STATUTORY INSTRUMENTS

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.

- 4A Tenant to be given notice regarding certain matters: grant of tenancy
- 4B Tenant to be given notice regarding certain matters: variation of certain terms
- 4C Continued failure by landlord to provide notice under Article 4A or 4B after conviction or fixed penalty
 - 4. Tenant to be given notice regarding certain matters
- 5. Tenant to be provided with a rent receipt for payment in cash
- 5ZA Continued failure by landlord to provide rent receipt after conviction or fixed penalty
- 5ZB Controlled tenancies: defence to offences under Articles 5 and 5ZA

Limit on tenancy deposit amount

- 5ZC Tenancy deposit limit of 1 month's rent
- 5ZD Breach of tenancy deposit limit: recoverability of excess

Tenancy deposit schemes

5A Tenancy deposit schemes

5B	Requirements relating to tenancy deposits
	Rent decreases
5C	Rent decreases
	Rent increases
5D	
5E	Restriction on frequency of rent increases Requirement to give written notice of increase
	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
11A	Application of Articles 11B to 11F
11B 11C	Landlord's duties: fire, smoke and carbon monoxide alarms Tenant's duties: fire, smoke and carbon monoxide alarms
11D	Landlord's duties: private tenancy of part of a building
11E	General qualification on landlord's duties
11F	Knowledge of disrepair
	Energy efficiency
11G	Energy efficiency of dwelling-houses let under a private tenancy
11H	Private tenancy energy efficiency regulations: power to create offences
	Electrical safety standards
11I	Electrical safety standards for dwelling-houses let under a private tenancy
11J	Electrical safety standards regulations: power to create an offence
11K	Electrical safety standards regulations: other enforcement
	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: by landlords
14A	Length of notice to quit: by tenants

Introductory

PART III UNFITNESS AND DISREPAIR

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

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
- 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

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

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 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

Changes to legislation:
There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006.