

Fair Rents – understanding your Registered Rent

These guidance notes will help you understand the Rent Register sheet sent to you with a covering letter from the VOA Rent Officer. What may happen after the rent has been registered is also explained.



These notes are not intended as a guide to landlord and tenant law. If you have questions about your legal rights or obligations, you should ask a solicitor or a Citizens' Advice Bureau.

The Rent Register Sheet

The notes in this section refer to boxes (a) to (g) on the Rent Register sheet.

Box (a) – 'Rent determined by Rent Officer'

This is the rent that has been registered by the Rent Officer and is the most that can be charged until a new rent is registered or the registration is cancelled.

However, if a 'variable' rent has been registered, the landlord may change the amount – see the notes for box (g) and 'Further information'.

The rent that is registered may be either the Rent Officer's valuation or the Maximum Fair Rent. For an explanation of the Maximum Fair Rent, please see 'Further information'.

The registered rent will normally continue to apply even if the landlord changes. It may also apply if the tenant changes, but not if the tenancy becomes an assured tenancy, which is covered by different legislation and is not subject to rent registration.

The registered rent does not normally include water charges or rates. It may include council tax, but only in cases where the landlord pays the tax directly to the Local Authority and the tenancy agreement allows for the tenant to pay the landlord back for some or all of this expense.

Box (b) – 'Registered on'

This is the date when the new rent was registered.

Box (c) – 'Effective from'

This is the earliest date from which the new rent can be charged and which the new registration runs from.

It may be the same as the date of registration but it could be later if the registration was made less than two years from the previous registration. The actual date from which the new rent becomes payable is determined by the notice of rent increase served by the landlord on the tenant.

Box (d) – 'Amount for fuel charges not counting for rent allowance'

This is the amount for any fuel charges included in the rent that Housing Benefit cannot pay for. If you think you might need help with your rent, you should contact the Housing Benefit office for information.

Box (e) – 'Noted amount attributable to services'

This is the amount included in the registered rent for services that are provided by the landlord. There will be no figure shown if there are no services. If a figure is shown, it is already included as part of the amount shown in box (a) – it must not be added to the figure in box (a).

Box (f) – 'Service element'

This applies only to cases where the rent is phased (for more on phasing, see 'Further information'). The service element is the difference between the amount of services under the old rent and the amount for services shown in box (e) on the new registration.

Box (g) – 'Remarks'

This box is for the Rent Officer to note anything that they consider important. In particular, they may note the following.

If the registered rent is the Maximum Fair Rent, the Rent Officer will note what the valuation figure was. This is for information only. If the Maximum Fair Rent does not apply because of repairs or improvements, this will be noted.

If the rent that has been registered is variable because the tenancy agreement allows for variable services, it will say so in this box.



Information on the registered rent and what may happen after the rent has been registered

Maximum Fair Rent

As well as valuing the property, the Rent Officer has to work out what the Maximum Fair Rent is. This limits the increase from the previous registration. It is worked out by a formula based on the change in the Retail Price Index since the last registration plus a fixed percentage increase set by law. The rent registered is the lower of the two figures; the Maximum Fair Rent or the Rent Officer's valuation rent.

There are two other occasions where the Maximum Fair Rent will not apply.

1. If there is no existing registered rent.
2. If the landlord has improved or repaired the property and the Rent Officer considers that the improvement or repair has made the rent at least 15% more than the existing registered rent.

Rent increases or decreases

In most cases the landlord may charge the full registered rent from the date shown in box (c). This will depend on any restrictions in the tenancy agreement and the need to serve a notice of increase.

Unless the landlord is a Housing Association, the notice of increase must be on a Form 1 Notice of Increase available from stationers that supply legal documents. A link can be found at:

http://www.voa.gov.uk/fair_rent/index.htm. If the rent has been reduced, there is no need for a notice and the new rent starts automatically from the effective date. A Housing Association must serve a notice of increase, in writing, at least four weeks before the increase is charged, and the new rent can only be charged from the beginning of a rent period.

Variable service charges

If the application is made for a variable rent registration and the Rent Officer is satisfied that the terms in the tenancy for changing any service charges are reasonable then the Rent Officer will register the rent as variable. In this case the landlord can adjust the rent from time to time in line with the terms of the tenancy to take account of any increase or decrease in the cost of providing the services.

Future registrations

A registration normally lasts for at least two years but the landlord can make a new application after one year and nine months. An application can be made at any time if it is made jointly by the landlord and tenant or there has been a change of circumstances that makes the old rent no longer fair.

Objecting to the Rent Officer's decision

Either the landlord or tenant can object to the Rent Officer's decision. This should be done in writing and within 28 days of the date we sent you the decision. Sometimes objections may be accepted later than this if there is good reason for the delay.

The Rent Officer will refer the case to the Rent Assessment Committee who will look at it again. They will take account of the same matters as the Rent Officer and may confirm, raise or lower the rent. The rent registered by the Rent Officer is effective from the effective date stated on the Rent Register until the Rent Assessment Committee set a new rent and effective date.

Please ask us for the leaflet 'The role of the Rent Officer and the Rent Assessment Committee' if you require more information.

Cancelling the registered rent

As long as the registration is not for a tenancy under the Rent (Agriculture) Act or for a Housing Association tenancy, the registered rent may be cancelled in the following situations:

- If there is no current regulated tenancy and two years have passed since the registration's effective date.
- If there is still a regulated tenancy, two years have passed since the registration's effective date and there is an agreement for a new rent which the Rent Officer is satisfied is no more than a Fair Rent and which will last for 12 months or more.

Inspecting the Rent Register

The Rent Register is a public document and anyone can look at it electronically on our website:

<https://ebusiness.voa.gov.uk/err/default.aspx>

If you do not have access to the Internet you can contact our Network Support Office on the number at the end of this leaflet.

Further information

If you are not sure about anything on the Rent Register sheet or in these guidance notes further help is available:

Telephone enquiries: **08450 26 46 96**

E-mail: NSOhelpdesk@voa.gsi.gov.uk

Further information is also available on our website: www.voa.gov.uk

For more information about the Rent Assessment Committee contact:

The Residential Property Tribunal Service (RPTS)

by telephone: **0845 600 3178**

or visit their website: www.rpts.gov.uk