



Rent Act 1977

1977 CHAPTER 42

PART III

RENTS UNDER REGULATED TENANCIES

Enforcement provisions

57 Recovery from landlord of sums paid in excess of recoverable rent, etc.

- (1) Where a tenant has paid on account of rent any amount which, by virtue of this Part of this Act, is irrecoverable by the landlord, the tenant who paid it shall be entitled to recover that amount from the landlord who received it or his personal representatives.
- (2) Any amount which a tenant is entitled to recover under subsection (1) above may, without prejudice to any other method of recovery, be deducted by the tenant from any rent payable by him to the landlord.
- [^{F1}(3) No amount which a tenant is entitled to recover under subsection (1) above shall be recoverable at any time after the expiry of —
 - (a) one year, in the case of an amount which is irrecoverable by virtue of section 54 of this Act; or
 - (b) two years, in any other case.]
- (4) Any person who, in any rent book or similar document, makes an entry showing or purporting to show any tenant as being in arrears in respect of any sum on account of rent which is irrecoverable by virtue of this Part of this Act shall be liable to a fine not exceeding [^{F2}level 3 on the standard scale], unless he proves that, at the time of the making of the entry, the landlord had a bona fide claim that the sum was recoverable.
- (5) If, where any such entry has been made by or on behalf of any landlord, the landlord on being requested by or on behalf of the tenant to do so, refuses or neglects to cause the entry to be deleted within 7 days, the landlord shall be liable to a fine not exceeding [^{F2}level 3 on the standard scale], unless he proves that, at the time of the neglect or refusal to cause the entry to be deleted, he had a bona fide claim that the sum was recoverable.

*Changes to legislation: There are currently no known outstanding effects
for the Rent Act 1977, Section 57. (See end of Document for details)*

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Textual Amendments

- F1** S.57(3) substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), s. **68(3)**
- F2** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. **38, 46**

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