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3.1 Regulated (often called '*protected*') tenants

If you are a private tenant and your tenancy began before 15 January 1989, it is probably regulated. If you are a regulated tenant, you can ask
fair rent your

In most cases, if you disagree with the rent set, you can appeal in writing to the Rent Officer. The law says an appeal should be received within 28 days of the d , but Officers have been advised to accept appeals received within 35 days to allow for postal delays. If you miss the deadline, you must have a good reason for the delay, such as being in hospital.

If the Rent Officer accepts your appeal, they refer the case for consideration by the Tribunal. The Tribunal makes the final decision on the rent that should be set. As with rent increases, the Tribunal can set a higher rent than the Rent Officer, so seek advice before appealing.

3.2 Assured tenants

You are probably an assured tenant if your private tenancy was granted after 15 January 1989 but before 28 February 1997, provided your landlord did not give advance notice the tenancy was to be *assured*

If you are an assured tenant, you can be charged market rent. This means your rent is likely to be higher in areas of high demand. Unlike a regulated tenant, you do not have the right to seek a fairer rent than the one you agreed with your landlord. However, you may have limited protection against unreasonable rent increases.

Fixed-term tenancy

If your tenancy was granted for a set period of time (*fixed term*), your landlord can increase your rent during the fixed term unless your tenancy agreement has a *rent review clause* the increase.

If the fixed term of your tenancy ends, you may be entitled to remain in *statutory periodic* tenancy. This automatically comes into being when a fixed-term assured tenancy ends and you remain in occupation without another tenancy being granted.

If you are in this position, your landlord can increase your rent, but they must follow a procedure set out in the *Housing Act 1988*. You must be served a notice in the correct legal form stating the proposed new rent, with at least one

This notice can be given during the fixed period of the tenancy, so that the rise comes into effect when it ends. Once your rent has been increased in this way,

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At present, the Regulator prohibits registered housing associations from increasing their rents by more than inflation (the Consumer Price Index) plus one per cent each year. This applies until 2025.

Note, some housing association tenancies are not covered by this policy, including in certain supported housing schemes where a high level of care and support is provided.

6 Local authority tenants

Local authorities are entitled to *make such reasonable charges as they may determine for the tenancy* of their properties. However, this is subject to government regulations and guidance.

At present, authorities are prevented from increasing their rents by more than inflation (the Consumer Price Index) plus one per cent each year.

To increase your rent, the local authority must first serve you *notice of variation* increase cannot take effect for at least four weeks from the date of the notice.

For flexible tenancies, which are granted for fixed terms, the tenancy agreement must *rent review*

make it rent free (t)9(h)-3(e)-3()8(p)-3(ro)9(p)-3(e)-3(ty)(wi)4(n)-3nclu. Rent increases must be reasonable. They can be challenged via judicial review. This is a complicated and lengthy process, with potential to incur significant costs, so seek legal advice before taking action. Note, courts have been *rent setting* decisions.

If you are being evicted because you are unable to pay your rent following a rent increase, you may be able to challenge the validity of the increase during possession proceedings.

7 Affordable rents

Social landlords (local authorities and regulated housing associations) can *affordable*

These are classed as social housing, but the rent is typically higher than in traditional social housing. It can be up to 8slAC q0.0C q0.0C q0.0C 522 og

Applying for an RRO

You can reclaim rent by applying

Useful organisations

The law relating to rights for tenants is complicated. This factsheet aims to give you basic information about your rights but in many cases, you

Age UK

Age UK provides advice and information for people in later life through our Age UK Advice line, publications and online. Call Age UK Advice to

