

*Status: This version of this schedule contains provisions that are prospective.*

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980, SCHEDULE 6. (See end of Document for details)*

## SCHEDULES

PROSPECTIVE

### SCHEDULE 6

Section 59.

#### APPLICATIONS FOR REGISTRATION OF RENT

##### **Modifications etc. (not altering text)**

**C1** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 1 Schedule 11 to the 1977 Act (applications for registration of rent) is amended as follows.
- 2 For paragraphs 2 and 3 there are inserted the following paragraphs—
- “2 (1) Where the application is made jointly by the landlord and the tenant and it appears to the rent officer, after making such inquiry, if any, as he thinks fit and considering any information supplied to him in pursuance of paragraph 1 above, that the rent specified in the application is a fair rent, he may register that rent without further proceedings.
- (2) Where the rent officer registers a rent under this paragraph he shall notify the landlord and the tenant accordingly.
- 3 (1) In the case of an application which does not fall within paragraph 2 above, the officer shall serve on the landlord and on the tenant a notice—
- (a) stating the rent specified in the application ;
- (b) stating any sum specified in the application in accordance with section 67(2)(b) of this Act ; and
- (c) inviting the person on whom the notice is served to state, within a period of not less than seven days after the service of the notice, whether he wishes the rent officer to consider, in consultation with the landlord and the tenant, what rent ought to be registered for the dwelling-house.
- (2) Where, in pursuance of section 67(2)(b), the application was accompanied by details of the landlord’s expenditure in connection with the provision of services, a notice under this paragraph shall be accompanied by a copy of those details.
- 3A If, after service of a notice by the rent officer under paragraph 3 above, no request is made within the period specified in the notice for the rent to be considered as mentioned in paragraph 3(1)(c) above, the rent officer after

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considering what rent ought to be registered or, as the case may be, whether a different rent ought to be registered, may—

- (a) determine a fair rent and register it as the rent for the dwelling-house ; or
- (b) confirm the rent for the time being registered and note the confirmation in the register ; or
- (c) serve a notice under paragraph 4(2) below.”

3 For sub-paragraph (1) of paragraph 4 there is substituted the following sub-paragraph—

“(1) Where, in response to a notice served by the rent officer under paragraph 3 above, the landlord or the tenant asks for the rent to be considered as mentioned in paragraph 3(1)(c), the rent officer shall serve a notice under this paragraph.”.

4 In sub-paragraph (2) of paragraph 4, for the word “ notice” there are inserted the words “ notice, or 14 days in a case falling within paragraph 3(1)(b) above”.

5 After sub-paragraph (3) of paragraph 4 there is inserted the following sub-paragraph—

“(4) The rent officer may, where he considers it appropriate, arrange for consultations in respect of one dwelling-house to be held together with consultations in respect of one or more other dwelling-houses.”

6 In paragraph 5, for the words “ and shall”, immediately after sub-paragraph (b), there is substituted—

“5A Where a rent has been registered or confirmed by the rent officer under paragraph 3A or 5 above, he shall.”

7 In paragraph 6(1) for “ 5” there is substituted “ 5A”.

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