



# Rent Act 1977

## 1977 CHAPTER 42

### PART VI

#### RENT LIMIT FOR DWELLINGS LET BY HOUSING ASSOCIATIONS, HOUSING TRUSTS AND THE HOUSING CORPORATION

##### *Registration of rents*

#### **86 Tenancies to which Part VI applies.**

- (1) In this Part of this Act “housing association tenancy” means a tenancy to which this Part of this Act applies.
- (2) This Part of this Act applies to a tenancy [<sup>F1</sup>(other than a co-ownership tenancy)] where—
  - (a) the interest of the landlord under that tenancy belongs to a housing association or housing trust, or to the [<sup>F2</sup>Regulator of Social Housing][<sup>F3</sup>or to the Secretary of State where that interest belongs to him as the result of the exercise by him of functions under Part III of the Housing Associations Act 1985]. . . , and
  - (b) the tenancy would be a protected tenancy but for section [<sup>F4</sup>13 or] 15 or 16 of this Act, and is not a tenancy to which Part II of the <sup>M1</sup>Landlord and Tenant Act 1954 applies.
- (3) In this Part of this Act “housing association” [<sup>F5</sup>has the same meaning as in the Housing Associations Act 1985]
  - (a) restrict membership to persons who are tenants or prospective tenants of the association, and
  - (b) preclude the granting or assigning of tenancies to persons other than members.

[<sup>F6</sup>(3A) For the purposes of this section a tenancy is a “co-ownership tenancy” if—

- (a) it was granted by a housing association which [<sup>F7</sup>is a co-operative housing association within the meaning of the Housing Associations Act 1985]; and
- (b) the tenant (or his personal representatives) will, under the terms of the tenancy agreement or of the agreement under which he became a member of the

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association, be entitled, on his ceasing to be a member and subject to any conditions stated in either agreement, to a sum calculated by reference directly or indirectly to the value of the dwelling-house.]

[<sup>F8</sup>(4) In this Part of this Act “housing trust” has the same meaning as in section 15 of this Act.]

(5) . . . . . <sup>F9</sup>

**Textual Amendments**

- F1** Words inserted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 10 para. 1(2)**
- F2** Words in s. 86(2)(a) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 11** (with art. 6, Sch. 3)
- F3** Words in s. 86(2)(a) inserted (15.1.1999) by [S.I. 1999/61](#), art. 2, **Sch. para. 1(2)**
- F4** Words in s. 86(2)(b) inserted (15.1.1999) by [S.I. 1999/61](#), art. 2, **Sch. para. 1(3)**
- F5** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 35(5)(a)**
- F6** S. 86(3A) inserted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 10 para. 1(4)**
- F7** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 35(5)(b)**
- F8** S. 86(4) substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 10 para. 1(5)**
- F9** Ss. 15(6), 17, 18(3)(4), 24(1)(2), 27–43, 50, 53, 67(6), 70(5), 76, 79(4), 86(5), 91, 92(6)(7), 108–113, 115, 117, 130, 133–135, 141(2), 155(1), Sch. 1 para. 8, Schs. 3, 4, 6, Sch. 7 para. 4, Sch. 10 para. 10, Sch. 11 paras. 13, 14 and 15–25, Sch. 13, Sch. 14 para. 6, Sch. 17 paras. 10, 11, Sch. 19, Sch. 20 paras. 1(6)(7), 4, Schs. 21, 22, Sch. 23 paras. 1, 4(g)–(i), 37, 38 repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**

**Modifications etc. (not altering text)**

- C1** S. 86(2)(a) modified (1.12.2008) by [Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 3, **Sch. para. 1** (with art. 6)
- C2** S. 86(2)(b) modified by [Housing Act 1988 \(c. 50, SIF 75:1\)](#), **s. 35(3)**

**Marginal Citations**

- M1** [1954 c. 56.](#)

**87 Rents to be registrable.**

(1) There shall be a part of the register under Part IV of this Act in which rents may be registered for dwelling-houses which are let, or are, or are to be, available for letting, under a housing association tenancy.

(2) In relation to that part of the register the following (and no other) provisions of this Act:—

- (a) sections 67, . . . <sup>F10</sup>[<sup>F11</sup>[<sup>F12</sup>67A, 70, 70A] and 72].
- (b) section 71, except subsection (3), and
- (c) Schedules 11 . . . <sup>F10</sup>.

shall apply in relation to housing association tenancies, and in their application to such tenancies shall have effect as if for any reference in those provisions to a regulated tenancy there were substituted a reference to a housing association tenancy.

(3) . . . . . <sup>F13</sup>

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- (6) A rent registered in any part of the register for a dwelling-house which becomes, or ceases to be, one subject to a housing association tenancy, shall be as effective as if it were registered in any other part of the register.

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**Textual Amendments**

- F10** Words repealed by [Housing Act 1988 \(c. 50, SIF 61, 75:1\)](#), s. 140(2), **Sch. 18**
- F11** Words substituted with saving by [Housing Act 1980 \(c. 51, SIF 61\)](#), **s. 61(3)(a)(8)**
- F12** Words in [s. 87\(2\)\(a\)](#) substituted (1.4.1993) by [S.I. 1993/651, art. 2\(2\)](#), **Sch. 2 para. 6**
- F13** [S. 87\(3\)–\(5\)](#) repealed with saving by [Housing Act 1980 \(c. 51, SIF 61\)](#), **s. 61(3)(a)(8)**, Sch. 26
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**Modifications etc. (not altering text)**

- C3** [S. 87](#) amended by [Housing Act 1980 \(c. 51, SIF 61\)](#), s. 74, **Sch. 9 para. 3**

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