
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 474

**The Disability Discrimination (Premises)
Regulations (Northern Ireland) 2007**

Reasonable steps where a term of a letting of a dwelling house prohibits improvements

7.—(1) Paragraph (2) prescribes circumstances in which it is reasonable for the purposes of section 24D(3) of the 1995 Act for a controller of let premises to have to take the steps specified in paragraph (3).

(2) The circumstances are as follows—

- (a) a controller of let premises is subject to a duty under section 24D(3) in relation to a term of the letting of a dwelling house;
- (b) the duty has arisen because a term of the letting prohibits the person to whom the premises are let from making alterations or improvements to the premises;
- (c) the terms of the letting contain no exception to that prohibition for alterations or improvements to be made with the consent of the controller of let premises;
- (d) the person to whom the premises are let has requested permission to make an improvement to the premises;
- (e) if the improvement in question were excluded from the prohibition, the term would no longer have the effect of making it impossible or unreasonably difficult for a relevant disabled person to enjoy the premises or make use of any benefit or facility which by reason of the letting is one of which he is entitled to make use⁽¹⁾; and
- (f) it would be reasonable in all the circumstances for the person to whom the premises are let to make the improvement in question.

(3) Where paragraph (2) applies, it is reasonable for the controller of let premises to have to take steps to change the term referred to in sub-paragraph (b) of that paragraph, so far as it relates to the improvement in question, so that it becomes a term which permits the making of that improvement, subject to the imposition of reasonable conditions by the controller of let premises.

(4) This regulation is subject to regulation 6.

(1) See section 24D(1) of the 1995 Act. By section 24E(3) of that Act, the term “relevant disabled person” means a particular disabled person who is either a person to whom the premises are let, or a person who is lawfully under the letting an occupier of the premises