
STATUTORY INSTRUMENTS

2003 No. 412

The Housing (Northern Ireland) Order 2003

PART III

GRANTS, &c. FOR RENEWAL OF PRIVATE SECTOR HOUSING

CHAPTER II

THE MAIN GRANTS

Common parts grants

Common parts grants: occupation of flats by occupying tenants

45.—(1) The Executive shall not entertain an application for a common parts grant unless it is satisfied that at the date of the application at least the required proportion of the flats in the building concerned is occupied by occupying tenants.

(2) In this Chapter an “occupying tenant”, in relation to a flat in a building, means a person who has in relation to the flat (alone or jointly with others)—

- (a) a protected tenancy,
- (b) a statutory tenancy, or
- (c) a tenancy or licence which satisfies such conditions as may be specified by order of the Department,

and who occupies the flat as his only or main residence.

References in this Chapter to other expressions relating to tenancies, in the context of an application for a common parts grant, shall be construed accordingly.

(3) The “required proportion” mentioned in paragraph (1) is three-quarters or such other proportion as may be—

- (a) specified for the purposes of this Article by an order of the Department, or
- (b) approved by the Department, in relation to a particular case or description of case, on application made by the Executive.