



# Rent Act 1977

## 1977 CHAPTER 42

### PART III

#### RENTS UNDER REGULATED TENANCIES

##### *Regulation of rent*

#### **45 Limit of rent during statutory periods**

- (1) Except as otherwise provided by this Part of this Act, where the rent payable for any statutory period of a regulated tenancy of a dwelling-house would exceed the rent recoverable for the last contractual period thereof, the amount of the excess shall, notwithstanding anything in any agreement, be irrecoverable from the tenant.
- (2) Where a rent for the dwelling-house is registered under Part IV of this Act, the following provisions shall apply with respect to the rent for any statutory period of a regulated tenancy of the dwelling-house:—
  - (a) if the rent payable for any statutory period would exceed the rent so registered, the amount of the excess shall, notwithstanding anything in any agreement, be irrecoverable from the tenant; and
  - (b) if the rent payable for any statutory period would be less than the rent so registered, it may be increased up to the amount of that rent by a notice of increase served by the landlord on the tenant and specifying the date from which the increase is to take effect.

This subsection is subject to the following provisions of this Act: sections 55 and 71(3), paragraph 1(3) of Schedule 7, paragraph 10 of Schedule 8, paragraph 8(4) of Schedule 9 and paragraph 3 of Schedule 20.

- (3) The date specified in a notice of increase under subsection (2)(b) above shall not be earlier than the date on which the rent was registered nor earlier than 4 weeks before the service of the notice.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) Where no rent for the dwelling-house is registered under Part IV of this Act, sections 46 to 48 of this Act shall have effect with respect to the rent recoverable for any statutory period under a regulated tenancy of the dwelling-house.