

# HOUSING (NORTHERN IRELAND) ORDER 2003

S.I. 2003 No. 412 (N.I. 2)

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## EXPLANATORY MEMORANDUM

### OVERVIEW

#### **PART IV: Miscellaneous amendments**

This Part carries miscellaneous amendments to the Rent (Northern Ireland) Order 1978; the Housing (Northern Ireland) Orders 1981, 1983, 1988 and 1992; and the Commissioner for Complaints (Northern Ireland) Order 1996.

#### ***Chapter I: Amendments to the Rent (Northern Ireland) Order 1978***

This Chapter transfers the Department's responsibility under the Rent (Northern Ireland) Order 1978 for maintaining a register of rents to the Executive. It also empowers district councils to institute proceedings against landlords and their agents who fail to provide a tenant with a proper rent book.

#### ***Chapter II: Amendments to the Housing (Northern Ireland) Order 1981***

This Chapter amends the definition of a "member of a person's family" to include persons living together as husband and wife; provides for the Executive to allocate accommodation only to "eligible persons"; and defines who may be treated as an eligible person.

The Chapter adds a new provision to the Housing (Northern Ireland) Order 1981 requiring the Executive to provide caravan sites for members of the Irish Traveller community. It also empowers the Executive to acquire land with a view to improving the amenity of a housing area; repeals spent provisions relating to previous home insulation grants; allows the Executive to dispose of a group of houses to another landlord where the majority of tenants agree to the disposal; increases from level 3 to level 4 on the standard scale the penalty for obstructing an officer in the performance of his duty; and amends the provisions relating to nomination by the Northern Ireland Housing Council of its members for membership of the Executive.

#### ***Chapter III: Amendments to the Housing (Northern Ireland) Order 1983***

Chapter III enables the Department to make a scheme providing for the sale or lease of RHA dwelling houses to secure tenants. It makes provision for the Executive to prepare schemes enabling secure tenants to be compensated for improvements that they have carried out to their property and entitling them to have qualifying repairs carried out at the Executive's expense. It also makes amendments relating to which tenancies are to be secure tenancies.

#### ***Chapter IV: Amendments to the Housing (Northern Ireland) Order 1988***

This Chapter amends the current legislation relating to homelessness and requires the Executive to provide a scheme for the payment of grants to tenants who are forced to leave their homes as a consequence of violence or intimidation.

#### ***Chapter V: Amendments to the Housing (Northern Ireland) Order 1992***

Chapter V makes amendments which allow the Department to dispose of its housing association loans portfolio; enable RHAs to increase rents on one occasion only during any financial year; remove a requirement to register certain land acquired by a RHA in the statutory charges register;

*This Explanatory Memorandum refers to the Housing  
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amend the repairs grants legislation; provide for a registration scheme for houses in multiple occupation; and enable RHAs to serve certain documents by ordinary rather than registered post.

***Chapter VI: Other amendments***

This Chapter provides for RHAs to be included in the list of bodies whose administrative functions are subject to investigation by the Commissioner for Complaints. It also provides for minor and consequential amendments.