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STATUTORY INSTRUMENTS

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**2006 No. 1459**

The Private Tenancies (Northern Ireland) Order 2006

**PART IV**

CERTIFICATES OF FITNESS AND RENT CONTROL

CHAPTER II

CERTIFICATES OF FITNESS

**Cessation of certificate of fitness**

- 38.**—(1) Subject to paragraph (2), a certificate of fitness ceases to have effect if—
- (a) a relevant notice is served in respect of a house which is or includes the dwelling-house in relation to which the relevant notice was issued, and
  - (b) the period within which an appeal may be brought against the relevant notice has expired.
- (2) Where an appeal is brought against a relevant notice, the certificate of fitness—
- (a) shall not cease to have effect until after the final determination of the appeal, and
  - (b) shall cease to have effect then only if the relevant notice is confirmed.
- (3) In this Article, “relevant notice” means a notice under—
- (a) Article 18 (notice of unfitness);
  - (b) Article 36(5) (notice of refusal); or
  - (c) Article 41 of the Housing (Northern Ireland) Order 1981 (NI 3) (repair notice).
- (4) A certificate of fitness does not cease to have effect because of the termination of the tenancy of the dwelling-house in respect of which the certificate of fitness was issued.

**Changes to legislation:**

There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, Section 38.