SCHEDULES

SCHEDULE 11

APPLICATIONS FOR REGISTRATION OF RENT

PART I

APPLICATION UNSUPPORTED BY CERTIFICATE OF FAIR RENT

Procedure on application to rent officer

1   On receiving any application for the registration of a rent, the rent officer may, by notice in writing served on the landlord or on the tenant (whether or not the applicant or one of the applicants), require him to give to the rent officer, within such period of not less than 7 days from the service of the notice as may be specified in the notice, such information as he may reasonably require regarding such of the particulars contained in the application as may be specified in the notice.

2   Where the application is made by the landlord alone, the rent officer shall serve on the tenant, and where it is made by the tenant alone he shall serve on the landlord, a notice informing him of the application and specifying a period of not less than 7 days from the service of the notice during which representations in writing may be made to the rent officer against the registration of the rent specified in the application.

3   (1) Where—

       (a)   the application is made jointly by the landlord and the tenant, or

       (b)   no representations are made as mentioned in paragraph 2 above ;

and it appears to the rent officer, after making such inquiry, if any, as he thinks fit and considering any information supplied to him in pursuance of paragraph 1 above, that the rent specified in the application is a fair rent, he may register that rent without further proceedings.

    (2) Where the rent officer registers a rent under this paragraph he shall notify the landlord and tenant accordingly.

4   (1) Where representations are made as mentioned in paragraph 2 above or the rent officer is not satisfied that the rent specified in the application is a fair rent or, as the case may be, that the rent for the time being registered is no longer a fair rent, he shall serve a notice under this paragraph.

    (2) A notice under this paragraph shall be served on the landlord and on the tenant informing them that the rent officer proposes, at a time (which shall not be earlier than 7 days after the service of the notice) and place specified in the notice, to consider in consultation with the landlord and the tenant, or such of them as may appear at that time and place, what rent ought to be registered for the dwelling-house or, as the case may be, whether a different rent ought to be so registered.

(3) At any such consultation the landlord and the tenant may each be represented by a person authorised by him in mat behalf, whether or not that person is of counsel or a solicitor.

5   After considering, in accordance with paragraph 4 above, what rent ought to be registered or, as the case may be, whether a different rent ought to be registered, the rent officer shall, as the case may require,—

    (a)   determine a fair rent and register it as the rent for the dwelling-house; or

    (b)   confirm the rent for the time being registered and note the confirmation in the register ;

and shall notify the landlord and the tenant accordingly by a notice stating that if, within 28 days of the service of the notice or such longer period as he or a rent assessment committee may allow, an objection in writing is received by the rent officer from the landlord or the tenant the matter will be referred to a rent assessment committee.

6   (1) If such an objection as is mentioned in paragraph 5 above is received, then—

    (a)   if it is received within the period of 28 days specified in that paragraph or a rent assessment committee so direct, the rent officer shall refer the matter to a rent assessment committee;

    (b)   if it is received after the expiry of that period the rent officer may either refer the matter to a rent assessment committee or seek the directions of a rent assessment committee whether so to refer it.

(2) The rent officer shall indicate in the register whether the matter has been referred to a rent assessment committee in pursuance of this paragraph.