

**2004 No. 192**

**LANDLORD AND TENANT**

**The Rent Book Regulations (Northern Ireland) 2004**

*Made* - - - - - *26th April 2004*

*Coming into operation* *1st June 2004*

The Department for Social Development(a), in exercise of powers conferred by Articles 38(2) and 74(1) of the Rent (Northern Ireland) Order 1978(b) and now exercisable by it(c), and of all other powers enabling it in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

**1.**—(1) These Regulations may be cited as the Rent Book Regulations (Northern Ireland) 2004 and shall come into operation on 1st June 2004.

(2) In these Regulations –

“the Order” means the Rent (Northern Ireland) Order 1978;

“protected shorthold tenancy” shall be construed in accordance with Article 92 of the Housing (Northern Ireland) Order 1983(d);

“uncontrolled tenancy” means a tenancy which is a private tenancy but which is neither a regulated tenancy nor a restricted tenancy;

“rent book” means a rent book provided in pursuance of Article 38(1) of the Order, and which is a written record of rent and other payments made in respect of a tenancy and a written statement of the main terms of the tenancy.

**Particulars to be contained in rent books**

**2.** A rent book shall contain the following particulars and information:

- (a) the address of the premises;
- (b) the name of the tenant;
- (c) the name, address and telephone number of the landlord;
- (d) the name, address and telephone number of the landlord’s agent (if any) and a description of the services provided on behalf of the landlord;
- (e) the rent payable and the period covered by each payment;
- (f) the Net Annual Value of the dwelling;
- (g) the rates payable by the tenant, in addition to rent, and the period covered by each payment;
- (h) the amount and purpose of any deposit payable (if applicable) and the conditions under which it will be repaid;

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(a) S.I. 1999/283 (N.I. 1), Article 3(1)  
(b) S.I. 1978/1050 (N.I. 20) as amended by S.I. 1983/1118 (N.I. 15) and S.I. 2003/412 (N.I. 2)  
(c) S.R. 1999 No. 481, Article 6(e) and Schedule 4 Part V  
(d) S.I. 1983/1118 (N.I. 115)

- (i) the amount and description of any other payment which the tenant is required to make in addition to rent and rates (for example, in respect of heating);
- (j) the tenancy commencement date;
- (k) the duration of the tenancy and the notice of termination which must be given by the landlord and tenant (which must be no less than 4 weeks);
- (l) the repairing obligations of both landlord and tenant;
- (m) the information referred to in regulation 3.

**Information required by regulation 2**

- 3.** The information referred to in regulation 2(m) is:
- (a) in the case of all private tenancies, as set out in Part I of the Schedule;
  - (b) in the case of premises let under a restricted tenancy, as set out in Part II of the Schedule;
  - (c) in the case of premises let under a regulated tenancy, as set out in Part III of the Schedule;
  - (d) in the case of premises let under a protected shorthold tenancy, as set out in Part IV of the Schedule;
  - (e) in the case of premises let under an uncontrolled tenancy, as set out in Part V of the Schedule.

**Revocation**

- 4.** The Rent Book Regulations (Northern Ireland) 1983(a) are hereby revoked.

Sealed with the Official Seal of the Department for Social Development on 26th April 2004.

(L.S.)

*D. M. Crothers*

A senior officer of the Department for Social Development

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(a) S.R. 1983 No. 267

## SCHEDULE

Regulation 3

### PART I

ADDITIONAL INFORMATION TO BE INCLUDED IN A RENT BOOK SUPPLIED IN CONNECTION WITH PREMISES  
LET UNDER A PRIVATE TENANCY

#### LEGAL RIGHTS OF ALL PRIVATE TENANTS

##### **Rent Book**

1. All private tenants have a legal right to a rent book which must be provided by the landlord free of charge. Your district council has powers to take legal action where this requirement is not complied with. The tenant must make the rent book available to the landlord (or agent) for updating.

##### **Notice to quit**

2. A notice to quit must give at least 4 weeks written notice of the date on which it is to take effect.

##### **Illegal eviction and harassment**

3. It is an offence for your landlord or anyone acting on his behalf to harass you or your household or illegally evict you. This could include interfering with your home or your possessions or cutting off services such as water or electricity with the intention of making you leave your home. Your district council has powers to take legal action should any of these occur.

##### **Security of tenure**

4. You cannot be evicted from your tenancy without a possession order issued by a Court of Law, although you may be liable for legal costs incurred if an order is issued.

##### **Help with payment of rent and rates**

5. You are entitled to apply for help with the payment of your rent and rates through Housing Benefit, which is a Social Security benefit paid by the Housing Executive. For further information contact your local Housing Executive office.

##### **Further advice**

6. If you would like advice or assistance with any problems you are having in relation to your tenancy contact either Housing Rights Service, telephone (028) 9024 5640, or Advice NI, who will give you details of your local advice centre, telephone (028) 9064 5919, or Citizens Advice Bureaux (see Phone Book for details). You can also contact a solicitor. Help with all or part of the costs of legal advice may be available under the Legal Aid scheme.

### PART II

ADDITIONAL INFORMATION TO BE INCLUDED IN A RENT BOOK SUPPLIED IN CONNECTION WITH PREMISES  
LET UNDER A RESTRICTED TENANCY

##### **General**

1. Your tenancy is known as a 'restricted tenancy' under the terms of the Rent (Northern Ireland) Order 1978. This means that your rent cannot be increased above the level payable in 1978. You may also be obliged to pay the annual rates on your tenancy. Your tenancy can continue for your lifetime except in certain limited circumstances. You may also be able to pass on your tenancy to another member of your family.

##### **Repairs**

2. Your landlord has very limited repairing obligations but you may be able to get help from your district council for some items of disrepair.

##### **Regulated Rent Certificate**

3. If your home meets the Fitness Standard your landlord can apply to your district council to have your tenancy approved as a regulated tenancy. This is likely to affect the amount of rent you have to pay but your right to remain in your home is unchanged.

## PART III

ADDITIONAL INFORMATION TO BE INCLUDED IN A RENT BOOK SUPPLIED IN CONNECTION WITH PREMISES  
LET UNDER A REGULATED TENANCY

### **General**

1. Your tenancy is known as a 'regulated tenancy' under the terms of the Rent (Northern Ireland) Order 1978. This means that your rent cannot be increased above the level payable in 1978 unless it has been registered with the Housing Executive. The rent payable is set using a formula provided in law. You may also be obliged to pay the annual rates on your tenancy. You can appeal the level of rent to an independent rent assessment committee in certain circumstances, for example, if your tenancy is in poor repair or if you have carried out significant repairs or improvements yourself. Your tenancy can continue for your lifetime except in certain limited circumstances. You may also be able to pass on your tenancy to another member of your family.

### **Repairs**

2. You and your landlord have repairing obligations that form part of your tenancy agreement. Unless your tenancy agreement states otherwise, your landlord is responsible for the exterior and structure of your home (including walls, roof, chimney, guttering, doors, windows etc.) and for installations which supply water, gas, electricity and sanitation (including baths, sinks, and WC's). You are responsible for the maintenance and decoration of the interior; all glass, including window glass; open fireplaces, including tiles; and for clearing blockages to sinks, drains, gutters etc. If you need to have repairs carried out you should contact your district council who will inspect your home and issue a Certificate of Disrepair, requiring either you or your landlord to carry out the necessary repair work.

### **Further information**

3. If you have queries regarding your rent, contact the Housing Executive, Private Sector Unit, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB, Tel (028) 9031 8773.

## PART IV

ADDITIONAL INFORMATION TO BE INCLUDED IN A RENT BOOK SUPPLIED IN CONNECTION WITH PREMISES  
LET UNDER A PROTECTED SHORTHOLD TENANCY

### **General**

1. Your tenancy is a protected shorthold tenancy, under the terms of the Housing (Northern Ireland) Order 1983. This is a form of protected tenancy where the initial term of the tenancy is limited to between 1 and 5 years. Your rent must be registered with the Housing Executive. You may also be obliged to pay the annual rates on your tenancy. You can ask an independent rent assessment committee to reassess your rent in certain circumstances, for example, if your tenancy is in poor repair or if you have carried out significant repairs or improvements yourself.

### **Repairs to registered restricted shorthold tenancies**

2. If your tenancy was previously let as a restricted tenancy your landlord has very limited repairing obligations but you can get help from your district council for some items of disrepair.

### **Regulated Rent Certificate**

3. If your home meets the Fitness Standard and is then inspected and approved by your district council, your landlord can apply to have your tenancy changed to a regulated shorthold tenancy. This is likely to affect the amount of rent you have to pay.

### **Repairs to registered regulated shorthold tenancies**

4. If your tenancy was previously let as a regulated tenancy, you and your landlord have repairing obligations that form part of your tenancy agreement. Unless your tenancy agreement states otherwise, your landlord is responsible for the exterior and structure of your home (including walls, roof, chimney, guttering, doors, windows etc.) and for installations which supply water, gas, electricity and sanitation (including baths, sinks, and WC's). You are responsible for the maintenance and decoration of the interior; all glass, including window glass; open fireplaces, including tiles; and for clearing blockages to sinks, drains, gutters etc. If you need to have repairs carried out you should contact your district council who will inspect your home and issue a Certificate of Disrepair, requiring either you or your landlord to carry out the necessary repair work.

**Further information**

5. If you have queries regarding your rent, contact the Housing Executive, Private Sector Unit, The Housing Centre, 2 Adelaide Street, Belfast BT2 8PB, Tel (028) 9031 8773.

**PART V**

ADDITIONAL INFORMATION TO BE INCLUDED IN A RENT BOOK SUPPLIED IN CONNECTION WITH PREMISES  
LET UNDER AN UNCONTROLLED TENANCY

**General**

1. Your tenancy is not a protected or statutory tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and is known as an 'uncontrolled tenancy'. You have the protection of the legal rights described in this rent book but other terms and conditions of your tenancy are a matter for agreement between you and your landlord.

**Repairs**

2. Responsibility to repair is determined by your tenancy agreement but you may be able to get help from your district council for some items of disrepair.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations.)*

Article 38 of the Rent (Northern Ireland) Order 1978 (rent books for private tenancies) requires the landlord of a private tenancy to provide the tenant with a rent book. Article 38(2) provides for a rent book to contain such particulars and information as may be prescribed.

Regulation 1 relates to citation, commencement and interpretation.

Regulations 2 and 3 set out the particulars and information to be contained in a rent book.

Regulation 4 revokes the Rent Book Regulations (Northern Ireland) 1983 (S.R. 1983 No. 267).

The Schedule sets out additional information to be contained in rent books depending on the nature of the tenancy.



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