



# Housing Act 1988

## 1988 CHAPTER 50

### PART III

#### HOUSING ACTION TRUST AREAS

##### *Rents*

#### **85 Rents generally.**

- (1) A housing action trust may make such reasonable charges as it may determine for the tenancy or occupation of housing accommodation for the time being held by it.
- (2) A housing action trust shall from time to time review rents and make such changes, either of rents generally or of particular rents, as circumstances may require.

#### **86 Increase of rent where tenancy not secure.**

- (1) This section applies where a dwelling-house is let by a housing action trust on a periodic tenancy which is not a secure tenancy [<sup>F1</sup>or an introductory tenancy].
- (2) The rent payable under the tenancy may, without the tenancy being terminated, be increased with effect from the beginning of a rental period by a written notice of increase given by the housing action trust to the tenant.
- (3) A notice under subsection (2) above is not effective unless—
  - (a) it is given at least four weeks before the first day of the rental period, or any earlier day on which the payment of rent in respect of that period falls to be made;
  - (b) it tells the tenant of his right to terminate the tenancy and of the steps to be taken by him if he wishes to do so; and
  - (c) it gives him the, dates by which, if (by virtue of subsection (4) below) the increase is not to be effective, a notice to quit must be received by the trust and the tenancy be made to terminate.

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*Status: Point in time view as at 01/04/2010.*

*Changes to legislation: Housing Act 1988, Cross Heading: Rents is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (4) Where a notice is given under subsection (2) above specifying an increase in rent with effect from the beginning of a rental period and the tenancy continues into that period, the notice shall not have effect if—
- (a) the tenancy is terminated by notice to quit given by the tenant in accordance with the provisions (express or implied) of the tenancy;
  - (b) the notice to quit is given before the expiry of the period of two weeks beginning on the day following the date on which the notice of increase is given, or before the expiry of such longer period as may be allowed by the notice of increase; and
  - (c) the date on which the tenancy is made to terminate is not later than the earliest day on which the tenancy could be terminated by a notice to quit given by the tenant on the last day of that rental period.
- (5) In this section “rental period” means a period in respect of which a payment of rent falls to be made.

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**Textual Amendments**

**F1** Words in s. 86(1) inserted (12.2.1997) by [S.I. 1997/74](#), art. 2, [Sch. para. 6\(j\)](#)

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