
STATUTORY INSTRUMENTS

2003 No. 412

The Housing (Northern Ireland) Order 2003

PART II

CONDUCT OF TENANTS

CHAPTER II

INTRODUCTORY TENANCIES

Proceedings for possession

Effect of beginning proceedings for possession

12.—(1) This Article applies where the landlord has begun proceedings for the possession of a dwelling-house let under an introductory tenancy and—

- (a) the trial period ends, or
- (b) any of the events specified in Article 7(5) occurs (events on which a tenancy ceases to be an introductory tenancy).

(2) Subject to the following provisions, the tenancy remains an introductory tenancy until—

- (a) the tenancy comes to an end in pursuance of Article 9(3) (that is, on the date on which the tenant is to give up possession in pursuance of an order of the court), or
- (b) the proceedings are otherwise finally determined.

(3) If any of the events specified in Article 7(5)(b) to (d) occurs, the tenancy shall thereupon cease to be an introductory tenancy but—

- (a) the landlord (or, as the case may be, the new landlord) may continue the proceedings, and
- (b) if it (or he) does so, Article 9(2) and (3) (termination by the landlord) apply as if the tenancy had remained an introductory tenancy.

(4) Where in accordance with paragraph (3) a tenancy ceases to be an introductory tenancy and becomes a secure tenancy, the tenant is not entitled to purchase the dwelling-house under a house sales scheme unless and until the proceedings are finally determined on terms such that he is not required to give up possession of the dwelling-house.

In this paragraph “a house sales scheme” means any scheme for the time being approved by the Department under Article 3 or 3A of the Order of 1983 (see Article 131).

(5) For the purposes of this Article proceedings shall be treated as finally determined if they are withdrawn or any appeal is abandoned or the time for appealing expires without an appeal being brought.