

Tenancies (Control and Development)

Cap. 239.

TENANTRIES (CONTROL AND DEVELOPMENT) REGULATIONS, 1974

S.I.
1974/187.

Made by the Minister under section 7 of the Tenancies (Control and Development) Act.

Cap. 239.

1. These Regulations may be cited as the Tenancies (Control and Development) Regulations, 1974.

2. An owner or lessee of a tenantry who desires to increase the rent of any lot in a tenantry shall make an application to the magistrate for the magisterial district in which the tenantry, or any part thereof in respect of which the application is made, is situate.

3. An application may be made under regulation 2 where—

- (a) the owner or lessee has provided the tenantry with water, electricity, light, gas, roads or drainage or any other amenity; or
- (b) the owner or lessee has effected improvements to a lot within a tenantry; or
- (c) the owner or lessee has effected repairs to services already provided for the benefit of the tenantry; or
- (d) there has been an increase in land tax or water rates within the tenantry.

4. An application made under regulation 2 shall state the following—

- (a) the area of the tenantry;
- (b) the area of the lot in respect of which the increase of rent is claimed;
- (c) the grounds on which an increase of rent is claimed;
- (d) the annual rent payable;
- (e) the annual rent now claimed; and
- (f) the date on which the rent was last increased,

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and shall include all bills of receipt and expenditure and a surveyor's plan of the tenantry showing the delineation of the lots.

5. No application for increase of rent shall be made in respect of expenditure incurred before the 1st January, 1973.

6. The magistrate may, where he is satisfied that the tenants have benefited by the improvements, grant the whole amount of the increase claimed, or part thereof.

7. (1) Where the application is made on any ground specified—

(a) in paragraph 3 (a), any increase granted shall not exceed—

1/10th of the amount proved to the magistrate to have been expended by the owner multiplied by $\frac{X}{Y}$;

(b) in paragraph 3 (b), any increase granted shall not exceed—

1/5th of the amount proved to the magistrate to have been expended by the owner;

(c) in paragraph 3 (c), any increase granted shall not exceed—

1/5th of the amount proved to the magistrate to have been expended by the owner multiplied by $\frac{X}{Y}$;

(d) in paragraph 3 (d), any increase granted shall not exceed—

the actual increase multiplied by $\frac{X}{Y}$.

(2) For the purposes of sub-paragraph (1), X represents the area of the tenant's holding and Y represents the area of the tenantry.