
STATUTORY INSTRUMENTS

2006 No. 1459

The Private Tenancies (Northern Ireland) Order 2006

PART II

OBLIGATIONS OF LANDLORDS AND TENANTS

^{F1}Rent decreases

Textual Amendments

- F1** Arts. 5C-5E and cross-heading inserted (28.4.2022 for specified purposes) by [Private Tenancies Act \(Northern Ireland\) 2022 \(c. 20\), ss. 7\(2\), 14\(2\)\(c\)](#)

Rent decreases

5C.—(1) This Article applies in relation to private tenancies.

(2) The Department may by regulations do either or both of the following regarding the rent payable under private tenancies in relation to which this Article applies—

- (a) provide that, for a prescribed period, the rent is, or may not exceed, a prescribed proportion of the rent that would be payable apart from the regulations;
 - (b) provide that, for a prescribed period, the rent is, or may not exceed, the rent that was payable on a prescribed date, or during an earlier prescribed period.
- (3) Regulations under paragraph (2) may not—
- (a) specify, for the purposes of sub-paragraph (a) of that paragraph, a proportion that is less than 90%;
 - (b) provide for any limitation, or any series of limitations, to last for longer than 4 years in relation to any particular tenancy.
- (4) Regulations under paragraph (2) may in particular—
- (a) provide for how the rent that would be payable apart from the regulations is to be determined;
 - (b) provide that—
 - (i) the prescribed date for the purposes of sub-paragraph (b) of that paragraph, or
 - (ii) the earlier prescribed period for those purposes,is a date, or a period, that falls before the date on which the Private Tenancies Act (Northern Ireland) 2022 was passed;
 - (c) provide for different limitations to apply to the same tenancy for different periods;
 - (d) provide for exceptions in relation to tenancies of prescribed descriptions, or make different provision in relation to tenancies of different descriptions;

- (e) make further or consequential provision in relation to the limitations, including provision amending any statutory provision (within the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954);
 - (f) make such other consequential, supplementary, transitory or transitional provision, or such savings, as the Department considers appropriate.
- (5) Tenancies may be described for the purposes of paragraph (4)(d) by reference to (among other things)—
- (a) the amount of rent payable under the tenancy;
 - (b) the area within which the dwelling-house in question is situated;
 - (c) whether the tenant is in receipt of housing benefit or any other benefit payable under a statutory provision (within the meaning given by section 1(f) of the Interpretation Act (Northern Ireland) 1954).
- (6) The Department must consult the following persons as to whether to exercise the powers conferred by paragraph (2)—
- (a) district councils,
 - (b) such persons as appear to it to be representative of landlords,
 - (c) such persons as appear to it to be representative of tenants, and
 - (d) such other persons as it considers appropriate (which may include landlords or tenants).
- (7) The Department must prepare a report on the consultation and—
- (a) lay the report before the Assembly, and
 - (b) publish it in such manner as the Department considers appropriate.
- (8) The Department must lay and publish the report under paragraph (7) before the end of the period of 6 months beginning with the day on which the Private Tenancies Act (Northern Ireland) 2022 receives Royal Assent.
- (9) If the Department does not make regulations under paragraph (2) before the end of the period of 12 months beginning with the date on which it lays the report under paragraph (7), this Article ceases to have effect at the end of that period.]

Changes to legislation:

There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, Cross Heading: Rent decreases.