
STATUTORY INSTRUMENTS

1983 No. 1118

The Housing (Northern Ireland) Order 1983

PART V

PRIVATE SECTOR TENANTS

Protected shorthold tenancies

Subletting or assignment

94.—(1) Where the whole or part of a dwelling-house let under a protected shorthold tenancy has been sublet at any time during the continuous period specified in paragraph (3), and, during that period, the landlord becomes entitled, as against the tenant, to possess of the dwelling-house, he shall also be entitled to possession against the sub-tenant and Article 19 of the 1978 Order shall not apply.

(2) A protected shorthold tenancy of a dwelling-house and any protected tenancy of the same dwelling-house granted during the continuous period specified in paragraph (3) shall not be capable of being assigned, except in pursuance of an order under Article 26 of the Matrimonial Causes (Northern Ireland) Order 1978^{F1} or Part 2 of Schedule 15, or paragraph 9(2) or (3) of Schedule 17, to the Civil Partnership Act 2004].

(3) The continuous period mentioned in paragraph (1) and (2) is the period beginning with the grant of the protected shorthold tenancy and continuing until either—

- (a) no person is in possession of the dwelling-house as a protected or statutory tenant; or
- (b) a protected tenancy of the dwelling-house is granted to a person who is not, immediately before the grant, in possession of the dwelling-house as a protected or statutory tenant.

F1 [2004 c.33](#)

Status:

Point in time view as at 01/01/2006. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 1983, Section 94.