



# Rent (Scotland) Act 1984

## 1984 CHAPTER 58

### PART VII

#### PART VII CONTRACTS

#### 66 [F<sup>1</sup>Powers of the First-tier Tribunal on reference of contracts.]

- (1) Where a Part VII contract is referred to [F<sup>2</sup>the First-tier Tribunal] and the reference is not, before the [F<sup>3</sup>First-tier Tribunal has] entered upon consideration of it, withdrawn by the party . . . F<sup>4</sup> who made it, the [F<sup>5</sup>First-tier Tribunal] shall consider it and then, after making such inquiry as [F<sup>6</sup>it thinks] fit and giving to each party to the contract and, if the dwelling-house is or forms part of a dwelling-house to which section [F<sup>7</sup>203 of the Housing (Scotland) Act 1987] applies, to the local authority, an opportunity of being heard or, at his or [F<sup>8</sup>its] option, of submitting representations in writing, the [F<sup>5</sup>First-tier Tribunal], subject to subsection (2) below,—
  - (a) may approve the rent payable under the contract, or
  - (b) may reduce or increase the rent to such sum as [F<sup>9</sup>it may], in all the circumstances, think reasonable, or
  - (c) may, if [F<sup>6</sup>it thinks] fit in all the circumstances, dismiss the reference, and shall notify the parties and the local authority of [F<sup>8</sup>its] decision.
- (2) On the reference of a Part VII contract relating to a dwelling-house for which a rent is registered under Part V of this Act, the [F<sup>10</sup>First-tier Tribunal] may not reduce the rent payable under the contract below the amount which would be recoverable from the tenant under a regulated tenancy of the dwelling-house.
- (3) An approval, reduction or increase under this section may be limited to rent payable in respect of a particular period.
- (4) Where the rent under a Part VII contract has been registered under section 67 below, [F<sup>11</sup>the First-tier 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 three years beginning on the date on which the rent was last considered by the [F<sup>12</sup>First-tier Tribunal], except

*Changes to legislation: There are currently no known outstanding effects for the Rent (Scotland) Act 1984, Section 66. (See end of Document for details)*

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.

[<sup>F13</sup>(5) [<sup>F14</sup>The First-tier Tribunal]] shall not entertain a reference under subsection (4) above on the ground only that, since the relevant date, there has been a change in the amount of council tax payable in respect of the dwelling-house.]

#### Textual Amendments

- F1** S. 66 title substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(12)** (with sch. 1)
- F2** Words in s. 66(1) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(a)(i)** (with sch. 1)
- F3** Words in s. 66(1) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(a)(ii)** (with sch. 1)
- F4** Words repealed by Housing (Scotland) Act 1988 (c. 43, SIF 61), ss. 68, 72(3), **Sch. 10**
- F5** Words in s. 66(1) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(a)(iii)** (with sch. 1)
- F6** Words in s. 66(1) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(a)(iv)** (with sch. 1)
- F7** Words substituted by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339, **Sch. 23 para. 29(5)**
- F8** Word in s. 66(1) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(a)(v)** (with sch. 1)
- F9** Words in s. 66(1) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(a)(vi)** (with sch. 1)
- F10** Words in s. 66(2) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(b)** (with sch. 1)
- F11** Words in s. 66(4) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(c)(i)** (with sch. 1)
- F12** Words in s. 66(4) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(c)(ii)** (with sch. 1)
- F13** S. 66(5) inserted (1.4.1993) by S.I. 1993/658, art. 2, **Sch. 1 para. 5**
- F14** Words in s. 66(5) substituted (1.12.2016) by The First-tier Tribunal for Scotland (Transfer of Functions of the Private Rented Housing Committees) Regulations 2016 (S.S.I. 2016/337), reg. 1(2), **sch. 2 para. 1(11)(d)** (with sch. 1)

**Changes to legislation:**

There are currently no known outstanding effects for the Rent (Scotland) Act 1984, Section 66.