



Rent Act 1977

1977 CHAPTER 42

PART V

RENTS UNDER RESTRICTED CONTRACTS

Miscellaneous and general

82 Jurisdiction of ^{F1}... tribunals.

Where a restricted contract is referred to [^{F2}the appropriate tribunal] under this Part, or Part VII, of this Act and—

- (a) the contract relates to a dwelling consisting of or comprising part only of a hereditament, and
- (b) no apportionment of the rateable value of the hereditament has been made under section 25 of this Act,

then, unless the lessor in the course of the proceedings requires that such an apportionment shall be made and, within 2 weeks of making the requirement, brings proceedings in the county court for the making of the apportionment, [^{F3}the tribunal] shall have jurisdiction to deal with the reference if it appears to them that, had the apportionment been made, they would have had jurisdiction.

Textual Amendments

- F1** Word in s. 82 heading omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 26\(a\)](#) (with Sch. 3)
- F2** Words in s. 82 substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 26\(b\)](#) (with Sch. 3)
- F3** Words in s. 82 substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 26\(c\)](#) (with Sch. 3)

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Cross Heading: Miscellaneous and general. (See end of Document for details)

83 Local authorities for Part V.

- (1) For the purposes of this Part of this Act, the local authority shall be—
- [^{F4}(a) in a London borough or district, the council of the London borough or district in question or, where the district is in a county in England and does not have a district council, the council of the county in question,]
 - [^{F5}(aa) in a Welsh county or county borough, the council of the county or county borough in question,]
- and
- (b) in the City of London, the Common Council.
- (2) The local authority shall have power to publish information regarding the provisions of this Part, and sections 103 to 106, of this Act.

Textual Amendments

- F4** S. 83(1)(a) substituted (13.10.1995) by S.I. 1995/2451, **reg. 5**
- F5** S. 83(1)(aa) inserted (1.4.1996) by 1994 c. 19, s. 22(2), **Sch. 8 para. 3(3)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 3, **Sch. 1**

84 Regulations.

The Secretary of State may by statutory instrument make regulations—

- (a)^{F6}
- (c) for prescribing anything which is required by this Part of this Act to be prescribed; and
- (d) generally for carrying into effect the provisions of this Part, and sections 103 to 106, of this Act.

Textual Amendments

- F6** S. 84(a)(b) repealed by **Housing Act 1980 (c. 51, SIF 61), Sch. 26**

85 Interpretation of Part V.

- (1) In this Part of this Act, except where the context otherwise requires,—
- [^{F7}“appropriate tribunal” means—
 - (a) in relation to a dwelling in England, the First-tier Tribunal or, where determined by or under Tribunal Procedure Rules, the Upper Tribunal; and
 - (b) in relation to a dwelling in Wales, a rent assessment committee;]
- “dwelling” means a house or part of a house;
- “lessee” means the person to whom is granted, under a restricted contract, the right to occupy the dwelling in question as a residence and any person directly or indirectly deriving title from the grantee;
- “lessor” means the person who, under a restricted contract, grants to another the right to occupy the dwelling in question as a residence and any person directly or indirectly deriving title from the grantor;

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“register” means the register kept ^{F8}... in pursuance of section 79 [^{F9}or 79A] of this Act;

^{F10}
...

“services” includes attendance, the provision of heating or lighting, the supply of hot water and any other privilege or facility connected with the occupancy of a dwelling, other than a privilege or facility requisite for the purposes of access, cold water supply or sanitary accommodation.

- (2) References in this Part of this Act to a party to a contract include references to any person directly or indirectly deriving title from such a party.
- (3) Where separate sums are payable by the lessee of any dwelling to the lessor for any two or more of the following:—
- (a) occupation of the dwelling,
 - (b) use of furniture, and
 - (c) services,

any reference in this Part of this Act to “rent” in relation to that dwelling is a reference to the aggregate of those sums and, where those sums are payable under separate contracts, those contracts shall be deemed to be one contract.

- (4) The references in sections 79(3) [^{F11}, 79A(3)] and 81(2) of this Act to rates, in respect of a dwelling, include references to such proportion of any rates in respect of a hereditament of which the dwelling forms part as may be agreed in writing between the lessor and the lessee or determined by the county court.

Textual Amendments

- F7** Words in s. 85(1) inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 27\(a\)](#) (with Sch. 3)
- F8** Words in s. 85(1) omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 27\(b\)\(i\)](#) (with Sch. 3)
- F9** Words in s. 85(1) inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 27\(b\)\(ii\)](#) (with Sch. 3)
- F10** Words in s. 85(1) omitted (1.7.2013) by virtue of [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 27\(c\)](#) (with Sch. 3)
- F11** Words in s. 85(4) inserted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, [Sch. 1 para. 27\(d\)](#) (with Sch. 3)

Changes to legislation:

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