

CHAPTER 52.

RENT RESTRICTION.

ARRANGEMENT OF SECTIONS.

SECTION.

1. Short title and commencement.
2. Interpretation.
3. Rent Assessment Committees.
4. Sittings.
5. Applications.
6. Notice of hearing.
7. Determination of rental value.
8. Review of rental value.
9. (1) Offences.
(2) Penalties.
10. Appeals.
11. Powers of Chairman.
12. Restriction on landlord's right of possession.
13. Rent Assessment Register.
14. (1) Savings.
(3) Application of Section 17 of Cap. 1.

CHAPTER 52.

RENT RESTRICTION.

19 of 1953. **An Ordinance to provide for the restriction of rentals for dwelling houses and shops in Sierra Leone, for the establishment of Rent Assessment Committees, for the restriction of a landlord's right of possession and for the purposes connected therewith.**

[4TH MARCH, 1954.]

Short title
and com-
mencement.

1. (1) This Ordinance may be cited as the Rent Restriction Ordinance.

* (2) This Ordinance shall come into operation on the date on which the Defence (Rent Assessment) Regulations, 1941, cease to have effect.

Interpreta-
tion.

2. In this Ordinance unless the context otherwise requires—
“dwelling house” means any house, or part of a house let or offered to be let for human habitation, but does not include any house or part of a house *bona fide* let at a rent which

* These Regulations ceased to have effect on the 4th March, 1954. (P.N. 11 of 1954.)

includes payments in respect of board or attendance or both board and attendance.

“shop” includes a store or warehouse and means any building or part of a building let or offered to be let for any profession, trade or business.

3. (1) The Governor may by Order establish such Committees to be known as Rent Assessment Committees (hereinafter called Committees) as he may deem necessary for the purposes of this Ordinance. Rent Assessment Committees.

(2) Each Committee shall have jurisdiction within such area as the Governor shall specify in the Order.

(3) The Governor may appoint such persons as he shall think * fit, not being less than three in number, to be members of any Committee and shall appoint one of such members to be Chairman of the Committee.

4. The Committee shall sit at such times and places as the Chairman shall direct to hear and determine applications for the assessment of rentals as hereinafter provided. The Committee shall not proceed to the business of any meeting except there are not less than three members present. In the absence of the Chairman the remaining members of the Committee shall appoint one from among their number to act as Chairman. Sittings.

5. The owner, tenant or sub-tenant of any dwelling house or shop and any person to whom an offer to let any dwelling house or shop has been made may make application to the Chairman of the Committee having jurisdiction within the area in which such dwelling house or shop is situated for the determination of the rental value thereof. Applications.

6. On receiving any application for the determination of the rental value of any dwelling house or shop the Chairman shall fix a day for the hearing of the application and shall cause notice thereof to be served on the applicant and on the landlord of such dwelling house or shop or his agent, and on such other persons as the Chairman may direct. Notice of hearing.

7. After considering the evidence adduced at the hearing of the application the Committee shall determine the rental value Determination of rental value.

* The Governor has delegated his powers under this sub-section to the Minister of Lands. (P.N. 62 of 1958.)

of the dwelling house or shop which is the subject of the application as follows—

(a) Where the terms on which the dwelling house or shop was let on 1st August, 1940, are proved to the satisfaction of the Committee, the rental value shall be determined in accordance with the terms so proved with an addition of twenty-five per centum to the rent payable thereunder;

(b) Where the dwelling house or shop was not let on 1st August, 1940, but had been let at any time within two years immediately prior to that date and the terms on which it was last let within such period are proved to the satisfaction of the Committee, the rental value shall be determined in accordance with the terms so proved with an addition of twenty-five per centum to the rent payable thereunder;

(c) Where the dwelling house or shop was first let after the 1st August, 1940, or where the dwelling house or shop was let on or within a period of two years prior to that date and the terms upon which it was so let are not proved to the satisfaction of the Committee, or where the dwelling house or shop was not let on or within a period of two years prior to the 1st August, 1940, the rental value shall be such as the Committee shall assess in accordance with the circumstances after having taken into account the rents obtaining in the same locality in respect of similar accommodation:

Provided that where the terms on which a dwelling house or shop was let on the 1st August, 1940, or on a date within two years immediately prior to 1st August, 1940, are proved to the satisfaction of the Committee and it is also proved that since the date in respect of which the terms of letting are proved, the condition of the dwelling house or shop has either been improved by expenditure on reasonable alterations and additions (not including expenditure on decoration or repairs) or deteriorated, the Committee shall in determining the rental value of such dwelling house or shop take into account such improvement or deterioration, as the case may be, and make such adjustment of the terms which have been proved as it may deem equitable.

Review of
rental value.

8. Where the rental value of any dwelling house or shop has been determined by the Committee and subsequently the condition of the dwelling house or shop is altered in any way the Committee may on the application of any person having an interest in such dwelling house or shop review and vary the rental value so determined in such manner as it may think just:

Provided that the rental value shall not be increased in consequence of any improvement or addition to the dwelling house or shop unless the Committee is satisfied that such improvement or addition was reasonably necessary in the circumstances or was made with the consent of the tenant.

9. (1) Where the rental value of any dwelling house or shop has been determined, or determined and subsequently varied, by the Committee or by the Supreme Court on appeal in accordance with this Ordinance— Offences.

(a) no person shall offer to let such premises for or demand or accept payment of a rental in excess of the rental value so determined or varied, as the case may be;

(b) no person shall as a condition of the grant, renewal or continuance of a tenancy or sub-tenancy of any such dwelling house or shop demand the payment of any fine, premium or other like sum or the giving of any other consideration whatsoever in addition to the rent except as may be authorised by the Committee or by the Supreme Court on appeal.

(2) Any person who contravenes the provisions of this section shall on summary conviction be liable, for a first offence, to a fine not exceeding one hundred pounds and in default to imprisonment for a period not exceeding one year and, for a second or subsequent offence to a fine not exceeding one hundred pounds or to imprisonment for a period not exceeding one year, and any payment made in contravention of this section shall be recoverable by the person by whom it was made. Penalties.

10. (1) Any person aggrieved by any decision of the Committee may appeal to the Supreme Court. Appeals.

(2) Every appeal against any decision of a Committee in the Colony shall be entered within fifteen days of the date of such decision, and every such appeal against any decision of a Committee in the Protectorate shall be entered within thirty days of the date of such decision.

(3) The Supreme Court if satisfied that the Committee against whose decision an appeal has been made has carried out its duties under this Ordinance fairly and reasonably shall confirm the decision of the Committee.

(4) If not so satisfied the Supreme Court may—

(a) remit the matter to the Committee for reconsideration with such directions as the Court may deem necessary; or