
STATUTORY INSTRUMENTS

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.