Changes to legislation: *There are currently no known outstanding effects for the Rent Act 1977, SCHEDULE 7. (See end of Document for details)*

SCHEDULES

SCHEDULE 7

Section 44(4).

RENT LIMIT FOR CERTAIN TENANCIES FIRST REGULATED BY VIRTUE OF THE COUNTER-INFLATION ACT 1973

Special rent limit

1 (1) This paragraph applies to a regulated tenancy—

(a) which was granted before 8th March 1973, and

(b) which would not have been a regulated tenancy but for section 14(1) of the [M1]Counter-Inflation Act 1973 (which brought certain tenancies of dwelling-houses with high rateable values within the protection of the [M2]Rent Act 1968).

(2) Subject to this Schedule, the recoverable rent for any contractual period of a tenancy to which this paragraph applies shall not exceed the limit specified in paragraph 2 below, and the amount of any excess shall, notwithstanding anything in any agreement, be irrecoverable from the tenant.

(3) Where a rent for the dwelling-house is registered under Part IV of this Act which is less than the limit specified in paragraph 2 below, neither section 44(1) nor section 45(2) of this Act shall apply to a tenancy to which this paragraph applies.

(4) Sub-paragraphs (2) and (3) above shall cease to apply if the landlord and the tenant so provide by an agreement conforming with the requirements of section 51(4) of this Act.

(5) Sub-paragraph (2) above shall not apply where a rent for the dwelling-house is registered under Part IV of this Act which is not less than the limit specified in paragraph 2 below.

Marginal Citations

M1 1973 c. 9.

M2 1968 c. 23.

2 (1) Where, at 22nd March 1973, Article 10 of the [M3]Counter-Inflation (Rents) (England and Wales) Order 1972 applied to the rent under the tenancy (to which paragraph 1 above applies), the said limit is the rent payable under the tenancy as limited by the said Article 10 immediately before that date.

(2) In any other case the said limit is the rent payable under the terms of the tenancy (to which paragraph 1 above applies) at 22nd March 1973.

Changes to legislation: *There are currently no known outstanding effects for the Rent Act 1977, SCHEDULE 7. (See end of Document for details)*

Marginal Citations

M3 S.I. 1972/1851.

Adjustment for repairs, services or rates

3 (1) This paragraph applies to a contractual period the rent for which is subject to paragraph 1(2) above.

(2) In this paragraph "the previous terms" means the terms of the tenancy (to which paragraph 1 above applies) as at 22nd March 1973, and "the limit" means the limit in paragraph 2 above.

(3) Where under the terms of the tenancy there is with respect to—

(a) the responsibility for any repairs, or

(b) the provision of services by the landlord or any superior landlord, or

(c) the use of furniture by the tenant,

any difference compared with the previous terms, such as to affect the amount of the rent which it is reasonable to charge, the limit shall be increased or decreased by an appropriate amount.

(4) Where for the contractual period there is a difference between the amount (if any) of the rates borne by the landlord or a superior landlord in respect of the dwelling-house and the amount (if any) so borne during the first rental period for which the previous terms were agreed, the limit shall be increased or decreased by the difference.

(5) Where for the contractual period there is an increase in the cost of the provision of the services (if any) provided for the tenant by the landlord or a superior landlord compared with that cost at the time when the previous terms were agreed, such as to affect the amount of the rent which it is reasonable to charge, the limit shall be increased by an appropriate amount.

(6) Where the previous terms provide for a variation of the rent in any of the circumstances mentioned in this paragraph, the limit shall not be further varied under this paragraph by reason of the same circumstances.

(7) Any question whether, or by what amount, the limit is increased or decreased by sub-paragraph (3) or (5) above shall be determined by the county court, and any such determination—

(a) may be made so as to relate to past rental periods, and

(b) shall have effect with respect to rental periods subsequent to the periods to which it relates until revoked or varied by a subsequent determination.

4 . . . . . **F1**

Textual Amendments

F1 Ss. 15(6), 17, 18(3)(4), 24(1)(2), 27–43, 50, 53, 67(6), 70(5), 76, 79(4), 86(5), 91, 92(6)(7), 108–113, 115, 117, 130, 133–135, 141(2), 155(1), Sch. 1 para. 8, Schs. 3, 4, 6, Sch. 7 para. 4, Sch. 10 para. 10, Sch. 11 paras. 13, 14 and 15–25, Sch. 13, Sch. 14 para. 6, Sch. 17 paras. 10, 11, Sch. 19, Sch. 20 paras. 1(6)(7), 4, Schs. 21, 22, Sch. 23 paras.1, 4(*g*)–(*i*), 37, 38 repealed by Housing Act 1980 (c. 51, SIF 61), **Sch. 26**

Changes to legislation:
There are currently no known outstanding effects for the Rent Act 1977, SCHEDULE 7.