

STATUTORY INSTRUMENTS

1982 No. 1474

LANDLORD AND TENANT

The Rent Book (Forms of Notice) Regulations 1982

Made - - - 15th October 1982

Laid before Parliament 27th October 1982

Coming into Operation 1st January 1983

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of powers conferred by section 2(1) and 6(1)(b) of the Landlord and Tenant Act 1962(a) and now vested in them(b) and of all other powers enabling them in that behalf, hereby make the following regulations:—

1. These regulations may be cited as the Rent Book (Forms of Notice) Regulations 1982 and shall come into operation on 1st January 1983.

2. In these regulations:—

“the 1962 Act” means the Landlord and Tenant Act 1962;

“the 1976 Act” means the Rent (Agriculture) Act 1976(c); and

“the 1977 Act” means the Rent Act 1977(d).

3.—(1) The prescribed form in which, under section 2(1) of the 1962 Act, notice or particulars are required to be contained in a rent book or other similar document provided in pursuance of section 1 of the 1962 Act shall be as follows:—

- (a) if the premises are occupied by virtue of a restricted contract within the meaning of the 1977 Act, the form set out in Part I of the Schedule to these regulations;
- (b) if the premises are a dwelling house let on or subject to a protected or statutory tenancy within the meaning of the 1977 Act, the form set out in Part II of the Schedule to these regulations; and
- (c) if the premises are a dwelling house subject to a statutory tenancy as defined in the 1976 Act, the form set out in Part III of the Schedule to these regulations

or, in each case, a form substantially to the same effect.

(a) 1962 c.50; section 2(1) was amended by the Rent Act 1968 (c.23), Schedule 15, by the Rent (Agriculture) Act 1976 (c.80), Schedule 8, paragraph 9 and the Rent Act 1977 (c.42), Schedule 23, paragraph 31.

(b) S.I. 1970/1681.

(c) 1976 c.80.

(d) 1977 c.42.

(2) In the cases referred to in paragraphs (a), (b) and (c) above, such rent book or similar document shall contain notice of the matters set out in the appropriate prescribed form, in addition to the name and address of the landlord and the particulars required by section 2(1) of the 1962 Act.

4. The Rent Book (Forms of Notice) Regulations 1976(a) are hereby revoked.

SCHEDULE

PART I

(FORM FOR RENT BOOK FOR RESTRICTED CONTRACT)

INFORMATION FOR TENANT

IMPORTANT—PLEASE READ THIS
If the rent for the premises you occupy as your residence is payable weekly, the landlord must provide you with a rent book or similar document. If you have a "restricted contract" (see paragraph 9 below), the rent book or similar document must contain this notice, properly filled in.

1. Address of premises

*These entries must be kept up-to-date

*2. Name and address of landlord

*3. Name and address of agent (if any)

†Cross out whichever does not apply

*4. The rent payable including/excluding† rates is £..... per week.

If a reasonable rent is registered by the Rent Tribunal, paragraph 5 and, where it applies, paragraph 6 must be filled in, otherwise they should be crossed out.

*5. The registered rent (which excludes rates) is £..... per week, registered on..... (date).

*6. In addition to the registered rent, £..... per week is payable to cover rates paid by the landlord or a superior landlord.

7. Details of accommodation (if any) which the occupier has the right to share with other persons

8. The other terms and conditions of the contract are

9. *Restricted contracts* are usually lettings by landlords who live in the same house. There are rules about your rights to stay in the accommodation and the rent you pay for restricted contracts. Full details are given in the Department of the Environment and Welsh Office booklets "Letting Rooms in Your Home" and "Notice to Quit", nos. 4 and 11 in the series of housing booklets. These booklets are obtainable free from rent officers, council offices and housing aid centres, some of which also give advice.
10. If your letting began on or after 28th November 1980, you cannot be evicted unless the landlord gets a possession order from the courts. The rules for lettings which began before 28th November 1980 are different. You may have the right to apply to the Rent Tribunal to postpone any notice to quit and the landlord often also needs a court order. Whether your letting began before or after 28th November 1980, either you or the landlord can apply to the Rent Tribunal to fix a reasonable rent. It is unwise to apply without first getting advice.
11. You may be entitled to get help to pay your rent. Apply to your local council for details of the rent allowance and rate rebate schemes.
12. It is a criminal offence for your landlord to harass you or interfere with your possessions or use of facilities in order to force you to leave.
13. If you are in any doubt about your legal rights or obligations, particularly if your landlord has asked you to leave, you should go to a Citizens Advice Bureau, housing aid centre, law centre or solicitor. Help with all or part of the cost of legal advice from a solicitor may be available under the Legal Aid Scheme.

PART II

(FORM FOR RENT BOOK FOR PROTECTED OR STATUTORY TENANCY)

INFORMATION FOR TENANT

IMPORTANT—PLEASE READ THIS

If the rent for the premises you occupy as your residence is payable weekly, the landlord must provide you with a rent book or similar document. If you have a protected or statutory tenancy (see paragraph 9 below), the rent book or similar document must contain this notice, properly filled in.

1. Address of premises
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 - *These entries must be kept up-to-date
 - *2. Name and address of landlord
 -
 - *3. Name and address of agent (if any)
 -
 - +Cross out whichever does not apply
 - *4. The rent payable including/excluding† rates is £..... per week.
- If a fair rent is registered paragraph 5 and, where it applies, paragraph 6 must be filled in, otherwise they should be crossed out.*
- *5. The registered rent (which excludes rate) is £..... per week, effective from (date).
If the rent is registered as variable (because it includes service charges which vary), this should be indicated by placing a tick in the box .

- *6. In addition to the registered rent, £ per week is payable to cover rates paid by the landlord or superior landlord.
7. Details of the accommodation (if any) which the occupier has the right to share with other persons
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-
8. The other terms and conditions of the tenancy are
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9. You are protected by the Rent Act 1977 and known as a “regulated tenant”. The Rent Act contains important rules concerning the amount of rent you have to pay and your rights to stay in your home. Details of these rules are set out in the Department of the Environment and Welsh Office booklets “Regulated Tenancies” and “Notice to Quit”, nos. 7 and 11 in the series of housing booklets. These booklets are available from rent officers, council offices and housing aid centres, some of which also give advice.
10. Either you or your landlord may apply to the rent officer for a fair rent to be registered. It is wise to get advice before doing so. Whether or not your rent is registered by the rent officer there are rules about how and when it can be increased. You cannot be evicted from your home unless your landlord gets a possession order from the courts, and the courts can grant an order only in special circumstances.
11. If you have a protected *shorthold* tenancy, special rules apply. You should read housing booklet no. 8 “Shorthold Tenancies—First Revision” which sets out these rules.
12. The Housing Act 1980 converted most *controlled* tenancies into regulated tenancies. If your tenancy was formerly a controlled one, you should read housing booklet no. 6 “Controlled Tenancies” which explains your position.
13. You may be entitled to get help to pay your rent. Apply to your local council for details of the rent allowance and rate rebate schemes.
14. It is a criminal offence for your landlord to evict you without an order from the court or to harass you or interfere with your possessions or use of facilities in order to force you to leave.
15. If you are in any doubt about your legal rights or obligations, particularly if your landlord has asked you to leave, you should go to a Citizens Advice Bureau, housing aid centre, law centre or solicitor. Help with all or part of the cost of legal advice from a solicitor may be available under the Legal Aid Scheme.

PART III

(FORM FOR RENT BOOK FOR TENANCY UNDER THE RENT (AGRICULTURE) ACT 1976)

INFORMATION FOR TENANT

IMPORTANT—PLEASE READ THIS

If the rent for the premises you occupy as your residence is payable weekly, the landlord must provide you with a rent book or similar document. If you have a statutory tenancy under the Rent (Agriculture) Act 1976 (see paragraph 9 below), the rent book or similar document must contain this notice, properly filled in.

- *1. Address of premises
-
- *These entries must be kept up-to-date
- *2. Name and address of landlord
-
- *3. Name and address of agent (if any)
-
- †Cross out whichever does not apply
- *4. The rent payable (or to be deducted from pay) including/excluding† rates is £ per week.
- If a fair rent is registered paragraph 5 and, where it applies, paragraph 6 must be filled in, otherwise they should be crossed out.*
- *5. The registered rent (which excludes rates) is £ per week, effective from (date).
If the rent is registered as variable (because it includes service charges which vary), this should be indicated by placing a tick in the box .
- *6. In addition to the registered rent, £ per week is payable to cover rates paid by the landlord or superior landlord.
7. Details of accommodation (if any) which the occupier has the right to share with other persons
-
-
8. The other terms and conditions of the tenancy are
-
-
9. You are protected by the Rent (Agriculture) Act 1976 and known as a "statutory tenant" under that Act. The Act contains important rules concerning the amount of rent you have to pay and your rights to stay in your home. Details of these rules are set out in the booklet "Some Questions and Answers about the Rent (Agriculture) Act 1976". This booklet is available free from rent officers, council offices and housing aid centres, some of which also give advice.
10. The rules about the amount of rent you can be charged depend on whether a fair rent has been registered by the rent officer. If a fair rent has been registered, that is the most that your landlord can charge. If no fair rent is registered, the landlord can charge a provisional rent at a yearly level currently fixed at 1½ times the rateable value of your cottage. There is nothing to prevent you and your landlord agreeing upon a lower figure. You cannot be evicted from your home unless your landlord gets a possession order from the courts. The courts can grant an order only if suitable alternative accommodation is made available to you or in certain other special cases.
11. You may be entitled to get help to pay your rent. Apply to your local council for details of the rent allowance and rate rebate schemes.
12. It is a criminal offence for your landlord to evict you without an order from the court or to harass you or interfere with your possessions or use of facilities in order to force you to leave.

13. If you are in doubt about your legal rights or obligations, particularly if your landlord has asked you to leave, you should go to a Citizens Advice Bureau, housing aid centre, law centre or solicitor. Help with all or part of the cost of legal advice from a solicitor may be available under the Legal Aid Scheme.

13th October 1982.

Michael R. D. Heseltine,
Secretary of State for the Environment.

15th October 1982.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Under the provisions of section 1 of the Landlord and Tenant Act 1962, where a person has the right to occupy any premises as a residence in consideration of a rent which is payable weekly, it is the duty of the landlord to provide a rent book or other similar document for use in respect of the premises.

These regulations, which supersede the Rent Book (Forms of Notice) Regulations 1976, revise the notices which, under the 1962 Act, are to be contained in rent books or other similar documents provided in pursuance of that Act, in the case of:—

- (1) premises occupied by virtue of a restricted contract under the Rent Act 1977;
- (2) premises let on or subject to a protected or statutory tenancy under the Rent Act 1977; and
- (3) premises subject to a statutory tenancy as defined in the Rent (Agriculture) Act 1976.

These notices are revised to provide a form of notice for case (3) above (the Rent (Agriculture) Act 1976 was passed after the 1976 Regulations were made) and to take account in particular of changes in the Rent Act 1977 effected by Part II of the Housing Act 1980 (c.51).

SI 1982/1474
ISBN 0-11-027474-1

