



Housing Act 1988

1988 CHAPTER 50

PART I

RENTED ACCOMMODATION

CHAPTER I

ASSURED TENANCIES

Rent and other terms

13 Increases of rent under assured periodic tenancies.

- (1) This section applies to—
- (a) a statutory periodic tenancy other than one which, by virtue of paragraph 11 or paragraph 12 in Part I of Schedule 1 to this Act, cannot for the time being be an assured tenancy; and
 - (b) any other periodic tenancy which is an assured tenancy, other than one in relation to which there is a provision, for the time being binding on the tenant, under which the rent for a particular period of the tenancy will or may be greater than the rent for an earlier period.
- (2) For the purpose of securing an increase in the rent under a tenancy to which this section applies, the landlord may serve on the tenant a notice in the prescribed form proposing a new rent to take effect at the beginning of a new period of the tenancy specified in the notice, being a period beginning not earlier than—
- (a) the minimum period after the date of the service of the notice; and
 - (b) except in the case of a statutory periodic [^{F1} tenancy—
 - (i) in the case of an assured agricultural occupancy, the first anniversary of the date on which the first period of the tenancy began;
 - (ii) in any other case, on the date that falls 52 weeks after the date on which the first period of the tenancy began; and]

Changes to legislation: Housing Act 1988, Section 13 is up to date with all changes known to be in force on or before 11 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (c) if the rent under the tenancy has previously been increased by virtue of a notice under this subsection or a determination under section 14 ^{F2} below—
- (i) in the case of an assured agricultural occupancy, the first anniversary of the date on which the increased rent took effect;
 - (ii) in any other case, the appropriate date]
- (3) The minimum period referred to in subsection (2) above is—
- (a) in the case of a yearly tenancy, six months;
 - (b) in the case of a tenancy where the period is less than a month, one month; and
 - (c) in any other case, a period equal to the period of the tenancy.
- ^{F3}(3A) The appropriate date referred to in subsection (2)(c)(ii) above is—
- (a) in a case to which subsection (3B) below applies, the date that falls 53 weeks after the date on which the increased rent took effect;
 - (b) in any other case, the date that falls 52 weeks after the date on which the increased rent took effect.
- (3B) This subsection applies where—
- (a) the rent under the tenancy has been increased by virtue of a notice under this section or a determination under section 14 below on at least one occasion after the coming into force of the Regulatory Reform (Assured Periodic Tenancies)(Rent Increases) Order 2003; and
 - (b) the fifty-third week after the date on which the last such increase took effect begins more than six days before the anniversary of the date on which the first such increase took effect.]
- (4) Where a notice is served under subsection (2) above, a new rent specified in the notice shall take effect as mentioned in the notice unless, before the beginning of the new period specified in the notice,—
- (a) the tenant by an application in the prescribed form refers the notice to ^{F4}the appropriate tribunal]; or
 - (b) the landlord and the tenant agree on a variation of the rent which is different from that proposed in the notice or agree that the rent should not be varied.
- (5) Nothing in this section (or in section 14 below) affects the right of the landlord and the tenant under an assured tenancy to vary by agreement any term of the tenancy (including a term relating to rent).

Textual Amendments

- F1** Words in s. 13(2)(b) substituted (11.2.2003) by [The Regulatory Reform \(Assured Periodic Tenancies\) \(Rent Increases\) Order 2003 \(S.I. 2003/259\)](#), **art. 2(a)(i)**
- F2** Words in s. 13(2)(c) substituted (11.2.2003) by [The Regulatory Reform \(Assured Periodic Tenancies\) \(Rent Increases\) Order 2003 \(S.I. 2003/259\)](#), **art. 2(a)(ii)**
- F3** S. 13(3A)(3B) inserted (11.2.2003) by [The Regulatory Reform \(Assured Periodic Tenancies\) \(Rent Increases\) Order 2003 \(S.I. 2003/259\)](#), **art. 2(b)**
- F4** Words in s. 13(4)(a) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), **art. 1, Sch. 1 para. 82** (with Sch. 3)

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)