



Rent Act 1974

1974 CHAPTER 51

Furnished lettings (Scotland)

9 Furnished lettings: amendments relating to control and registration of rents

- (1) In section 88(1) of the Rent (Scotland) Act 1971 (powers of rent tribunals on reference of Part VII contracts) in paragraph (b) (power to reduce the rent to such sum as the tribunal thinks reasonable) after the word " reduce " there shall be inserted the words " or increase " , and accordingly section 90(2) of that Act (under which, on a reference made after a rent had been registered, the tribunal had power to increase the rent payable) shall cease to have effect.
- (2) For subsection (4) of section 88 of that Act (the tribunal need not entertain any reference made by a lessee or lessor alone if they are satisfied that the reference is frivolous or vexatious) there shall be substituted the following subsection:—
 - “(4) Where the rent under a Part VII contract has been registered under section 89 below, a rent tribunal shall not be required to entertain a reference, made otherwise than by the lessor and the lessee jointly, for the registration of a different rent for the dwelling-house concerned before the expiry of the period of 3 years beginning on the date on which the rent was last considered by the tribunal, except on the ground that, since that date, there has been such a change in the condition of the dwelling-house, the furniture or services provided, the terms of the contract or any other circumstances taken into consideration when the rent was last considered as to make the registered rent no longer a reasonable rent.”
- (3) In section 89 of that Act (register of rents under Part VII contracts) after subsection (2) there shall be inserted the following subsection:—
 - “(2A) Where any rates in respect of a dwelling-house are borne by the lessor, the amount to be entered in the register under this section as the rent payable for the dwelling-house shall be the same as if the rates were not so borne; but the fact that they are so borne shall be noted in the register.”

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- (4) In section 90(1) of that Act (reconsideration of rent after registration) after the words " section 89 above " there shall be inserted the words " then, subject to section 88(4) above " and the words " on the ground of change of circumstances " shall be omitted.
- (5) In section 91 of that Act (effect of registration of rent) after subsection (1) there shall be added the following subsection:—
- “(1A) Where subsection (2A) of section 89 above applies, the amount entered in the register under that section shall be treated for the purposes of this section as increased for any rental period by the amount of the rates for that period ascertained in accordance with Schedule 4 to this Act.”
- (6) In section 100(1) of that Act (interpretation of Part VII) after the definition of " register " there shall be inserted the following definition :—
- “rental period ' means a period in respect of which a payment of rent falls to be made”.

10 Furnished lettings: amendments relating to security of tenure

- (1) In section 93(1) of the Rent (Scotland) Act 1971 (application by lessee to rent tribunal for extension of period before notice to quit takes effect) paragraph (c) (no application may be made if the rent tribunal has previously granted an extension of less than six months) shall be omitted.
- (2) In section 95 of that Act (reduction of period of notice on account of lessee's default) at the end of paragraph (c) of subsection (2) there shall be added the words “or
- (d) that the condition of any furniture provided for the use of the lessee under the contract has deteriorated owing to any ill-treatment by the lessee or any person residing or lodging with him”.