

TENANTS' LEGAL RIGHTS

Rent controlled buildings

Any building used or occupied for the first time after 20 October 1949 and before 1 June 1966 is a rent controlled building.

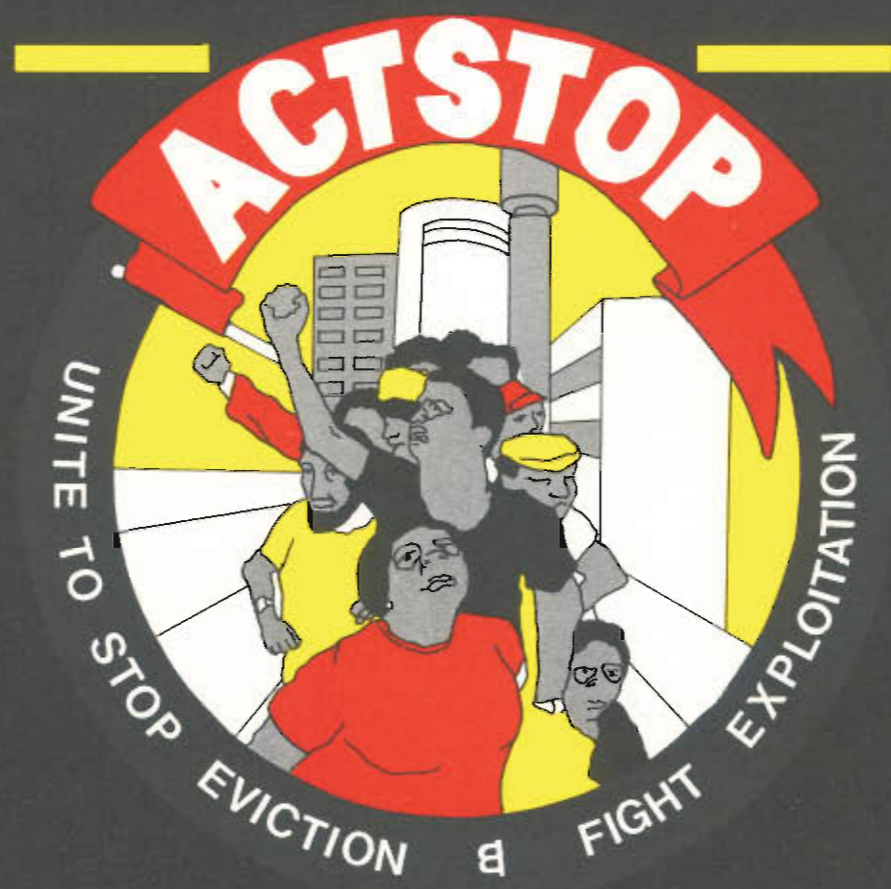
Tenants have various rights in these buildings.

RENTALS

- Rent is determined by the Rent Board, not the landlord
- Rent can only be increased by the Rent Board
- The landlord must apply in writing to the Rent Board for permission to increase rent
- The tenant must be informed by the Rent Board of any such application
- The tenant has the right to present argument at a Rent Board hearing to consider the application
- The tenant can also apply to the Rent Board to review the rent if it is too high

EVICCTIONS

- One month's written notice must be given
- The landlord must give full reasons for giving the notice
- A copy of the notice must be given to the Rent Board by the landlord.
- A tenant can only be evicted if:
 - the tenant damages property
 - the tenant causes a



- nuisance to the neighbours
 - the tenant had agreed, in writing, to vacate the flat
- Three months' written notice must be given if:
 - the landlord needs the flat for his own use
- Six months' written notice must be given if:
 - a local authority needs the building for any public works
 - the building is to be renovated. (In this case, the tenant can have the first option to re-occupy the flat after renovation)

Note: The landlord must have a court order to evict a tenant.

A LANDLORD CANNOT

- Threaten a tenant
- Be a nuisance to a tenant
- Cause inconvenience to a tenant
- Suspend any service to which a tenant is entitled
- Remove a tenant's property without permission from the tenant

- Prevent a tenant from occupying the flat
- Charge a deposit higher than one month's rental

If a building is de-controlled:

- The landlord cannot increase rent for the first three months
- Rent can be increased by only 10% per year for the next three years

Non-rent controlled buildings

EVICCTIONS

- One month written notice must be given
- The landlord must get a court order to evict the tenant
- The police cannot evict tenants without a court order

A LANDLORD CANNOT

- Confiscate property
- Lock flats
- Cut electricity
- Enter tenants' flat without tenants' permission
- Increase rent without giving one month notice

LEASES

- Leases are not legally valid because both the landlord and the tenant are breaking the Group Areas Act
- A lease can, however, be used in court if a landlord goes against the lease