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STATUTORY INSTRUMENTS

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**1980 No. 1697**

**LANDLORD AND TENANT**

**The Rent Act 1977 (Forms Etc.) Regulations 1980**

<i>Made</i>	- - - -	<i>30th October 1980</i>
<i>Laid before Parliament</i>		<i>7th November 1980</i>
<i>Coming into Operation</i>		<i>28th November 1980</i>

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 49, 60, 66, 67, 73, 74, 77, 79, 81A(1) and 84 of, and paragraph 1 of Schedule 12 to, the Rent Act 1977 and by the said section 74 as applied by section 13 of the Rent (Agriculture) Act 1976 and of all other powers enabling them in that behalf, hereby make the following regulations:—

**1.** These regulations may be cited as the Rent Act 1977 (Forms etc.) Regulations 1980 and shall come into operation on 28th November 1980.

**2.—(1)** In these regulations the “1976 Act” means the Rent (Agriculture) Act 1976 and the “1977 Act” means the Rent Act 1977.

(2) In these regulations any reference to a numbered form shall be construed as a reference to the form bearing that number in Schedule 1 hereto, or to a form substantially to the like effect.

**3.—(1)** The forms prescribed for the purposes of notices of increase of rent under Part III of the 1977 Act shall be as follows:—

- (a) in the case of a notice under section 45(2) of the 1977 Act where a rent determined by the rent officer has been registered on or after 28th November 1980, form No. 1;
- (b) in the case of a notice under section 45(2) of the 1977 Act where the rent determined by the rent officer was registered before 28th November 1980—
  - (i) if the rent is not subject to the phasing provisions of Schedule 9 to the Act, form No. 2;
  - (ii) if the rent is subject to the phasing provisions of Schedule 9 to the Act, form No. 3;and
- (c) in the case of a notice under section 46(2) of the 1977 Act, form No. 4.

(2) The forms prescribed for the purpose of Part IV of the 1977 Act, where an application is made to the rent officer, shall be as follows:—

- (a) in the case of an application under section 67 of the Act—
    - (i) where a statutory tenancy arises at the end of a long tenancy under Part I of the Landlord and Tenant Act 1954, form No. 6;
    - (ii) where the dwelling house is subject to a statutory tenancy as defined in the 1976 Act, form No. 7; and
    - (iii) in any other case, form No. 5;
  - (b) in the case of an application under section 69(1) of the 1977 Act for a certificate of fair rent, form No. 8, and in the case of an application under section 69(4) for the registration of a rent in accordance with such a certificate, form No. 9;
  - (c) in the case of an application under section 73 of the 1977 Act where the application is made by the landlord and the tenant jointly, form No. 10, and in any other case, form No. 11.
- (3) The form of notice to be served by a rent officer under paragraph 3(1) of Schedule 11 to the 1977 Act, as modified by the Regulated Tenancies (Procedure) Regulations 1980, shall be form No. 13 if, in pursuance of section 67(2)(b) of the 1977 Act the application was accompanied by details of the landlord's expenditure in connection with the provision of services, and shall be form No. 12 in any other case.
- (4) The form of notice to be served by a rent assessment committee under paragraph 7 of Schedule 11 to the 1977 Act, shall be form No. 14.
- (5) The form of an application under section 81A of the 1977 Act shall be form No. 15.
- 4.** An application made under section 67, 69, 73 or 81A of the 1977 Act, as the case may be, shall contain the particulars specified in the relevant prescribed form.
- 5.** The register kept for the purposes of Part IV of the 1977 Act under section 66(1) thereof shall contain the particulars with regard to a regulated tenancy or, as the case may be, housing association tenancy, specified in Schedule 2 hereto.
- 6.** The fee to be paid under section 66(4) of the 1977 Act for a copy of an entry in the register certified under the hand of the rent officer or person duly authorised by him shall be 50p.
- 7.** The particulars relating to a restricted contract, referred to a rent tribunal, regarding which the lessor may be required by notice to give information reasonably required by the tribunal, are those specified in Schedule 3 hereto.
- 8.** The register kept for the purposes of Part V of the 1977 Act under section 79(1) thereof shall contain the particulars with regard to a restricted contract specified in Schedule 4 hereto.
- 9.** The fee to be paid under section 79(6) of the 1977 Act for a copy of an entry in the register certified under the hand of an officer duly authorised in that behalf by the president of the rent assessment panel concerned shall be 50p.
- 10.** The Rent (Agriculture) (Rent Registration) Regulations 1978 and the Rent Regulation (Forms etc.) Regulations 1978 are hereby revoked.

Signed by authority of the Secretary of State

28th October 1980

*John Stanley*  
Minister for Housing and Construction  
Department of the Environment

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30th October 1980

*Nicholas Edwards*  
Secretary of State for Wales

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## SCHEDULE 1

FORM No. 1 NOTICE OF INCREASE OF RENT UNDER REGULATED TENANCY WHERE A FAIR RENT HAS BEEN REGISTERED BY THE RENT OFFICER ON OR AFTER 28th NOVEMBER 1980

FORM No. 2 Notice of Increase of Rent under Regulated Tenancy where the Rent is Registered

FORM No. 3 Notice of Increase of Rent under Regulated Tenancy where the Rent is Registered and the Increase is subject to the Special Phasing Provisions of Schedule 9 to the Act

FORM No. 4 NOTICE OF INCREASE OF UNREGISTERED RENT UNDER REGULATED TENANCY ON ACCOUNT OF INCREASED RATES

FORM No. 5 APPLICATION FOR REGISTRATION OF FAIR RENT

FORM No. 6 APPLICATION FOR REGISTRATION OF FAIR RENT IN THE CASE OF A STATUTORY TENANCY ARISING AT THE END OF A LONG TENANCY UNDER PART I OF THE LANDLORD AND TENANT ACT 1954

FORM No. 7 APPLICATION FOR REGISTRATION OF FAIR RENT IN CASE OF STATUTORY TENANCY UNDER THE RENT (AGRICULTURE) ACT 1976

FORM No. 8 APPLICATION FOR CERTIFICATE OF FAIR RENT

FORM No. 9 APPLICATION FOR REGISTRATION OF FAIR RENT SUPPORTED BY CERTIFICATE OF FAIR RENT

FORM No. 10 JOINT APPLICATION FOR CANCELLATION OF REGISTERED RENT

FORM No. 11 APPLICATION FOR CANCELLATION OF REGISTRATION OF RENT WHERE THERE IS NO REGULATED TENANCY

FORM No. 12 NOTIFICATION OF APPLICATION FOR REGISTRATION OF FAIR RENT

FORM No. 13 NOTIFICATION OF APPLICATION FOR REGISTRATION OF FAIR RENT

FORM No. 14 NOTICE BY RENT ASSESSMENT COMMITTEE REQUIRING FURTHER INFORMATION

FORM No. 15 APPLICATION FOR CANCELLATION OF RENT REGISTERED BY RENT TRIBUNAL

## SCHEDULE 2

### PARTICULARS WITH REGARD TO THE TENANCY TO BE REGISTERED IN THE REGISTER OF RENTS KEPT BY THE RENT OFFICER

1. Address of premises.
2. Names and addresses of landlord and tenant.

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3. If granted for a term, date of commencement of the tenancy and length of term.
4. The rental period.
5. Allocation between landlord and tenant of liabilities for repairs.
6. Details of services provided by the landlord or a superior landlord.
7. Details of furniture provided by the landlord or a superior landlord.
8. In the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954, particulars of the initial repairs.
9. Any other terms of the tenancy taken into consideration in determining the fair rent.

### SCHEDULE 3

#### PARTICULARS RELATING TO A RESTRICTED CONTRACT REGARDING WHICH LESSORS MAY BY NOTICE BE REQUIRED TO GIVE INFORMATION

1. The name of the lessee.
2. A specification of the dwelling to which the contract relates.
3. Accommodation occupied or used by the lessee (a) exclusively, (b) in common with the lessor (c) in common with persons other than the lessor.
4. Furniture provided by the lessor for the use of the lessee.
5. Services provided by the lessor for the use of the lessee.
6. The rateable value of the accommodation occupied by the lessee, where this has been separately assessed, or, where it has not, the rateable value of the dwelling of which the accommodation forms part.
7. Responsibility for payment of the rates for the accommodation occupied by the lessee.
8. Payments contracted to be made by the lessee to the lessor, and if separate payments are made in respect of occupation, furniture and services the separate payments in respect of each.
9. Whether board is supplied, and if so the nature and amount of the board.
10. The date the occupation of the accommodation began.

### SCHEDULE 4

#### PARTICULARS WITH REGARD TO THE CONTRACT TO BE ENTERED IN THE REGISTER

1. Names and addresses of parties to the restricted contract referred to the rent tribunal.
  - (a) (a) The accommodation of which the lessee is entitled to exclusive occupation;
  - (b) the accommodation of which the lessee is entitled to the use in common with—
    - (i) the lessor
    - (ii) persons other than the lessor.
3. Details of any furniture provided by the lessor for the use of the lessee.

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4. Details of any services provided by the lessor.
5. Whether board is supplied, and if so the nature and amount of the board.
6. Any other terms of the contract taken into consideration in determining the rent.

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### EXPLANATORY NOTE

These Regulations supersede the Rent (Agriculture) (Rent Registration) Regulations 1978 and the Rent Regulation (Forms etc.) Regulations 1978. They also replace paragraphs 11 and 12 of the Furnished Houses (Rent Control) Regulations 1946 (S.R. & O. 1946/781). They prescribe the forms to be used for the purposes of various provisions of the Rent (Agriculture) Act 1976 and the Rent Act 1977. A list of the prescribed forms appears at the beginning of Schedule 1.

The forms incorporate drafting amendments but the main changes have been made so as to reflect the amendments made by the Housing Act 1980 (1980 c. 51) to the 1976 and 1977 Acts. Briefly, these changes involve—

- (1) the abolition of controlled tenancies;
- (2) changes in the date from which decisions of rent officers and rent assessment committees are effective;
- (3) a reduction in the period of phasing of rent increases and of the period before which further applications can be made for the registration of rents;
- (4) provisions to enable owners of non-tenanted properties to apply for the cancellation of rents registered in respect of them;
- (5) a requirement whereby applications for rents including the cost of services must be accompanied by details of the cost of those services;
- (6) modifications to the procedures of rent officers in considering applications for the registration of rents;
- (7) the transfer of the functions of rent tribunals to rent assessment committees.

As a result of these amendments, certain forms previously prescribed are no longer required and are not repeated. However, four new forms have been prescribed—an application for cancellation of a registered rent where there is no regulated tenancy (form No. 11), notices to be given by rent officers to landlords and tenants on the receipt of applications for the registration of fair rents (forms Nos. 12 and 13) and the application for the cancellation of a rent registered by a rent tribunal (form No. 15).

The Regulations prescribe the particulars with regard to regulated tenancies which are to be contained in the register kept by rent officers, and increase to 50p the fee which is payable for a certified copy of an entry in a register. They also prescribe the particulars relating to restricted contracts about which lessors can be required to supply information to rent tribunals, and the particulars with regard to such contracts which are to be contained in the register kept by the president of rent assessment panels. The fee for a certified copy of an entry in that register is similarly increased to 50p.