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STATUTORY INSTRUMENTS

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**1993 No. 654**

**LANDLORD AND TENANT,  
ENGLAND AND WALES**

**The Assured Tenancies and Agricultural Occupancies  
(Forms) (Amendment) Regulations 1993**

*Made* - - - - *11th March 1993*

*Coming into force* - - *1st April 1993*

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by sections 6(2) and (3), 13(2) and (4), 14A, 22(1), 41(2) and 45(1) and (5) of the Housing Act 1988<sup>(1)</sup> and all other powers enabling them in that behalf, hereby make the following Regulations—

**Citation and commencement**

1. These Regulations may be cited as the Assured Tenancies and Agricultural Occupancies (Forms) (Amendment) Regulations 1993 and shall come into force on 1st April 1993.

**Amendments**

2. The Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1988<sup>(2)</sup> are amended as follows—

(a) after regulation 3(6) insert—

“(6A) for a notice under section 14A(1) proposing a new rent to take account of the tenant’s liability to pay council tax for an assured tenancy or an assured agricultural occupancy, form no. 6A;

(6B) for an application under section 14A(5)(a) referring to a rent assessment committee a notice under section 14A(1), form no. 6B.”;

(b) in the Schedule, in paragraph 4 of form no. 1 for the words “This includes rates” in both places where they occur substitute—

“This includes council tax\*"

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(1) 1988 c. 50; section 14A was inserted by paragraph 8 of Schedule 2 to the Local Government Finance (Housing) (Consequential Amendments) Order 1993 (S.I.1993/651) and has effect in transitional cases; and *see* the definition of “prescribed” in section 45(1).  
(2) S.I. 1988/2203; amended by S.I. 1989/146 and 1990/1532.

This includes rates\*";

- (c) in the Schedule, after paragraph 5(b) of form no. 2, paragraph 4(b) of form no. 6 and paragraph 4(b) of form no. 8(3) insert—

(c) Does this include council tax? yes ☐ no ☐

If "Yes" please give details.


- (d) in the Schedule, in form no. 5—

- (i) at the end of the paragraph in the right hand column below the heading add—

"Do not use this form to propose an interim increase of rent under an assured periodic tenancy or agricultural occupancy on account of council tax (use form no. 6A instead).";

- (ii) in paragraphs 3 and 4 for "This includes/excludes\* rates" substitute—

"This includes council tax\*

This includes rates\*";

- (iii) in paragraph 4 after "rates\*" as so substituted insert—

"If you are required to include in your rent payments for council tax and you refer this notice to a rent assessment committee, the rent the committee determines will be inclusive of council tax."; and

- (iv) for the footnote to paragraphs 3 and 4 substitute—

"Cross out if this does not apply.";

- (v) after paragraph 4 insert—

"5. The landlord or superior landlord pays council tax in respect of the property\*

Council tax is not payable in respect of the property\*

A landlord may be liable for council tax if the property is in a house in multiple occupation, unless the property is an exempt dwelling. The main exemption is where the residents of such a dwelling are students or recent school or college leavers."; and

- (vi) as a footnote to paragraph 5 insert—

"\*Cross out if this does not apply.";

- (e) after form no. 6 in the Schedule insert, as forms no. 6A and no. 6B, the forms in the Schedule to this Order;

- (f) at the end of paragraph 3 of form no. 7 in the Schedule insert—

"If the rent includes a payment for council tax, the rent determined by the committee will be inclusive of council tax.";

- (g) in the Schedule, in paragraph 12 of form no. 8—

- (i) for "This includes/excludes\* rates of" substitute—

"This includes council tax\*."

“This includes rates\*.”;  
(ii) for the footnote, substitute—  
“Cross out if this does not apply.”.

11th March 1993

*Michael Howard*  
Secretary of State for the Environment

11th March 1993

*David Hunt*  
Secretary of State for Wales

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## SCHEDULE

Regulation 2(e)

## FORMS

FORM No. 6A

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Housing Act 1988 section 14A(1)

**Landlord's Notice Proposing an Interim Increase in Rent under an Assured Periodic Tenancy or Agricultural Occupancy on account of Council Tax**

- Please write clearly in black ink.
- This form should only be used to apply for an interim increase in rent to take into account the tenant's liability to make payments to the landlord in respect of council tax. It cannot be used after 31st March 1994 or if it has already been used or if council tax is not payable because the property is an exempt dwelling. It also cannot be used if an application for a determination of rent in other circumstances could be made.
- **This notice proposes a new rent to take account of council tax. If you want to oppose this proposal you must act before the date in paragraph 2.** Read this notice carefully. If you need help or advice take it immediately to:
  - a Citizen's Advice Bureau
  - a housing aid centre
  - a law centre
  - or a solicitor.
- This notice may also be used to propose a new rent or licence for an assured agricultural occupancy on account of council tax. In such a case references to "landlord"/"tenant" can be read as references to "licensor"/"licensee" etc.

1. To:  Name(s) of tenant(s)

of:   
  
 Address of premises

2. This is to give notice that as from  19

your landlord proposes to charge a new rent to include council tax.

The new rent must take effect at the beginning of a new period of the tenancy and not earlier than one month after this notice was served.

3. The existing rent is  £  per   
*e.g. week, month, year*

This includes rates\*

4. The proposed new rent will be  £  per   
*e.g. week, month, year*

This includes council tax.

This includes rates\*

- This form can only be used to increase the rent on account of the tenant's liability to pay council tax to the landlord
- If you agree with the interim rent increase proposed do nothing. If you do not agree and you are unable to reach agreement with your landlord or do not want to discuss it directly with him, you may refer the notice to your local rent assessment committee before the beginning of the new period given in paragraph 2. The committee will consider your application and will decide whether the proposed interim rent increase is appropriate.
- You will need a special form to refer the notice to a rent assessment committee.

\* Cross out if this does not apply.

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*To be signed by the landlord or his agent (someone acting for him). If there are joint landlords each landlord or his agent must sign unless one signs on behalf of the rest with their agreement.*

*Signed*

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*Name of landlord(s)*

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*Address of landlord(s)*


*Tel:*

*If signed by agent, name and address of agent*


*Tel:*

*Date:*

19
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FORM No. 6B

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Housing Act 1988 section 14A(5)(a)

**Application Referring a Notice Proposing an Interim Increase in Rent on Account of Council Tax under an Assured Periodic Tenancy or Agricultural Occupancy to a Rent Assessment Committee**

- Please write clearly in black ink
- Please tick boxes where appropriate
- When you have filled in the form please send it to the appropriate rent assessment panel.
- You should use this form when your landlord has served notice in form 6A proposing a new rent on account of your liability to pay council tax.
- You will need to attach a copy of that notice to this form.
- This form may also be used to refer a similar notice for an assured agricultural occupancy. In such a case references to “landlord”/“tenant” can be read as references to “licensor”/“licensee” etc.

1. Address of premises


2. Name(s) of landlord(s)

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Address of landlord(s)


3. Details of premises.

(a) What type of property is it, e.g. house, flat or room(s)?

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(b) If it is a flat or room(s) say what floor(s) it is on.

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(c) Give the number and type of rooms, e.g. living room, bathroom.

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(d) Does the tenancy include any other facilities, e.g. garden garage or other separate building or land?

Yes ☐ No ☐

(e) If Yes, please give details.


(f) Do you share accommodation?

(i) with the landlord?

Yes ☐ No ☐

(ii) with another tenant or tenants

Yes ☐ No ☐

(g) If Yes to either of the above, please give details

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4. (a) What is the existing rent? £ per  
*e.g. week, month, year*
- (b) What is the proposed interim rent to take account of council tax? £ per  
*e.g. week, month, year*

5. Do you have an assured agricultural occupancy? Yes ☐ No ☐

6. I/We\* attach a copy of the notice proposing an interim increase in rent on account of council tax under the assured periodic tenancy and I/We\* apply for it to be considered by a rent assessment committee.

*To be signed by the tenant or his agent (someone acting for him). If there are joint tenants, each tenant or his agent must sign, unless one signs on behalf of the rest with their agreement.*

Signed

Name of tenant(s)

Address of tenant(s)

Tel:

*If signed by agent, name and address of agent*

Tel:  Date: 19

\* Cross out whichever does not apply.



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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1988 and are consequential on the introduction of the council tax under the Local Government Finance Act 1992. They amend forms No. 1 and 2 and 5 to 8 prescribed by those Regulations and they prescribe two new forms. The new forms relate to the transitional case under the Local Government Finance (Housing) (Consequential Amendments) Order 1993 in which rent under an assured tenancy or agricultural occupancy may be increased to take into account a tenant's liability to make payments to his landlord in respect of council tax.