
DRAFT STATUTORY INSTRUMENTS

2006 No. (N.I.)

NORTHERN IRELAND

The Private Tenancies (Northern Ireland) Order 2006

*Made - - - - 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

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

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”

CHAPTER II

CERTIFICATES OF FITNESS

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

Introductory

- 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

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

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
- 65. Information as to ownership of dwelling-houses

Notices, etc.

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

Offences

- 68. Prosecution of offences

General

- 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

SCHEDULES

SCHEDULE 1 — THE RENT OFFICER AND RENT ASSESSMENT COMMITTEES

The rent officer

- 1. – (1) The Department shall appoint a person to act...
- 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...

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...
- 2. Where, within the period specified in paragraph 1(1)(b), or such...
- 3. – (1) The rent officer shall submit to the rent...
- 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...
5. – (1) If as a result of the alteration of...
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 STATUTORY...
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...

The Housing (Northern Ireland) Order 1981 (NI 3)

8. In Article 41(3) (repair notices), after “Executive” insert “shall serve...

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