



Housing Act 1961

1961 CHAPTER 65

PART III

MISCELLANEOUS AND GENERAL

Private improvements in housing

29 Permitted rent increase for improvements

- (1) In subsection (1) of section five of the Rent Act, 1957 (under which the rent limit under that Act may be increased for improvements by eight per cent. per annum of the amount spent), for the words " eight per cent." there shall be substituted the words " twelve and one-half per cent. ".
- (2) Subsection (1) of this section shall only apply to an improvement completed after the commencement of this Act, and shall so apply subject to the following provisions of this section.
- (3) Subsection (1) of this section shall not apply to an improvement carried out in reliance on a consent granted before the commencement of this Act by a tenant under the controlled tenancy unless the consent was a consent in writing which contained an acknowledgement (however expressed) that the rent could be increased on account of the improvement to a stated amount which is at least the maximum of the rent limit increased under the said section five with the amendment made by subsection (1) of this section.
- (4) The foregoing subsections shall be construed as one with the said section five, but those subsections as applied, as part of the said section five, by section twenty of the same Act (which limits the rent of subsidised private houses by reference to the rent limit), shall apply as follows—
 - (a) in subsection (3) of this section for the reference to a tenant under the controlled tenancy there shall be substituted a reference to any tenant of the dwelling, and

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- (b) notwithstanding subsection (3) of this section, the said section five shall have effect with the amendment made by subsection (1) of this section in relation to the rent under any tenancy created by a lease or agreement coming into operation after the time when the improvement is begun:

Provided that for the purposes of paragraph (b) of this subsection where a person to whom a tenancy is granted was immediately before the granting the tenant under another tenancy and the premises comprised in one of the tenancies are the same as, or consist of or include part of, the premises comprised in the other, the two tenancies shall be treated as together constituting one tenancy created by the lease or agreement which created the first of the two tenancies.