
STATUTORY INSTRUMENTS

1978 No. 1050

Rent (Northern Ireland) Order 1978

PART IV

RENTS UNDER REGULATED TENANCIES

Rent limit under regulated tenancies

Ancillary provisions as to notices of increase

22.—(1) Any reference in this Article to a notice of increase is a reference to a notice of increase under Article 21(2).

(2) A notice of increase must be in the prescribed form.

(3) The date specified in a notice of increase shall not be earlier than—

- (a) the date on which the registered rent to which it relates takes effect; nor
- (b) four weeks after the service of the notice.

(4) Where the registered rent for a dwelling-house is increased by virtue of an order made under Article 33, any notice of increase of that rent which gives effect to that increase shall not take effect earlier than four weeks after the commencement of that order.

(5) Neither a notice of increase nor Article 21 shall operate to increase the rent under a regulated tenancy for any contractual period, except in so far as may be consistent with the terms of the tenancy.

(6) Notwithstanding that a notice of increase relates to statutory periods it may be served during a contractual period.

(7) Where—

- (a) a notice of increase is served during a contractual period of a protected tenancy; and
- (b) the protected tenancy could, by a notice to quit served by the landlord at the same time, be brought to an end before the date specified in the notice of increase.

the notice of increase shall operate to convert the protected tenancy into a statutory tenancy on that date.

(8) If the county court is satisfied that any error or omission in a notice of increase is due to a bona fide mistake on the part of the landlord—

- (a) the court may by order amend the notice by correcting any errors or supplying any omission therein which, if not corrected or supplied, would render the notice invalid; and
- (b) if the court so directs, the notice as so amended shall have effect and be deemed to have had effect as a valid notice.

(9) Any amendment of a notice of increase under paragraph (8) may be made on such terms and conditions with respect to arrears of rent or otherwise as appear to the court to be just and reasonable.

Status: Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Rent (Northern Ireland) Order 1978, Section 22. (See end of Document for details)

(10) No increase of rent which becomes payable by reason of an amendment of a notice of increase under paragraph (8) shall be recoverable in respect of any statutory period which ended more than six months before the date of the order making the amendment.

Status:

Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Rent (Northern Ireland) Order 1978, Section 22.