

*Status: Point in time view as at 01/10/1994.*

*Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, SCHEDULE 20. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 20

Section 140.

#### MODIFICATION OF ACT IN RELATION TO FIRE PRECAUTIONS

*Steps mentioned in certain notices under the <sup>M1</sup>Fire Precautions Act 1971 to count as improvements for certain purposes of this Act*

#### Marginal Citations

**M1** 1971 c. 40.

- 1 (1) This paragraph applies where a dwelling which is the subject of a regulated . . . <sup>F1</sup> tenancy consists of or is comprised in premises with respect to which there has been issued a fire certificate covering (in whatever terms) the use of the dwelling as a dwelling.
- (2) The amount of any expenditure incurred by the landlord in taking, in relation to the relevant building, a step mentioned in a fire precaution notice served in connection with the premises, shall for the purposes of this Act be treated (whether or not apart from this paragraph it would be so treated) as expenditure incurred by the landlord on an improvement effected in the dwelling.
- (3) If from the taking, in relation to the relevant building, of any such step as is referred to in sub-paragraph (2) above, there accrues benefit not only to the dwelling but also to other premises of the landlord comprised in the relevant building, the amount to be treated as mentioned in that sub-paragraph shall be so much only of the expenditure as may be determined, by agreement in writing between the landlord and the tenant or by the county court, to be properly apportionable to the dwelling, having regard to the benefit accruing, from the taking of the step, to the dwelling and the other premises.
- (4) Any apportionment made by the county court under sub-paragraph (3) above shall be final.
- (5) For the purposes of this paragraph, the amount of any expenditure shall be treated as diminished by the amount of any grant paid in respect of that expenditure under any enactment.
- (6) . . . . . <sup>F2</sup>

#### Textual Amendments

**F1** Words repealed by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 26**

**F2** [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.](#)

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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](#)

- 2 (1) This paragraph applies in relation to a dwelling-house consisting of or comprised in premises—
  - (a) with respect to which there has been issued a fire certificate covering (in whatever terms) the use of the dwelling-house as a dwelling; or
  - (b) which are the subject of an application for a fire certificate specifying as a use of the premises which it is desired to have covered by the certificate a use such that, if a certificate covering that use were issued, it would cover (in whatever terms) the use of the dwelling-house as a dwelling.
- (2) ..... F3

**Textual Amendments**  
**F3** [Sch. 20 para. 2\(2\)](#) repealed by [Housing Act 1988 \(c. 50, SIF 61, 75:1\)](#), s. 140(2), [Sch. 18](#)

*Cases where rent is increased by virtue of section 28(3)(b) of the Act of 1971*

- 3 (1) This paragraph applies where, in the case of any premises consisting of a dwelling-house let on a protected tenancy which is a regulated tenancy, the rent payable in respect of the premises is increased by a section 28 order.
- (2) If the increase takes effect while a rent for the dwelling-house is registered under Part IV of this Act, and was so registered before the completion of the relevant alterations—
  - (a) the contractual rent limit for any contractual period beginning while the registration of that rent continues to have effect shall be what it would be for that period under section 44(1) of this Act if the rent so registered had been simultaneously increased by the same amount (and the reference in section 71(3)(a) of this Act to the limit imposed by section 44(1) shall be construed accordingly); [F4and]
  - (b) if the regulated tenancy of the dwelling-house becomes a statutory tenancy, section 45(2) of this Act shall have effect, in relation to any statutory period of that tenancy beginning while the registration of that rent continues to have effect, as if the rent so registered had been simultaneously increased by the same amount; . . . F5
  - (c) ..... F6
- (3) Where the rent payable under a tenancy to which Part VI of this Act applies is increased by a section 28 order, the rent limit for the dwelling-house under Part VI (including the rent limit specified in a direction of the Secretary of State) shall be increased by an amount equal to the increase effected by the order in the rent payable for the rental period in question.
- (4) If, at any time after the court order takes effect, a rent is registered for the dwelling-house (whether it is the first or any subsequent registration) sub-paragraph (2) above shall not apply to any rental period beginning after that time.

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**Textual Amendments**

- F4** Word inserted (with saving) by S.I. 1987/264, arts. 2(3), 3, Sch. 1 para. 5(a), **Sch. 2**
- F5** Word repealed (with saving) by S.I. 1987/264, arts. 2(3), 3, Sch. 1 para. 5(b), **Sch. 2**
- F6** Sch. 20 para. 3(2)(c) repealed (with saving) by S.I. 1987/264, arts. 2(3), 3, Sch. 1 para. 5(c), **Sch. 2**

4 ..... **F7**

**Textual Amendments**

- F7** 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**

*Interpretation*

5 In this Schedule—

“contractual period” means a rental period of a regulated tenancy which is a period beginning before the expiry or termination of the protected tenancy;

“contractual rent limit” has the meaning assigned to it by section 44(3) of this Act;

..... **F8**

“fire certificate” has the meaning given in section 1(1) of the <sup>M2</sup>Fire Precautions Act 1971;

“fire precautions notice” means a notice served under section 5(4), 8(4) or (5) or 12(8)(b) of the Act of 1971;

“landlord” includes a superior landlord;

“notice of increase” means a notice of increase under section 28 of this Act;

“relevant alterations” means the alterations or other things falling within section 28(3) of the Act of 1971 the expense of which was taken into account by the court in making a section 28 order;

“rent limit” has the meaning assigned to it by section 27(3) of this Act;

“section 28 order” means an order made by a court by virtue of section 28(3)(b) of the Act of 1971; and

“statutory period” means any rental period of a regulated tenancy which is not a contractual period.

**Textual Amendments**

- F8** Definition repealed by Housing Act 1980 (c. 51, SIF 61), **Sch. 26**

**Marginal Citations**

- M2** 1971 c. 40.

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