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STATUTORY INSTRUMENTS

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**1978 No. 1050**

**Rent (Northern Ireland) Order 1978**

**PART IX**

**PROTECTION AGAINST HARASSMENT AND  
EVICTION WITHOUT DUE PROCESS OF LAW**

**Unlawful eviction and harassment of occupier**

**54.**—(1) If any person unlawfully deprives the tenant of a dwelling-house of his occupation of the dwelling-house or any part thereof or attempts to do so he shall be guilty of an offence unless he proves that he believed, and had reasonable cause to believe, that the tenant had ceased to reside in the dwelling-house.

(2) If any person with intent to cause the tenant of a dwelling-house—

- (a) to give up the occupation of the dwelling-house or any part thereof; or
- (b) to refrain from exercising any right or pursuing any remedy in respect of the dwelling-house or any part thereof;

does acts [<sup>F1</sup>likely] to interfere with the peace or comfort of the tenant or members of his household, or persistently withdraws or withholds services reasonably required for the occupation of the dwelling-house as a residence, he shall be guilty of an offence.

[<sup>F2</sup>(2A) Subject to paragraph (2B), the landlord of a dwelling-house or an agent of the landlord shall be guilty of an offence under this Order if—

- (a) he does acts likely to interfere with the peace and comfort of the tenant of the dwelling-house or members of his household, or
- (b) he persistently withdraws or withholds services reasonably required for the occupation of the dwelling-house as a residence,

and, (in either case) he knows, or has reasonable cause to believe, that the conduct is likely to cause the tenant to give up occupation of the whole or part of the premises or to refrain from exercising any right or pursuing any remedy in respect of the whole or part of the premises.

(2B) A person shall not be guilty of an offence under paragraph (2A) if he proves that he had reasonable grounds for doing the acts or withdrawing or withholding the services in question.]

(3) A person guilty of an offence under this Article shall be liable—

- (a) on summary conviction, to a fine not exceeding £1,000 or to imprisonment for a term not exceeding six months or to both; and
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both.

[<sup>F3</sup>(3A) Proceedings for an offence under this Article may be instituted by the district council in whose district the dwelling-house is situated.]

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**Changes to legislation:** There are currently no known outstanding effects for the Rent (Northern Ireland) Order 1978, Section 54. (See end of Document for details)

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(4) Nothing in this Article shall prejudice any liability or remedy to which a person guilty of an offence thereunder may be subject in civil proceedings.

- F1** Word in art. 54(2) substituted (1.4.2007) by Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)), arts. 1(3), **60(2)**; S.R. 2006/428, **art. 3(b)**
- F2** Art. 54(2A)(2B) inserted (1.4.2007) by Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)), arts. 1(3), **60(3)**; S.R. 2006/428, **art. 3(b)**
- F3** 1992 NI 15

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**Modifications etc. (not altering text)**

- C1** Arts. 54-58 excluded (17.9.2011) by Caravans Act (Northern Ireland) 2011 (c. 12), **ss. 14(3)**, 18

**Changes to legislation:**

There are currently no known outstanding effects for the Rent (Northern Ireland) Order 1978, Section 54.