.....s.....d. per .....

I hereby apply for a Certificate of Fair Rent to be issued specifying a fair rent under a regulated tenancy of the premises named in paragraph 1 above (after the completion of the works shown in the accompanying plans and specifications).

Strike out words in brackets which do not apply.

Signed.....

(Applicant/Agent authorised to make the application)

Name and address of applicant:.....

.....

.....

If signed by agent,
name and address of agent:.....

.....

Date.....

FORM NO. 11

HOUSING ACT 1969

Schedule 2

APPLICATION FOR CERTIFICATE OF FAIR RENT

by landlord under controlled tenancy

To the Rent Officer

1. Address of premises
2. Name of tenant
3. Description of existing premises (including the number of rooms and, if part only of a building, on which floor or floors)
4. Brief description of proposed works shown in accompanying plans and specifications
Estimated cost
5. Note of any accommodation of which tenant has shared use: state whether sharing is with landlord or another tenant
6. Details of any services provided by the landlord or a superior landlord

7. Terms of the tenancy

(*a*) Date of commencement

(*b*) Rent now payable £ s. d. per
exclusive/inclusive of rates

(*c*) *Repairing obligations
(i) of landlord
(ii) of tenant

(*d*) *Other terms

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

8. Any disrepair or defect which the applicant claims is due to the failure of the tenant (including a former tenant under the controlled tenancy) to comply with the terms of the tenancy

9. Any improvements, including replacement of any fixtures or fittings, which have been carried out by the tenant (including a former tenant under the controlled tenancy) otherwise than under the terms of the tenancy

10. Fair rent proposed by the applicant to be specified in the Certificate of Fair Rent (EXCLUSIVE of rates) £ s. d. per

11. If any services are provided by the landlord or a superior landlord state what amount, if any, of the fair rent proposed in 10 above should be noted in the certificate as fairly attributable to the provision of services
£ s. d. per

I hereby apply for a Certificate of Fair Rent specifying a fair rent under a regulated tenancy of the premises named in paragraph 1 above after the completion of the works shown in the plans and specifications which accompanied the application for qualification certificate.

I enclose copies of these plans and specifications and a copy of the certificate of provisional approval.

Signed .....

*[Landlord/Agent authorised to make the application]

*Strike out words in brackets which do not apply.

Name and address of landlord:

.....

.....

If signed by agent, name and address of agent

.....

.....

Date .....

SCHEDULE 4

FORM NO. 12

RENT ACT 1968

NOTICE OF GRANT OF REGULATED TENANCY

Schedule 6, paragraph 13.

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 .....has been granted on the terms indicated
(date)
in the register to.....and
(name of tenant)
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..... .....] Strike out words in square brackets which do not apply.

Date .....

SCHEDULE 5

FORM NO. 13

HOUSING ACT 1969

NOTICE TO TENANT OF LANDLORD'S APPLICATION FOR QUALIFICATION CERTIFICATE

Section 45(1)

.....Council.

To .....

.....

.....

(Name and address of tenant)

1. An application under section 44(1) of the Housing Act 1969 has been made to the Council by.....
.....(name of landlord or landlord's agent)
for a qualification certificate in respect of the dwelling at.....
.....

2. The attached copy of the application is sent to you as the person named as the tenant of the above dwelling under a controlled tenancy.

3. You may, within 28 days of the service of this notice, make representations to the Council that the dwelling does not satisfy the qualifying conditions. (See paragraph 5 below). Any representations in writing should be sent to.....
.....

4. An application may be made under section 44(1) of the Act of 1969 for a qualification certificate where the dwelling has at all times since 25th August 1969 been provided with all the standard amenities[1] or where any of the standard amenities previously lacking were provided by means of works begun before that date.

5. For a qualification certificate to be issued the following conditions, known as the qualifying conditions, must be satisfied:—

(i) the dwelling must be provided with all the standard amenities[1] for the exclusive use of its occupants.

(ii) the dwelling must be in good repair, having regard to its age, character and locality and disregarding internal decorative repair.

(iii) the dwelling must be in all other respects fit for human habitation.[2]

6. If a qualification certificate is issued before the appropriate date shown below then, unless the dwelling is occupied partly for business and partly as living accommodation, the tenancy will become a regulated tenancy only at that date:—

		In Greater London	Elsewhere in England and Wales
on 1st January 1971[3]	if the rateable value of the dwelling on 23rd March 1965 was	£90 or more	£60 or more
on 1st July 1971[3]	—do—	£60 to less than £90	£40 to less than £60
on 1st January 1972[3]	—do—	less than £60	less than £40

If a qualification certificate is issued later the change will occur on the issue of the certificate.

In the case of a dwelling occupied partly for business and partly as living accomodation, the tenancy, instead of becoming regulated, would have the protection of Part II of the Landlord and Tenant Act 1954 on the issue of the qualification certificate.

7. Once a controlled tenancy becomes a regulated tenancy the landlord may be expected to apply to the rent officer for the registration of a fair rent; and you will then be given the opportunity to make representations about the rent to be registered.

8. When a fair rent has been registered the increase in rent will be phased. The increase above the controlled rent will be spread evenly over five annual stages, unless it is less than 37/6d. per week, in which case the rent may be increased by not more than 7/6d. per week each year until the fair rent is reached. (Increases treated as due to rises in the cost of services provided by the landlord may be chargeable in full straight away.)

9. When a tenancy becomes a regulated tenancy the tenant still enjoys the wide measure of security of tenure given by the Rent Act 1968.

10. Any representations you make will be considered by the Council, who will notify you of their decision, whether they refuse the application or issue a qualification certificate.

Date Signature of authorised officer.

[1]The standard amenities are:—

1) A fixed bath or shower which must be in a bathroom unless this is not reasonably practicable.

2) A wash-hand basin.

3) A sink.

4) A water closet which must be in, and accessible from within, the dwelling unless this is not reasonably practicable.

5) A hot and cold water supply at the fixed bath or shower, at the wash-hand basin and at the sink.

[2]The standard of fitness for human habitation is laid down in section 4 of the Housing Act 1957 as amended by section 71 of the Housing Act 1969. A dwelling is 'fit for human habitation' if it is reasonably suitable for occupation having regard to repairs, stability, freedom from damp, internal arrangement, natural lighting, ventilation, water supply, drainage and sanitary conveniences, and facilities for preparation and cooking of food and for the disposal of waste water.

[3]The Minister of Housing and Local Government and the Secretary of State for Wales have power by order to bring these dates forward.

Given under the official seal of the Minister of Housing and Local Government on 15th August 1969.

(L.S.)

Kenneth Robinson,
Minister for Planning and Land,
Ministry of Housing and
Local Government.

Signed by authority of the Secretary of State.

Eirene White,
Minister of State,
Welsh Office.

15th August 1969.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply throughout England and Wales, supersede the Rent Regulation (Forms etc.) (England and Wales) Regulations 1965, the Rent Regulation (Forms etc.) (England and Wales) (Amendment) Regulations 1967 and regulation 9 of the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968. They prescribe forms to be used for the purposes of Parts III and IV and Schedules 6 and 7 of the Rent Act 1968, the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968 and Part III and Schedule 2 of the

Housing Act 1969, relating to regulated tenancies and the conversion of controlled tenancies to regulation. They also deal with certain other matters which the Rent Act 1968 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 regulated tenancy. Forms Nos. 1, 2 and 3 are similar to forms previously prescribed, but with the substitution of appropriate references to the Rent Act 1968 and certain amendments to the headings and the notes. Form No. 4 is identical with the previous form No. 3A. A new form is prescribed for cases where the restrictions on rent increases imposed by Schedule 3 to the Housing Act 1969 apply.

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. These are identical with the particulars previously prescribed. Regulation 7 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. This is the fee which was previously prescribed.

The forms contained in Schedules 3 and 4, or forms substantially to the like effect, are for use in connection with applications to register rents and to obtain certificates of fair rent. In particular, Forms Nos. 6, 7, 9, 10 and 12 are similar to the previous Forms Nos. 4, 4A, 5, 6 and 7, but with the substitution of appropriate references to the Rent Act 1968 and amendments in certain cases to the headings and the information to be supplied. The regulations prescribe a new form of application for the registration of a fair rent supported by a certificate of fair rent and a new form of application for a certificate of fair rent by a landlord under a controlled tenancy under Schedule 2 to the Housing Act 1969.

The regulations further prescribe the form of notice to be served by a local authority on a tenant under a controlled tenancy pursuant to section 45(1) of the Housing Act 1969, and the information and explanation which such notice shall contain.

The regulations amend the Prices and Incomes (Regulated Rents) (England and Wales) Regulations 1968 by excepting from the restrictions on rent increases imposed by section 9(1) of the Prices and Incomes Act 1968 any rent registered to which the restrictions on rent increases imposed by Schedule 3 to the Housing Act 1969 apply. They further amend the 1968 regulations by providing that where such a rent is registered, the rent payable may not be increased by virtue of those regulations. They also correct an incorrect cross-reference in the 1968 regulations.