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## SCHEDULES

### SCHEDULE 11

#### APPLICATIONS FOR REGISTRATION OF RENT

##### PART III

##### APPLICATION SUPPORTED BY CERTIFICATE OF FAIR RENT ISSUED BY VIRTUE OF PART VIII

###### *General*

- 15 If—
- (a) the local authority have, under section 111(4) of this Act, stated that the works specified in the plans and specifications accompanying the application for the certificate of fair rent, have been carried out, and
  - (b) the application for registration of a rent is made not later than 3 months after the issue of the qualification certificate,
- the rent officer shall register the rent in accordance with the certificate of fair rent.
- 16 (1) If—
- (a) the application for registration of a rent is made not later than 3 months after the issue of the qualification certificate, but
  - (b) the local authority have not stated that the landlord has complied with the provisions of section 111(4) of this Act as respects the certificate of fair rent,
- the rent officer shall ascertain whether the works specified in the plans and specifications accompanying the application for the certificate of fair rent have been carried out.
- (2) If the rent officer is satisfied that the works have been so carried out, he shall register the rent in accordance with the certificate.
- (3) If the rent officer is not so satisfied, paragraphs 18 to 25 below shall apply.
- 17 If—
- (a) the application for registration of a rent is made later than 3 months after the issue of the qualification certificate, or
  - (b) the local authority have, under section 111(4) of this Act, stated that the works specified in the plans and specifications accompanying the application for the certificate of fair rent have not been carried out (in whole or in part),
- paragraphs 18 to 25 below shall apply.

###### *Notice served on tenant*

- 18 Where this paragraph and the following paragraphs of this Schedule apply, the rent officer shall serve a notice on the tenant informing him of the application

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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 certificate of fair rent.

19 Where no such representations are made then, unless it appears to the rent officer that the rent specified in the certificate of fair rent is higher than a fair rent, he shall register that rent and notify the landlord and tenant accordingly.

20 (1) Where—

- (a) representations are made as mentioned in paragraph 18 above, or
- (b) the rent officer is of opinion that the rent specified in the certificate of fair rent is higher than a fair rent,

he shall serve notice on the landlord and on the tenant informing them that he 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, not exceeding that specified in the certificate of fair rent, ought to be registered.

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

21 (1) The rent officer shall consider, in accordance with paragraph 20 above, what rent ought to be registered, and—

- (a) if, after considering it, he is of opinion that the rent specified in the certificate of fair rent is not higher than a fair rent he shall register it, but
- (b) if, after considering it, he is of opinion that the rent so specified is higher than a fair rent he shall determine a fair rent and register that rent,

as the rent for the dwelling-house, and shall give notice of the registration to the landlord and the tenant.

(2) The notice shall state that if, within 28 days of the service of the notice or such longer period as the rent officer 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.

22 (1) If such an objection is received, then—

- (a) if it is received within the period of 28 days mentioned in paragraph 21 above 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 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.

*Determination of fair rent by rent assessment committee*

23 The rent assessment committee to whom a matter is referred under paragraph 22 above shall serve on the landlord and on the tenant a notice specifying a period of not less than 14 days from the service of the notice during which either representations in writing or a request to make oral representations may be made by him to the committee.

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- 24           Where, within the period specified under paragraph 23 above or such further period as the committee may allow, the landlord or the tenant requests to make oral representations the committee shall give him an opportunity to be heard either in person or by a person authorised by him in that behalf, whether or not that person is of counsel or a solicitor.
- 25   (1) The committee shall make such inquiry, if any, as they think fit and consider any representation made to them in pursuance of paragraphs 23 and 24 above and—
- (a) if it appears to them that the rent registered by the rent officer has been rightly registered they shall confirm it;
  - (b) in any other case they shall designate as the rent for the dwelling-house either the rent specified in the certificate of fair rent or such lower rent as appears to them to be a fair rent, as the case may require;
- and they shall notify the landlord, the tenant and the rent officer accordingly.
- (2) On receiving the notification, the rent officer shall, as the case may require, either indicate in the register that the rent has been confirmed or register the rent designated by the committee as the rent for the dwelling-house.