

“Rental Property and Price Assessment Ordinance Saba” (AB 2017.007)

EXPLANATORY MEMORANDUM

In general

This ordinance contains provisions implementing the Dutch Caribbean Rental Housing Market Measures Act (the Act hereinafter).

Successively the so-called rent-control ceiling, the allowances for the Rent Assessment Committee members in office, the housing evaluation system and the maximum rent, the maximum rent increase rate, the maintenance enforcement provisions, and the layout of a register are provided for.

Furthermore, the possibility has been included to draw up further regulations concerning this ordinance.

Finally, Article 4 of this ordinance has been reserved. Pursuant to Article 1.6 of the Act, the duties of the Rent Assessment Committee will only be taken over in due course from a (substitute) chairman currently acting from the Netherlands. This means that a provision concerning the legal status, salary, and allowances of the local (substitute) chairman (to be appointed in due course) does not have to be included as yet. Consequently, Article 4 of this ordinance will be implemented in due time, and its taking effect will then be linked to the Royal Decree pursuant to Article 1.6, third paragraph, of the Act.

Per Article

Article 1

Article 1 contains definitions.

Article 2

The scope of the ordinance has been determined based on Article 2.

Article 3

Article 3 determines the amount of the so-called rent-control ceiling. This is the ceiling above which rent protection does not apply, except in some procedures. It actually also determines the ceiling above which the Rent Assessment Committee is not competent in the first instance (Article 1.3, third paragraph, of the Act). Reference is also made to the explanation per Article of Article 1.3, third paragraph, of the Act (Parliamentary Documents II 2015/16, 34 523, No. 3, pages 11 and 12).

Article 5

Article 5 contains a provision regarding the allowances for the Rent Assessment Committee members in office.

“Rental Property and Price Assessment Ordinance Saba” (AB 2017.007)

Article 6

Article 6 contains the basis for the so-called housing evaluation system pursuant to Article 1.13, first paragraph, of the Act, and the related maximum rent limits. Reference is made to the explanation per Article of Article 1.13, first paragraph, of the Act (Parliamentary Documents II 2015/16, 34 523, No. 3, pages 13 and 14).

Annex I further works out the housing evaluation system. Annex II contains a table for the number of points and the maximum rent limit belonging thereto.

Article 7

Article 7 and Annex III contain the maximum rent increase rate (Article 1.13, third paragraph, of the Act). For further explanation, reference is made to the explanation per Article of Article 1.13, third paragraph, of the Act (Parliamentary Documents II 2015/16, 34 523, No. 3, page 14).

Article 8

Article 8 and Annex IV implement the so-called maintenance enforcement provisions. For further explanation, reference is made to the explanation per Article of Article 1.15, second paragraph, of the Act (Parliamentary Documents II 2015/16, 34 523, No. 3, page 15).

Article 9

Article 9 prescribes what forms are to be used for the various procedures. They are included in Annexes V through XVII.

Article 10

Article 10 implements the setup of a register.