

2021 No. 190

SOCIAL HOUSING

**The Housing (Notification of Disposals and Mortgages)
Regulations (Northern Ireland) 2021**

Made - - - - *30th June 2021*

Coming into operation - *1st August 2021*

The Department for Communities(a), in exercise of the powers conferred by articles 13(4)(b), (5) and (6) of the Housing (Northern Ireland) Order 1992(b), makes the following Regulations:

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Housing (Notification of Disposals and Mortgages) Regulations (Northern Ireland) 2021 and shall come into operation on 1st August 2021.

PART 2

Notification from Registered Housing Associations of Disposals of Land

Notification of Disposals of Land to Tenants

2. Where a Registered Housing Association has disposed of any land it must provide information to the Department as follows:

- (a) the name of the Registered Housing Association that has disposed of the land;
- (b) the address of the land that has been disposed of;
- (c) the month and year in which the land was constructed or, if appropriate, was purchased by the Registered Housing Association;
- (d) the length of time the buyer has been a secure tenant;
- (e) the market valuation of the land that has been disposed of;
- (f) confirmation whether historic costs apply or not;
- (g) the amount of discount that has been allowed as a monetary figure and a percentage of the market value of the land;

(a) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c.5 (N.I.))

(b) S.I. 1992/1725 (N.I. 15)

- (h) the actual price the land was sold for; and
- (i) the date the disposal was completed.

Exception for the Northern Ireland Co-ownership Housing Association Limited

3. The Northern Ireland Co-ownership Housing Association Limited (Co-Ownership) is excepted from the need to provide notifications for:

- (a) the disposal of any land by means of a lease for a period of 99 years containing a declaration to the effect that it is an equity sharing lease for the purposes of section 1 of the Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971 (a);
- (b) the disposal of Co-Ownership's reversionary interest subject to the equity sharing lease in the land at a price calculated in accordance with the equity sharing lease relating to the land; and
- (c) the disposal of Co-Ownership's reversionary interest subject to the equity sharing lease in the land at a price calculated in accordance with the Master Mortgage Agreement or Side Agreement entered into by Co-Ownership with a lending institution relating to the equity sharing lease.

Notification of Disposals of Land other than to Tenants

4. Where a Registered Housing Association has disposed of land other than by sale to its tenant it must provide information to the Department as follows:

- (a) the name of the Registered Housing Association that has disposed of the land;
- (b) the address of the land that has been disposed of;
- (c) the month and year in which the land was constructed or, if appropriate, was purchased by the Registered Housing Association;
- (d) the market valuation of the land that has been disposed of;
- (e) the actual price the land was sold for;
- (f) an explanation if the actual price the land was sold for differs from the market valuation;
- (g) the date the disposal was completed; and
- (h) the reason for the disposal.

Notification of Historic Costs

5. Where a Registered Housing Association has confirmed that historic costs apply to the land that has been disposed of and those costs were incurred in the financial year in which the disposal occurred or in the previous 10 financial years, it must provide information to the Department as follows:

- (a) the Scheme Reference Number;
- (b) the total cost of the scheme;
- (c) the Capital Valuation of the scheme or acquisition;
- (d) details of improvements to the land costing £5000 or more; and
- (e) the historic cost of the land.

(a) 1971. c.7. (N.I.).

PART 3

Notification from Registered Housing Associations of Mortgages

Notification of Mortgages

6. Where a Registered Housing Association has completed a mortgage it must provide information to the Department as follows:

- (a) the name of the Registered Housing Association that has completed the mortgage;
- (b) confirmation that the land being secured is social housing, non-social housing or both;
- (c) the signed mortgage document detailing the land being mortgaged;
- (d) details of non-social housing activity if social housing is being used to provide security to finance that activity;
- (e) the name of the private finance provider;
- (f) the name of the charge holder;
- (g) the total finance facility made available by the private finance provider;
- (h) the total of the loans already drawn down from the finance facility;
- (i) the total amount available to be drawn down from the land; and
- (j) the facility agreement.

Sealed with the Official Seal of the Department of Communities on 30th June 2021
(L.S.)

Paul Price
A senior officer of the
Department for Communities

EXPLANATORY NOTE

(This note is not part of the Order)

These regulations prescribe the information which is to be provided to the Department by a Registered Housing Association which has disposed of or mortgaged any land as set out in the Housing (Amendment) Act (Northern Ireland) 2020.

Regulation 3 sets out an exception for the Northern Ireland Co-ownership Housing Association Limited in respect of equity sharing leases.

Regulation 5 prescribes the information which is to be provided by a Registered Housing Association when notifying the Department of historic cost.

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