

# GUIDANCE NOTES

## Rent Review - Agricultural Holdings Act 1986

### What happens first?

In order for your rent to be reviewed your landlord has to serve you a valid notice under section 12 of the Agricultural Holdings Act 1986.

### When is this notice served?

This notice must be served 12 months before the next termination/ anniversary date of the tenancy.

### Procedure

Often the landlord will have a figure in mind for the rent and may begin by suggesting this figure.

### Important

It is important to remember that a rent review is a negotiation between both parties.

### Agreeing

If you are in agreement with the landlord as to what the rent is then you will then need to sign a memorandum of agreement, this states that the rent properly payable for the holding has increased. Keep this with your original tenancy if possible.

### Disputes

If the figure suggested is not agreeable and agreement has not been reached by the review date, then in order for the landlord to ensure that the rent is reviewed they will need to apply to appoint an arbitrator. This process is often done by make an application to the President of the Royal Institution of Chartered Surveyors, or as stated in your tenancy agreement.

### Arbitration

When the matter has been referred to arbitration an independent 3<sup>rd</sup> party will be appointed to try and get the parties to agree on a rent. If there is no common ground then the matter will go before the arbitrator.

He will be presented with information from both sides and their reasoning behind the rent they propose. He will then make a decision which will be legally binding.

For further information, please contact Davis Meade Property Consultants on 01691 659658 (Oswestry Office) or 01492 510360 (Colwyn Bay Office).



### Shropshire Office

103 Beatrice Street  
Oswestry  
Shropshire  
SY11 1HL  
Tel: 01691 659658  
oswestry@dmpropertyconsultants.com

[www.dmpropertyconsultants.com](http://www.dmpropertyconsultants.com)

### North Wales Office

Plas Eirias Business Centre  
Abergele Road  
Colwyn Bay  
Conwy  
LL29 8BF  
Tel: 01492 510360  
colwynbay@dmpropertyconsultants.com