LANDLORD AND TENANT

1956 No. 257

The Rent Restrictions Regulations, 1956

Made - - - -	*24th February*, 1956
Laid before Parliament	1*st March*, 1956
Coming into Operation	1*st April*, 1956

The Minister of Housing and Local Government, in exercise of his powers under section 14 of the Rent and Mortgage Interest Restrictions (Amendment) Act, 1933(**a**), as amended by section 12 of the Rating and Valuation (Miscellaneous Provisions) Act, 1955(**b**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

1.—(1) These regulations may be cited as the Rent Restrictions Regulations, 1956, and shall come into operation on the first day of April, 1956.

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

2. The statement which, by virtue of section 12 (2) of the Rating and Valuation (Miscellaneous Provisions) Act, 1955, is required to accompany a notice of increase of rent which is relevant for the purposes of that section (namely a notice of increase of rent on account of increased rates which is served on the tenant of a dwelling-house within a year after the coming into force of a new valuation list for the area in which the dwelling-house is situate) shall contain the information set out in the First Schedule to these regulations.

3. The forms contained in the Second Schedule to these regulations, or forms substantially to the like effect, shall be the forms to be used for the purpose of the notices to be served in accordance with the provisions of the said section.

Given under the official seal of the Minister of Housing and Local Government this twenty-fourth day of February, nineteen hundred and fifty-six.

(L.S.)

Duncan Sandys,
Minister of Housing and Local Government.

(a) 23 & 24 Geo. 5. c. 32. (b) 4 & 5 Eliz. 2. c. 9. (c) 52 & 53 Vict. c. 63.

FIRST SCHEDULE

Information to be included in statement accompanying relevant notice of increase of rent on account of increased rates.

To..... [prospective] tenant of .....

1. The increase in rates to which the accompanying notice of increase of rent refers is due wholly or in part to the fact that in the new valuation list which came into force on 1st April, 1956, the rateable value of the [above dwelling] [hereditament of which the above dwelling forms part] is higher than it was in the old list.

2. If a proposal has been made by you or any other person, or is made before 1st April, 1957, to reduce the value for rating of the [above dwelling] [hereditament of which the above dwelling forms part] as shown in the new valuation list, then, unless the [dwelling] [hereditament] has been substantially altered since it was last previously valued for rating, you are entitled (in accordance with the provisions of section 12 of the Rating and Valuation (Miscellaneous Provisions) Act, 1955) to require the increase of rent specified in the accompanying notice to be suspended until the proposal has been settled.

3. If you do not require the increase of rent to be suspended and the result of the proposal, when it is settled, is that no rate increase is payable, I, or the person who is your landlord when the proposal is settled, will be required to refund to you the full amount of the rent increase which you have paid. Similarly, if the result of the proposal is that the amount of the rate increase is reduced, the appropriate proportion of the rent increase must be refunded to you.

If you cease to be the tenant before the settlement date, you will still be entitled at that date to have refunded to you the excess paid by you during the period while you were the tenant.

4. If on the other hand you decide to require suspension of the increase, you must serve on me a notice (called a " suspense notice ") in the form set out at the foot of this statement (being the form prescribed in the Second Schedule to the Rent Restrictions Regulations, 1956). The effect of serving such a notice will be to suspend the rent increase during the period from the date of service of the notice until the date on which rates are next demanded in respect of the dwelling after the proposal is settled. You will not, however, be entitled to a refund of any increase actually paid before you served the suspense notice.

If, when the proposal is settled, the rateable value of the [dwelling] [hereditament of which the dwelling forms part] remains unaltered, you will be liable to pay to me or to the person who is then your landlord the balance of the rent which you would have had to pay if the suspense notice had not been served. Similarly, if the rateable value of the [dwelling] [hereditament] is reduced, but there is still some increase in the rates payable for the dwelling, you will be liable to pay a proportionately reduced amount.

In either case, the balance of rent cannot be recovered from you unless and until you have been served with a notice showing the amount due.

If you are then the tenant of the dwelling the sum specified in the notice as being due from you will be recoverable as if it were arrears of rent, but it will not be treated as such arrears for the purpose of enabling eviction proceedings to be taken against you.

If you cease to be the tenant during the period when the increase is suspended, you can still be called upon, when the final adjustment takes place, to pay such part of the balance of rent due to the landlord as is attributable to the period during which you were the tenant.

Prescribed Form of Suspense Notice

Date.....

To ..... landlord of .....

I hereby give you notice, in accordance with section 12 (3) of the Rating and Valuation (Miscellaneous Provisions) Act, 1955, that I require the increase of rent specified in your notice of increase dated the day of , 195 , to be suspended pending the settlement of the proposal to reduce the value ascribed to the [above-mentioned dwelling] [hereditament of which the above-mentioned dwelling forms part] in the valuation list.

(Signed) .....

SECOND SCHEDULE

FORM A

Suspense Notice requiring increase of rent on account of increased rates to be suspended

Date.....

To ..... landlord of .....

I hereby give you notice, in accordance with section 12 (3) of the Rating and Valuation (Miscellaneous Provisions) Act, 1955, that I require the increase of rent specified in your notice of increase dated the day of , 195 , to be suspended pending the settlement of the proposal to reduce the value ascribed to the [above-mentioned dwelling] [hereditament of which the above-mentioned dwelling forms part] in the valuation list.

(Signed) .....

FORM B

Notice specifying sum due on account of balance of rent where suspense notice has been served and proposal to alter valuation list has wholly failed

Date.....

To..... [former] tenant of.....

I hereby give you notice, in accordance with section 12 (5) of the Rating and Valuation (Miscellaneous Provisions) Act, 1955, that since the proposal to alter the valuation list in respect of the [above-mentioned dwelling] [hereditament of which the above-mentioned dwelling forms part] has failed, the sum of £ s. d., calculated in the manner set out below, is due from you in respect of the increase of rent specified in the notice of increase dated the day of , 195 , which would have fallen to be paid by you but for the service of a suspense notice on the day of , 195 .

Calculation referred to above

Number of rent days falling within the period [of your tenancy*] during which the increase of rent was supended..... Amount of increase which, but for the suspense notice, would have been payable on each rent day £ s. d.

Total sum due £ s. d.

(Signed) .....

(Address) .....

.....

* These words are only relevant if the notice is served on a person who has not been the tenant during the whole period between the service of the suspense notice and the date of adjustment.

FORM C

Notice specifying sum due on account of balance of rent where suspense notice has been served and proposal to alter valuation list has resulted in a reduction of the increase in the rates

Date.....

To..... [former] tenant of.....

I hereby give you notice, in accordance with section 12 (5) of the Rating and Valuation (Miscellaneous Provisions) Act, 1955, that since the proposal to alter the valuation list in respect of the [above-mentioned dwelling] [hereditament of which the above-mentioned dwelling forms part] has resulted in an alteration which still leaves some increase in the rates payable by me, the sum of £ s. d., calculated in the manner set out below, is due from you in respect of the increase of rent which would have fallen to be paid by you if—

(*a*) a suspense notice had not been served on the day of , 195 , and

(*b*) the increase of rent specified in the notice of increase dated the day of , 195 , had been such lesser increase, namely £ s. d. per [week] [month], as would have been permissible if the valuation list, as from the time when it came into force, had had effect as modified by the alteration.

Calculation referred to above

Number of rent days falling within the period [of your tenancy*] during which the increase of rent was suspended..... Amount of lesser increase which, but for the suspense notice, would have been payable on each rent day £ s. d.

Total sum due £ s. d.

(Signed) .....

(Address) .....

.....

* These words are only relevant if the notice is served on a person who has not been the tenant during the whole period between the service of the suspense notice and the date of adjustment.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations prescribe the information to be given by a landlord to a tenant as to the rights of the tenant under section 12 of the Rating and Valuation (Miscellaneous Provisions) Act, 1955, and also prescribe the forms to be used for the purposes of that section.

The First Schedule specifies the information which a landlord must include in the statement which is required by section 12 (2) of the Act to accompany a notice of increase of rent on account of increased rates which is served on a tenant within a year after the coming into force of a new valuation list for the area. The information concerns the right of the tenant, if a proposal is made to reduce the value shown in the list, to make an election to suspend the increase of rent pending the settlement of the proposal.

The Second Schedule contains the forms of notices to be served under the provisions of the said section.