
Changes to legislation: There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Further provision about notices that specify works

Part 1

Provision applying to all notices that specify works

Application of Part of Schedule

- 1 This Part of this Schedule applies to—
- (a) a temporary exemption notice that includes a requirement under section 17 (works to improve safety or security);
 - (b) a rectification notice that requires the carrying out of work;
 - (c) a suitability notice that contains a statement of remedial work under section 53;
 - (d) a hazard notice that contains a works requirement under section 58.

Commencement Information

- II** Sch. 3 para. 1 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

Listed buildings etc

- 2.—(1) In this paragraph “protected building” means a building—
- (a) which is included in any list of buildings of special architectural or historic interest compiled under section 80 of the Planning Act (Northern Ireland) 2011 (“the 2011 Act”),
 - (b) which is subject to a building preservation notice under section 83 of the 2011 Act, or
 - (c) to which section 105 of the 2011 Act applies (control of demolition in conservation areas).
- (2) In this paragraph “relevant work” is work, specified in a notice to which this Part of this Schedule applies, which is to be carried out in or to an HMO that is or forms part of a protected building.

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(3) Before a council issues a notice that specifies relevant work, the council must consult—

- (a) the Department, and
- (b) such other persons as the council considers appropriate.

(4) A notice specifying relevant work has effect only in so far as it is not inconsistent with any provision of the 2011 Act.

Commencement Information

I2 Sch. 3 para. 2 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

Extension of date for completion of works

3.—(1) The council may, in accordance with this paragraph, extend the date by which any work must be completed—

- (a) as required by a temporary exemption notice, a rectification notice or a hazard notice, or
- (b) as specified in a statement of remedial work under section 53.

(2) The council may grant an extension—

- (a) on the application of any person on whom the notice in question was served, or
- (b) on the council's own initiative.

(3) The extension is to be to such later date as the council considers reasonable.

(4) A date may be extended only where the council—

- (a) considers that satisfactory progress has been made in carrying out the work,
- (b) considers that satisfactory progress has not been made but that there is a good reason why this has not been possible, or
- (c) has received a written undertaking from the owner stating that the work will be completed by a later date which the council considers satisfactory.

(5) The council must serve notice of any extension on—

- (a) the applicant, and
- (b) any person appearing to the council to be the owner or a managing agent of the HMO.

Commencement Information

I3 Sch. 3 para. 3 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

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