

SERVANTS' REGISTRY OFFICES ACT.

There are 92 offices registered in New Zealand (last year 110). The offices appear to be satisfactorily conducted. It may be mentioned that the number of offices registered is now on approximately the same level as in the years prior to 1930.

FAIR RENTS ACT, 1936.

This Act, the currency of which was extended by the Fair Rents Amendment Act, 1937, to 30th September, 1938, applies to dwellinghouses that are let at a rental not exceeding £156 a year. The Act (as amended by the Amendment Act, 1937), which binds the Crown and which does not apply to any dwellinghouse first let after the passing of the legislation, 11th June, 1936, or to premises forming part of a building originally designed and constructed for the purpose of being let as more than two separate flats or apartments, prevents any increase in a tenant's rent during the tenancy, except where a fair rent is determined in accordance with the Act. Any such increase can be enforced only pursuant to a Magistrate's order or pursuant to an agreement in writing between the landlord and the tenant and approved by the Inspector of Factories.

A Magistrate may determine a fair rent for any dwellinghouse on the application of either the landlord or the tenant. The fair rent is to be such rent as in the opinion of the Magistrate it is fair and equitable for the particular tenant to pay, having regard to any hardship likely to be inflicted on the tenant or the landlord and to all other relevant considerations. The fair rent is not to be higher than the rent paid by the tenant on 27th November, 1935 (the date of the last general election), or any lower rent that has been payable since that date, unless the landlord proves that that rent is, in the circumstances, too low. Regulations may be made providing for the fixing of the fair rent at an amount equal to a percentage of the capital value of the dwellinghouse (not less than 4 per cent. nor more than 6 per cent. per annum), together with the outgoings for rates, insurance, and repairs, and the amounts (if any) to be allowed for depreciation and as rent of furniture. Such regulations may apply generally or in respect of specified parts of New Zealand or specified classes of dwellinghouses. No such regulations have been issued to date.

The fair rent may be altered from time to time, and applies only so long as the tenancy lasts, but a new fair rent may be determined for any subsequent tenancy.

Other provisions empower the Court to order a refund of what it considers to be excessive rent paid during the six months immediately before a fair rent is determined, declare any rent in excess of the fair rent to be irrecoverable, enable a tenant to recover (or deduct from future rent) any rent that he has paid in excess of that payable under the Act, and prohibit the charging of fines or premiums for letting houses to which the Act applies.

It is required that fourteen days' notice be given to the tenant before proceedings for possession are commenced, while the grounds on which possession of a dwellinghouse may be obtained are restricted, and the Court is authorized to refuse an order for possession where it is not satisfied that the landlord would suffer greater hardship from the refusal of an order than the tenant would suffer by reason of the grant of an order. Section 63 of the Finance Act, 1937, contained special provisions relating to ejection, and provided that the Court shall not make an order for ejection where possession is sought on the grounds that an agreement for sale has been entered into, the purchaser reasonably requiring the premises for his own occupation as a dwellinghouse, unless the Court is satisfied that suitable alternative accommodation is available for the tenant or will be available when the order takes effect; also that the Court shall not make an order where the premises are reasonably required by the landlord for his own occupation as a dwellinghouse or for occupation as a dwellinghouse by any person in the regular employment of the landlord unless it is satisfied that alternative accommodation is available as above or the hardship caused to the landlord or any other person by the refusal of the Court to make an order for possession or ejection would exceed the hardship caused to the tenant by the making of such an order. The Court also has discretionary power to suspend any proceedings for as long as it thinks fit, with or without imposing conditions. The right of the landlord to distrain for rent is also restricted.

The Inspector of Factories is empowered to act on behalf of any tenant in proceedings under the Act, and the following table indicates the extent to which tenants have availed themselves of the services of the Department's Inspectors.

Town.	Total Number of Applications.	Agreements approved by Inspectors under Section 21.	Cases taken to Court.		Tenant represented by Inspector in Eviction Proceedings.		Other Cases.*
			Rent reduced.	Rent justified.	Section 13.	Section 14.	
Auckland	1,957	831	27	114	161	48	776
Wellington	2,033	664	48	14	251	74	982
Christchurch	933	388	16	45	11	7	466
Dunedin	246	50	..	..	7	18	171
Other towns	1,212	515	45	37	35	5	575
	6,381	2,448	136	210	465	152	2,970

* These were cases where the Inspector considered that the rent already being paid was justified, or applications which were withdrawn as a result of the tenant vacating the premises, or for other reasons. The total number of applications for the previous year was 3,133.