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STATUTORY INSTRUMENTS

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**2006 No. 1459 (N.I. 10)**

**NORTHERN IRELAND**

**The Private Tenancies (Northern Ireland) Order 2006**

*Made - - - - 7th June 2006*  
*Coming into operation in accordance with Article*  
*1(2) and (3)*

**THE PRIVATE TENANCIES (NORTHERN IRELAND) ORDER 2006**

PART I

INTRODUCTORY

1. Title and commencement
2. General interpretation
3. Meaning of “private tenancy”

PART II

OBLIGATIONS OF LANDLORDS AND TENANTS

*Particulars relating to the tenancy, etc.*

4. Tenant to be given notice regarding certain matters
5. Tenant to be provided with a rent book

*Tenancy deposit schemes*

- 5A Tenancy deposit schemes
- 5B Requirements relating to tenancy deposits

*Repair and maintenance*

6. Application of Articles 7 to 11
7. Landlord's duties to repair
8. Care of premises by tenant
9. Landlord's obligations under private tenancy of parts of building
10. General qualifications on landlord's duties
11. Standard of repair and knowledge of disrepair

**Status:** Point in time view as at 15/06/2006.

**Changes to legislation:** There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006. (See end of Document for details)

*Inspection, etc. of premises*

12. Entry and inspection of premises

*Duration of private tenancies*

13. Tenancies to be for a term certain
14. Length of notice to quit

PART III

UNFITNESS AND DISREPAIR

*Introductory*

15. Interpretation: Part III
16. Application of this Part
17. Determining fitness for human habitation

*Notices*

18. Notice of unfitness
19. Notice of disrepair
20. Matters to be taken into consideration by appropriate district council
21. Consultation with the Executive
22. Appeal against notice of unfitness or notice of disrepair
23. Operative date of notice of unfitness or notice of disrepair

*Enforcement*

24. Offence of failing to comply with notice of unfitness or notice of disrepair
25. Enforcement of notice of unfitness or notice of disrepair
26. Power to require payment for enforcement action
27. Power to enter dwelling-houses
28. Obstruction

*Repairs grants*

29. Repairs grants

PART IV

CERTIFICATES OF FITNESS AND RENT CONTROL

CHAPTER I

INTRODUCTORY

30. Interpretation: Part IV
31. Meaning of “prescribed dwelling-house”

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CERTIFICATES OF FITNESS

32. Interpretation: Chapter II
33. Landlord's application to have dwelling-house inspected
34. Landlord's application: ancillary provisions

**Status:** Point in time view as at 15/06/2006.

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35. Tenant's application to have dwelling-house inspected
36. Functions of the appropriate district council
37. Appeal to county court
38. Cessation of certificate of fitness

### CHAPTER III

#### TENANCIES SUBJECT TO RENT CONTROL

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39. Interpretation: Chapter III
40. Tenancies subject to rent control

##### *Functions of the rent officer and rent assessment committees*

41. The rent officer and rent assessment committees
42. Determination of an appropriate rent
43. Procedure after determination
44. Consideration by a rent assessment committee
45. Change of circumstances
- 45A. Power to amend Articles 42 to 45

##### *The register of rents*

46. The register of rents
47. Removal of tenancies from the register of rents

##### *The rent limit*

48. The rent limit
49. Increase of rent
50. Rent in excess of rent limit to be irrecoverable by landlord
51. Recoupment of sums paid in excess of rent limit
52. Recoupment where landlord in default
53. Recoupment of rates, etc. from tenants
54. Amounts attributable to services

##### *Rent review*

55. Review of registered rents

### PART V

#### AMENDMENTS OF THE RENT ORDER

56. Tenancies which are protected tenancies
57. No further protected tenancies
58. Premises with a business use
59. Assignment and sub-letting
60. Unlawful eviction, etc.
61. Restriction of statutory tenancy by succession

### PART VI

#### MISCELLANEOUS

*Status: Point in time view as at 15/06/2006.*

*Changes to legislation: There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006. (See end of Document for details)*

*Directions and guidance*

- 62. Provision of directions and guidance to district councils

*Information*

- 63. Publication of information to assist landlords and tenants
- 64. Collection of information about tenancies
- 64A. Disclosure of information for purposes of Parts 2 to 4
- 64B. Unauthorised disclosure of information
- 65. Information as to ownership of dwelling-houses

*Registration of landlords*

- 65A. Registration of landlords

*Notices, etc.*

- 66. Service of notices on landlord's agents
- 67. Method of serving certain documents

*Offences*

- 68. Prosecution of offences
- 68A. Fixed penalty for certain offences

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- 69. Defective premises
- 70. Prohibition of agreements excluding Order
- 71. Application to Crown property

*Supplemental*

- 72. Regulations
- 73. Further provision
- 74. Minor and consequential amendments
- 75. Repeals
- Signature

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SCHEDULES

SCHEDULE 1 — THE RENT OFFICER AND RENT ASSESSMENT COMMITTEES

— *The rent officer*

- 1. (1) The Department shall appoint a person to act as...
- 2. In addition to the functions conferred on the rent officer...

— *Rent assessment committees*

- 3. The Department shall draw up and revise a panel of...
- 4. (1) Subject to sub-paragraphs (2) and (3), the number of...

— *Remuneration and support services*

- 5. There shall be paid to the rent officer and to...
- 6. The Department may make available to the rent officer and...

## SCHEDULE 2 — CONSIDERATION OF DETERMINATIONS BY RENT ASSESSMENT COMMITTEES

1. (1) For the purposes of considering whether a rent determined...
2. Where, within the period specified in paragraph 1(1)(b), or such...
3. (1) The rent officer shall submit to the rent assessment...
4. The committee shall make such inquiry (if any) as it...

## SCHEDULE 3 — CALCULATION OF AMOUNT OF RATES

1. For the purposes of Article 53, the amount of rates...
2. In this Schedule “the relevant rating period”, in relation to...
3. The amount of the rates for any rental period which...
4. (1) On the making by the Department of Finance and...
5. (1) If as a result of the alteration of the...
6. In computing the rates for any rental period for the...

## SCHEDULE 4 — MINOR AND CONSEQUENTIAL AMENDMENTS

— *The Land Registration Act (Northern Ireland) 1970* (c. 18)

1. In Schedule 11 (matters requiring to be registered in the...  
— *The Rent Order*
2. For the heading of Part II substitute— “PROTECTED AND...
3. In Article 4(2) (statutory tenants and tenancies), omit the words...
4. In Article 49 (prohibition of premiums and loans)—
5. In Article 73A(1) (method of serving certain documents), for the...
6. In Article 75(1) (application of Order to Crown property), omit...
7. (1) Part I of Schedule 4 (grounds for possession of...  
— *The Housing (Northern Ireland) Order 1981* (NI 3)
8. In Article 41(3) (repair notices), after “Executive” insert “ shall...  
— *The Housing (Northern Ireland) Order 1983* (NI 15)
9. In Article 92(1) (protected shorthold tenancies), after “this Order” insert...
10. In Article 94 (subletting or assignment)— (a) in paragraph (1),...
11. In Part II of Schedule 9 (other amendments of the...  
— *The Ombudsman (Northern Ireland) Order 1996* (NI 8)
12. In Schedule 3 (tribunals referred to in Article 9(4) of...  
— *The Housing (Northern Ireland) Order 2003* (NI 2)
13. In Article 28(1) (interpretation), in the definition of “rack rent”,...
14. In Article 60 (restriction on grants for works already begun),...

## SCHEDULE 5 — REPEALS

Explanatory Note

**Status:**

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**Changes to legislation:**

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