

1987 No. 267

LANDLORD AND TENANT

**The Protected Shorthold Tenancies (Notice to Tenant)
Regulations 1987**

Made - - - - 23rd February 1987

Coming into force 4th May 1987

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred upon them by section 52(3) of the Housing Act 1980 (a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

1. These Regulations may be cited as the Protected Shorthold Tenancies (Notice to Tenant) Regulations 1987 and shall come into force on 4th May 1987.
2. The requirement with which a notice has to comply in order to be valid for the purposes of section 52(1)(b) of the Housing Act 1980 is that it shall be in the form set out in the Schedule to these Regulations or in a form substantially to the like effect.
3. The Protected Shorthold Tenancies (Notice to Tenant) Regulations 1981 (b) are hereby revoked.

(a) 1980 c.51.

(b) S.I. 1981/1579.

SCHEDULE

NOTICE OF A PROTECTED SHORTHOLD TENANCY —
SECOND REVISION

(The landlord must give this to the tenant *before* a protected shorthold tenancy is granted. It does not commit the tenant to take the tenancy.)

To
(Name of proposed tenant)

IMPORTANT — PLEASE READ THIS NOTICE CAREFULLY. IF THERE IS ANYTHING YOU DO NOT UNDERSTAND YOU SHOULD GET ADVICE (FOR EXAMPLE, FROM A SOLICITOR OR A CITIZENS' ADVICE BUREAU) BEFORE YOU AGREE TO TAKE A SHORTHOLD TENANCY.
NB: This document is important; keep it in a safe place.

1. You are proposing to take a tenancy of the dwelling known as
.....
from 19.... to 19....
(day) (month) (year) (day) (month) (year)

2. This notice is to tell you that your tenancy is to be a *protected shorthold tenancy*. Under shorthold, provided you keep the terms of the tenancy, you are entitled to remain in the dwelling for the fixed period agreed at the start of the tenancy. At the end of this period the landlord has the right to repossession if he wants. Full details about shorthold are given in the Department of the Environment and Welsh Office booklet "Shorthold Tenancies. Second Revision" obtainable free from Rent Officers, council offices and housing aid centres. You are advised to read this booklet before you agree to take a shorthold tenancy.

*The landlord must cross out the version of paragraph 3 below which does not apply.

*3. A fair rent of per is already registered for the dwelling under the Rent Act 1977.

This is the most you can be required to pay as rent until such time as a higher rent is registered. If I apply for a higher rent to be registered you will be told about my application and you will have the opportunity of a consultation with the Rent Officer.

*3. The rent for this tenancy is the rent that we have agreed, and has not been registered by the Rent Officer. But this does not affect your right as tenant or my right as landlord to apply at any time to the Rent Officer for the registration of a fair rent. This is fully explained in the booklet "Shorthold Tenancies. Second Revision."

4. This notice is given to you on 19....
Signed
(on behalf of)
.....
(Name and address of landlord)

SPECIAL NOTE FOR EXISTING TENANTS

IF YOU ARE ALREADY A PROTECTED OR STATUTORY TENANT UNDER THE RENT ACT 1977 YOUR PRESENT TENANCY CANNOT LAWFULLY BE CONVERTED INTO A SHORTHOLD. BUT SHOULD YOU GIVE IT UP AND TAKE A SHORTHOLD TENANCY IN SOME OTHER ACCOMMODATION, INCLUDING ANOTHER FLAT IN THE SAME BUILDING, YOU WILL ALMOST CERTAINLY HAVE *LESS* SECURITY UNDER SHORTHOLD THAN UNDER YOUR EXISTING TENANCY.

23rd February 1987

Nicholas Ridley
Secretary of State for the Environment

19th February 1987

Nicholas Edwards
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

One of the conditions which has to be satisfied for a tenancy to be a protected shorthold tenancy is that, before the grant of the tenancy, the landlord has given the tenant a valid notice stating that the tenancy is to be a protected shorthold tenancy.

Section 52(3) of the Housing Act 1980 provides that a notice is not valid unless it complies with the requirements of Regulations made by the Secretary of State. These Regulations require the notice to be in the form set out in the Schedule. These Regulations revoke the Protected Shorthold Tenancies (Notice to Tenant) Regulations 1981 and are consequential on the provisions of the Protected Shorthold Tenancies (Rent Registration) Order 1987 (S.I. 1987/265).