

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 23 December, 1920.*

New South Wales.



ANNO UNDECIMO

GEORGII V REGIS.

Act No. 46, 1920.

An Act to amend the Fair Rents Act, 1915; to amend the law relating to landlord and tenant; and for purposes connected therewith. [Assented to, 31st December, 1920.]

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Fair Rents (Amendment) Act, 1920," and shall be construed with the Fair Rents Act, 1915, hereinafter referred to as the Principal Act. Short title and construction.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

R. J. STUART-ROBERTSON,
Chairman of Committees of the Legislative Assembly.

Fair Rents (Amendment).

2. This Act shall come into operation on the first day of January, one thousand nine hundred and twenty-one.

Amendment of Principal Act.

3. The Principal Act is amended as follows:—

New subsection substituted for s. 6 (1).

(1) By omitting subsection one of section six and substituting therefor the following subsection:—

(1) Any lessor, and any lessee who—

(a) has paid or tendered all rent due and payable under his lease; or

(b) satisfies the court, in any case where he has not paid or tendered all such rent, that such non-payment or non-tender is justifiable or excusable in the circumstances notwithstanding that he

(c) has received from the lessor notice to terminate the tenancy,

may apply to the court to have the fair rent of the dwelling-house leased by or to him determined by the court: Provided that no application to have such rent determined shall be entertained where such notice to terminate the tenancy has been given prior to the first day of January, one thousand nine hundred and twenty-one.

(2) By adding at the end of section six the following new subsection:—

New subsection at end of s. 6.

(5) Where the dwelling-house is vacated by the applicant lessee at or before the date fixed for the hearing of the application, the court may strike such application out of its list.

New section after s. 8.

(3) By inserting after section eight the following new section:—

Party may be represented by counsel or attorney or agent.

8A. Upon the hearing of any application under this Act any party thereto may be represented by counsel or attorney, or by an agent duly appointed in writing in that behalf.

New proviso to s. 9.

(4) By adding at the end of section nine the following new proviso:—

Provided also that if the court by its determination increases or decreases the rent of any dwelling-house

Fair Rents (Amendment).

dwelling-house above or below the rent payable under the lease at the date when the application was made, such increase or decrease shall not take effect until the expiration of fourteen days after the date of such determination.

- (5) By omitting section eleven and substituting therefor the following sections:—

11. Where an application has been made by a lessee to determine the fair rent of a dwelling-house leased to him, then if the lessee has duly paid the rent of the dwelling-house and has otherwise performed the conditions of his lease, the lessor shall not, without reasonable cause demand any increased rent or give any notice or take any proceedings to determine the lease during the pendency of the application or during the period of six months from the date of such determination. Any lessor contravening any of the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

New sections substituted for s. 11.

Restriction on lessor's power to determine the lease either during or after an application to fix the fair rent.

- (6) By omitting from section thirteen the word "six" and substituting therefor the word "twelve."

- (7) By inserting after section seventeen the following new sections:—

17A. (1) Any person who—

- (a) gives or receives, or offers, promises, or agrees to give or receive any bonus or premium or any sum of money other than rent in consideration of the grant or acceptance of any lease or of the renewal thereof or of an agreement for a lease or for the renewal of a lease of a dwelling-house; or

- (b) makes it a condition of the granting of any lease that the lessee shall purchase any furniture or other article,

New sections after s. 17.

Bonus, &c., for lease unlawful.

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article, or pay or give any consideration for obtaining a key of the dwelling-house, shall be liable to a penalty not exceeding fifty pounds.

(2) Any agreement, whether oral or in writing, which in any way contravenes the provisions of this section shall to that extent be null and void.

17B. Any person who refuses to let a dwelling-house to any respectable and responsible applicant who has a child or children shall be liable to a penalty not exceeding fifty pounds: Provided that in any prosecution under this section it shall be a sufficient defence to show that such refusal was not due to the fact that the applicant had a child or children.

17C. Any person who—

(1) instructs an agent not to let, or

(2) states his intention whether by advertisement or otherwise not to let

a dwelling-house to any person who has a child or children shall be liable to a penalty not exceeding fifty pounds.

(8) By omitting section twenty-five and substituting therefor the following section:—

25. Penalties imposed by this Act may be recovered before the court in a summary way under the Justices Act, 1902.

Penalty for refusal to let dwelling to applicant with family.

Penalty for instructing agent to refuse applicant with family.

New section substituted for s. 25.
Recovery of penalties.

In the name and on behalf of His Majesty I assent to this Act.

Government House,
Sydney, 31st December, 1920.

W. E. DAVIDSON,
Governor.

1920.

Legislative Council.

Fair Rents (Amendment) Bill, 1920.

[NOTE.—Amendments of the Fair Rents Act, 1915, are shown in black letter.]

2. This Act shall come into operation on the first day of January, one thousand nine hundred and twenty-one. [New section.]
Commencement.

“Dwelling-house” means any premises leased wholly or partially for residence by a lessee, and includes any part of any such premises separately leased, and any land or appurtenances leased with such premises or such part thereof, **and includes a shop.**

~~“Tax” includes any tax whether on land or on income derived from land imposed by the laws of the State or Commonwealth.~~

“Tax” **includes any tax on land imposed by the laws of the State or Commonwealth, but does not include any tax imposed by the said laws on income derived from land.** [Substituted definition.]

3. (1) This Act shall apply to any dwelling-house which is subject to a lease made before or after the commencement of this Act, for any term not exceeding three years, at a rent not exceeding one hundred and fifty-six pounds a year, or a proportionate sum for a less period, or which at any time during a period of six months before the passing of this Act has been let at a rent not exceeding the above-mentioned amount: Provided that nothing herein contained shall apply to dwelling-houses ordinarily leased for summer residence. Application of Act.

(2) This Act shall apply within the localities appointed by the Governor and proclaimed in the Gazette.

~~(3) This Act shall bind the Crown.~~

3. (1) This Act shall apply to any dwelling-house or shop which is subject to a lease made before or after the commencement of the Fair Rents (Amendment) Act, 1920, at a rent not exceeding in the case of a dwelling-house two hundred and eight pounds a year and in the case of a shop four hundred and sixteen pounds a year, or a proportionate sum for a less period, or which at any time during a period of six months before the commencement of the said Act has been let at a rent not exceeding the sum of two hundred and eight pounds a year or four hundred and sixteen pounds a year, as the case may be. [Substituted section.]
Application of Act.

(2) This Act shall apply within the localities appointed by the Governor and proclaimed in the Gazette.

Application to
determine rent.

6. (1) Any lessor or any lessee who has paid or tendered all rent due and payable under his lease may apply to the court to have the fair rent of the dwelling-house leased by or to him determined by the court.

[Substituted
subsection.]
Sec. 6 (1).

6. (1) Any lessor, and any lessee who—
(a) has paid or tendered all rent due and payable under his lease; or
(b) has satisfied the court, in any case where he has not paid or tendered all such rent, that such non-payment or non-tender is justifiable or excusable in the circumstances; or
(c) has received from the lessor notice to terminate the tenancy, may apply to the court to have the fair rent of the dwelling-house leased by or to him determined by the court.

[New subsection.]

(5) Where the dwelling-house is vacated by the applicant lessee at or before the date fixed for the hearing of the application, the court may strike such application out of its list.

Practice of court.

8. The practice upon the hearing of any application under this Act shall in respect of the examination and cross-examination of witnesses and the right of addressing the magistrate upon the case in reply or otherwise be as nearly as possible in accordance with that of the Supreme Court upon the trial of an issue of fact in an action at law.

[New section.]

Party may be
represented by
counsel or attorney
or agent.

8A. Upon the hearing of any application under this Act any party thereto may be represented by counsel or attorney, or by an agent duly appointed in writing in that behalf.

9. [Proviso to the section.]

Provided that, excepting where circumstances which render an increase equitable are proved to the satisfaction of the court, the fair rent shall not exceed the rent at which the dwelling was let on the first day of January, one thousand nine hundred and fifteen.

[New proviso.]

Provided also that if a court by its determination increases the rent of any dwelling-house above the rent payable under the lease at the date when the application was made, such increased rent shall not be payable until the expiration of fourteen days after the date of such determination.

Pendency of
application.

11. If any applicant being a lessee duly pays the rent of the dwelling-house leased by him, and otherwise performs the conditions of his lease, the lessor shall not demand any increased rent or give any notice or take any proceedings to terminate the tenancy during the pendency of the application nor for three months thereafter without reasonable cause.

[Substituted
sections.]

Restriction on
lessor's power to
determine the lease
either during or
after an application
to fix the fair rent.

11. Where an application has been made by a lessee to determine the fair rent of a dwelling-house leased to him, then if the lessee has duly paid the rent of the dwelling-house and has otherwise performed the conditions of his lease, the lessor shall not, without the consent of the court, demand any increased rent or give any notice or

take any proceedings to determine the lease during the pendency of the application or during the period for which the fair rent shall be determined. Any lessor contravening any of the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

11 A. Where no application has been made as aforesaid—

- (1) Notwithstanding anything contained in any Act or any law, usage, contract, or agreement express or implied to the contrary, if the lessee has duly paid the rent of the dwelling-house and has otherwise performed the conditions of his lease, the lessor shall not be entitled to determine the lease without giving to the lessee at least twenty-eight days' previous notice to quit: Provided that nothing herein shall prejudice or affect any lease wherein a longer notice to quit than twenty-eight days is provided for; and

Right of lessee, where such application has not been made, to not less than twenty-eight days' notice to quit.

- (2) The court may, on application made by the lessee before the expiration of such twenty-eight days or longer notice, as the case may be, require the lessor to show cause to the satisfaction of the court why an extension of the lease should not be granted to the lessee, and may, if the lessor fails to show cause as aforesaid, grant an extension of the lease for any period not exceeding six months at such rent and upon such conditions as it may deem reasonable in the circumstances, and such lease shall be deemed to be extended accordingly.

Power of court to grant an extension of lease.

- (3) The court, when dealing with an application under the last preceding subsection, shall (but without limiting the generality of its powers thereunder) have regard to—

- (a) the reasons why the lessor requires possession; and
(b) the question whether or not the lessee can obtain in the same or in a convenient neighbourhood a dwelling-house of similar character at a similar rent.

11 B. Where the lessee of a shop has carried on the same business therein for a period of not less than twelve months, and has duly paid the rent of the shop and has otherwise performed the conditions of his lease, the lessor, whether the court has determined the fair rent of the shop or not, shall not be entitled to determine such lease unless he shall first have paid to the lessee such sum for the goodwill of such business as may be mutually agreed upon between them or as the court may deem reasonable in the circumstances.

Lessor of shop to pay lessee value of goodwill before determining lease.

11 C. (1) Where the court has not determined the fair rent of a dwelling-house, or where it has determined the same but the period fixed by its determination or by this Act has expired, the lessor shall not, except with the consent of the tenant, increase the rent of such dwelling-house above the rent payable on the tenth day of December, one thousand nine hundred and twenty, unless he shall first have made application to and obtained from the court permission so to do.

Lessor shall not increase rent of dwelling-house unless permission so to do shall be obtained from the court.

(2) Any lessor contravening the provisions of this section shall be liable to a penalty not exceeding fifty pounds, and any increase of rent paid by the lessee, except where paid with his consent, may be recovered by him from the lessor in any court of competent jurisdiction.

(3) This section shall be deemed to have taken effect as from the said tenth day of December, one thousand nine hundred and twenty.

Period for which
determination is in
force.

13. The determination of the court, except as hereinafter provided, shall remain in force for such period, not less than six **twelve** months nor more than three years after such determination as may be therein mentioned; but, if no period is mentioned, it shall remain in force for three years after such determination. Such determination while in force shall apply to any lease of the dwelling-house then current, and to the lessor and lessee thereof, notwithstanding any change of ownership or tenancy.

While any such determination is in force, no application shall be made to vary it, or to determine the fair rent of the dwelling-house, unless where the applicant is the lessor, and satisfies the registrar that substantial alterations or additions have been made to the dwelling-house since the said determination, or that the outgoings of the lessor in respect of the dwelling-house have been increased.

Threats against
lessees.

17. (1) Any person who by any threat endeavours to dissuade or prevent a lessee from making or prosecuting any application under this Act shall be liable to a penalty not exceeding fifty pounds.

Acts to the
detriment of lessees.

(2) Any person who unlawfully does or procures any act or thing to be done for the purpose of imposing any detriment or disadvantage upon a lessee by reason of his having made an application under this Act, shall be liable to a penalty not exceeding fifty pounds; and if two or more persons concur in the doing of any such act, or in procuring any such thing to be done, they shall each be liable to a penalty not exceeding one hundred pounds.

New sections.]

Bonus, &c., for
lease unlawful.

17A. (1) Any person who —
(a) gives or receives, or offers, promises, or agrees to give or receive any bonus or premium or any sum of money other than rent in consideration of the grant or acceptance of any lease or of the renewal thereof or of an agreement for a lease or for the renewal of a lease of a dwelling-house; or
(b) makes it a condition of the granting of any lease that the lessee shall pay for repairs or purchase any furniture or other article, or pay any deposit or sum of money or give any consideration for obtaining a key of the dwelling-house,
shall be liable to a penalty not exceeding fifty pounds.

(2) Any agreement, whether oral or in writing, which in any way contravenes the provisions of this section shall to that extent be null and void.

17B. (1) A dwelling-house or building used for residential purposes situated within the Sydney metropolitan area, or within the boundaries of the city of Newcastle or within a distance of seven miles from such boundaries, shall not be demolished (except where demolition is ordered by a duly constituted authority for the preservation of public health or safety) unless the permission of the court is first obtained. Such permission shall not be granted unless the applicant satisfies the court that residences capable of accommodating an equal or greater number of people are forthwith to be by him erected or made available in lieu thereof.

Demolition or alteration of buildings.

(2) A dwelling-house or residential building shall not without the permission of the court be altered in such manner as to render it unsuitable for residential purposes.

(3) A person shall not, without good and sufficient reason, refuse to let to any applicant an unoccupied building which has been ordinarily used, and which is suitable for, residential purposes.

(4) Any person contravening any of the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

17c. Any person who refuses to let a dwelling-house to any respectable and responsible applicant who has a child or children shall be liable to a penalty not exceeding fifty pounds: Provided that in any prosecution under this section it shall be a sufficient defence to show that such refusal was not due to the fact that the applicant had a child or children.

Penalty for refusal to let dwelling to applicant with family.

17d. Any person who —

- (1) instructs an agent not to let, or
- (2) states his intention whether by advertisement or otherwise not to let

Penalty for instructing agent to refuse applicant with family.

a dwelling-house to any respectable person with a child or children shall be liable to a penalty not exceeding fifty pounds.

17e. The Governor may appoint an officer whose duty it shall be to inquire whether or not the determinations and orders of the court or any of them are being contravened, and such officer shall from time to time report to the Governor the result of his inquiries.

Appointment of officers to inquire and report.

25. Penalties under this Act may be imposed by and recovered before the court or a stipendiary or police magistrate or any two justices in petty sessions.

Penalties.

25. Penalties imposed by this Act may be recovered before the court in a summary way under the Justices Act, 1902.

[Substituted section.]
Recovery of penalties.

THE STATE OF NEW YORK
IN SENATE
January 12, 1909.

REPORT
OF THE
COMMISSIONERS OF THE LAND OFFICE
IN ANSWER TO A RESOLUTION PASSED BY THE SENATE
MAY 18, 1908.

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OFFICE OF THE COMMISSIONERS OF THE LAND OFFICE,
ALBANY, N. Y.

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This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

W. S. MOWLE,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 15 December, 1920.*

New South Wales.



ANNO UNDECIMO

GEORGI V REGIS.

Act No. , 1920.

An Act to amend the Fair Rents Act, 1915; to amend the law relating to landlord and tenant; to control the demolition or alteration of buildings used for residential purposes; and for purposes connected therewith.

BE it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Fair Rents (Amendment) Act, 1920," and shall be construed with the Fair Rents Act, 1915, hereinafter referred to as the Principal Act.

Short title
and con-
struction.

Fair Rents (Amendment).

2. This Act shall come into operation on the first day of January, one thousand nine hundred and twenty-one. Commencement.

3. The Principal Act is amended as follows:—

5 (1) By adding to the definition of "Dwelling-house" in section two the words "and includes a shop." Amendment of Principal Act. Sec. 2.

(2) By omitting the definition of "Tax" and by inserting in lieu thereof the following new definition:—

10 "Tax" includes any tax on land imposed by the laws of the State or Commonwealth, but does not include any tax imposed by the said laws on income derived from land.

15 (3) By omitting section three and substituting therefor the following new section:— New section substituted for s. 3.

20 3. (1) This Act shall apply to any dwelling-house or shop which is subject to a lease made before or after the commencement of the Fair Rents (Amendment) Act, 1920, at a rent not exceeding in the case of a dwelling-house two hundred and eight pounds a year and in the case of a shop four hundred and sixteen pounds a year, or a proportionate sum for a less period, or which at any time during a period of six months before the commencement of the said Act has been let at a rent not exceeding the sum of two hundred and eight pounds a year or four hundred and sixteen pounds a year, as the case may be. Application of Act.

(2) This Act shall apply within the localities appointed by the Governor and proclaimed in the Gazette.

35 (4) By omitting subsection one of section six and substituting therefor the following subsection:— New subsection substituted for s. 6 (1).

(1) Any lessor, and any lessee who—

(a) has paid or tendered all rent due and payable under his lease; or

40 (b) has satisfied the court, in any case where he has not paid or tendered all such

such

Fair Rents (Amendment).

such rent, that such non-payment or non-tender is justifiable or excusable in the circumstances; or

(c) has received from the lessor notice to terminate the tenancy,

may apply to the court to have the fair rent of the dwelling-house leased by or to him determined by the court.

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10 (5) By adding at the end of section six the following new subsection:—

(5) Where the dwelling-house is vacated by the applicant lessee at or before the date fixed for the hearing of the application, the court may strike such application out of its list.

15 (6) By inserting after section eight the following new section:—

8A. Upon the hearing of any application under this Act any party thereto may be represented by counsel or attorney, or by an agent duly appointed in writing in that behalf.

20 (7) By adding at the end of section nine the following new proviso:—

Provided also that if the court by its determination increases the rent of any dwelling-house above the rent payable under the lease at the date when the application was made, such increased rent shall not be payable until the expiration of fourteen days after the date of such determination.

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30 (8) By omitting section eleven and substituting therefor the following sections:—

11. Where an application has been made by a lessee to determine the fair rent of a dwelling-house leased to him, then if the lessee has duly paid the rent of the dwelling-house and has otherwise performed the conditions of his lease, the lessor shall not, without the consent of the court, demand any increased rent or give any notice or take any proceedings to determine the lease during the pendency of the application or during the period for which the fair rent shall

New subsection at end of s. 6.

New section after s. 8.

Party may be represented by counsel or attorney or agent.

New proviso to s. 9.

New sections substituted for s. 11.

Restriction on lessor's power to determine the lease either during or after an application to fix the fair rent.

Fair Rents (Amendment).

shall be determined. Any lessor contravening any of the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

11A. Where no application has been made as aforesaid—

5

(1) Notwithstanding anything contained in any Act or any law, usage, contract, or agreement express or implied to the contrary, if the lessee has duly paid the rent of the dwelling-house and has otherwise performed the conditions of his lease, the lessor shall not be entitled to determine the lease without giving to the lessee at least twenty-eight days' previous notice to quit: Provided that nothing herein shall prejudice or affect any lease wherein a longer notice to quit than twenty-eight days is provided for; and

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(2) The court may, on application made by the lessee before the expiration of such twenty-eight days or longer notice, as the case may be, require the lessor to show cause to the satisfaction of the court why an extension of the lease should not be granted to the lessee, and may, if the lessor fails to show cause as aforesaid, grant an extension of the lease for any period not exceeding six months at such rent and upon such conditions as it may deem reasonable in the circumstances, and such lease shall be deemed to be extended accordingly.

(3) The court, when dealing with an application under the last preceding subsection, shall (but without limiting the generality of its powers thereunder) have regard to—

(a) the reasons why the lessor requires possession; and

(b) the question whether or not the lessee can obtain in the same or in a convenient neighbourhood a dwelling-house of similar character at a similar rent.

Right of lessee, where such application has not been made, to not less than twenty-eight days' notice to quit.

Power of court to grant an extension of lease.

Fair Rents (Amendment).

5 11b. Where the lessee of a shop has carried on the same business therein for a period of not less than twelve months, and has duly paid the rent of the shop and has otherwise performed the conditions of his lease, the lessor, whether the court has determined the fair rent of the shop or not, shall not be entitled to determine such lease unless he shall first have paid to the lessee such sum for the goodwill of such business as may be mutually agreed upon between them or as the court may deem reasonable in the circumstances.

15 11c. (1) Where the court has not determined the fair rent of a dwelling-house, or where it has determined the same but the period fixed by its determination or by this Act has expired, the lessor shall not, except with the consent of the tenant, increase the rent of such dwelling-house above the rent payable on the tenth day of December, one thousand nine hundred and twenty, unless he shall first have made application to and obtain from the court permission so to do.

25 (2) Any lessor contravening the provisions of this section shall be liable to a penalty not exceeding fifty pounds, and any increase of rent paid by the lessee, except where paid with his consent, may be recovered by him from the lessor in any court of competent jurisdiction.

30 (3) This section shall be deemed to have taken effect as from the said tenth day of December, one thousand nine hundred and twenty.

35 (9) By omitting from section thirteen the word "six" and substituting therefor the word "twelve."

40 (10) By inserting after section seventeen the following new sections:—

17A. (1) Any person who—
 (a) gives or receives, or offers, promises, or agrees to give or receive any bonus

Lessor of shop to pay lessee value of goodwill before determining lease.

Lessor shall not increase rent of dwelling-house unless permission so to do shall be obtained from the court.

New sections after s. 17.

Bonus, &c., for lease unlawful.

or

Fair Rents (Amendment).

5 or premium or any sum of money
other than rent in consideration of
the grant or acceptance of any lease
or of the renewal thereof or of an
agreement for a lease or for the
renewal of a lease of a dwelling-
house ; or

10 (b) makes it a condition of the granting
of any lease that the lessee shall pay
for repairs or purchase any furniture
or other article, or pay any deposit or
sum of money or give any considera-
tion for obtaining a key of the
dwelling-house,

15 shall be liable to a penalty not exceeding fifty
pounds.

(2) Any agreement, whether oral or in
writing, which in any way contravenes the
provisions of this section shall to that extent
20 be null and void.

25 17B. (1) A dwelling-house or building used
for residential purposes situated within the
Sydney metropolitan area, or within the bound-
aries of the city of Newcastle or within a
distance of seven miles from such boundaries,
shall not be demolished (except where demo-
lition is ordered by a duly constituted authority
for the preservation of public health or safety)
unless the permission of the court is first
30 obtained. Such permission shall not be granted
unless the applicant satisfies the court that
residences capable of accommodating an equal
or greater number of people are forthwith to
be by him erected or made available in lieu
35 thereof.

(2) A dwelling-house or residential
building shall not without the permission of
the court be altered in such manner as to
render it unsuitable for residential purposes.

40 (3) A person shall not, without good
and sufficient reason, refuse to let to any
applic

Fair Rents (Amendment).

applicant an unoccupied building which has been ordinarily used, and which is suitable for, residential purposes.

5 (4) Any person contravening any of the provisions of this section shall be liable to a penalty not exceeding fifty pounds.

10 17c. Any person who refuses to let a dwelling-house to any respectable and responsible applicant who has a child or children shall be liable to a penalty not exceeding fifty pounds: Provided that in any prosecution under this section it shall be a sufficient defence to show that such refusal was not due to the fact that the applicant had a child or children.

15 17d. Any person who—
 (1) instructs an agent not to let, or
 (2) states his intention whether by advertisement or otherwise not to let
 20 a dwelling-house to any respectable person with a child or children shall be liable to a penalty not exceeding fifty pounds.

25 17e. The Governor may appoint an officer whose duty it shall be to inquire whether or not the determinations and orders of the court or any of them are being contravened, and such officer shall from time to time report to the Governor the result of his inquiries.

(11) By omitting section twenty-five and substituting therefor the following section:—

30 25. Penalties imposed by this Act may be recovered before the court in a summary way under the Justices Act, 1902.

