
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 87

LANDLORD AND TENANT

The Tenancy Terms Regulations (Northern Ireland) 2007

Made - - - - 13th February 2007

Coming into operation 1st April 2007

The Department for Social Development makes the following Regulations, in exercise of the powers conferred on it by Articles 4(1) and 72(1) of The Private Tenancies (Northern Ireland) Order 2006(1):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as The Tenancy Terms Regulations (Northern Ireland) 2007 and shall come into operation on 1st April 2007.

(2) In these Regulations—

“the Order” means The Private Tenancies (Northern Ireland) Order 2006;

“rent book” means a rent book provided in pursuance of Article 5(1) of the Order;

“fit for human habitation” has the meaning assigned to it in Article 46 of The Housing (Northern Ireland) Order 1981(2).

2. A notice given under Article 4(1) of the Order shall contain the following particulars and information:—

- (i) the address of the dwelling-house;
- (ii) the name of the tenant(s);
- (iii) the name and address of the landlord;
- (iv) the contact phone number of the landlord;
- (v) the name and address of the landlord’s agent (if any) and a description of the services provided on behalf of the landlord;
- (vi) the contact phone number of the agent (if any);
- (vii) the emergency out of office hours telephone contact number for the landlord or agent (if any);
- (viii) the term of the tenancy (weekly, monthly, quarterly etc.);
- (ix) the tenancy commencement date;

(1) S.I.2006/1459 (N.I. 10)

(2) S.I. 1981/156 (N.I. 3) as amended by S.I. 1992/1725 (N.I. 15) Schedule 5

- (x) the duration of the tenancy and the termination date (if any);
- (xi) the notice of termination which must be given by the landlord and the tenant (except in the case of a fixed term tenancy);
- (xii) the rent payable, the dates on which this is due and the method of payment;
- (xiii) the amount of rates payable and a statement as to whether an amount in respect of rates is included in the rent figure, and if not whether the landlord or the tenant is responsible for the payment of rates;
- (xiv) the amount and purpose of any returnable or non returnable deposit payable and the conditions under which it will be repaid (if applicable);
- (xv) 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);
- (xvi) the repairing obligations of both the landlord and the tenant;
- (xvii) details of any other obligations on the landlord or tenant forming part of the tenancy agreement;
- (xviii) an inventory of any furniture or furnishings provided under the tenancy;
- (xix) the information set out in the Schedule.

Sealed with the Official Seal of the Department for Social Development on 13th February 2007.

D. M. Crothers
A senior officer of the
Department for Social Development

SCHEDULE

Regulation 2

Additional information to be included in every statement of tenancy terms supplied in connection with premises let under a private tenancy

General

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

Repairs

2. Your landlord is obliged to keep in repair all gas fittings, flues and installations. Your landlord must also provide you with a copy of the record of the required safety checks made in relation to gas appliances or flues, or, in certain circumstances, display prominently in the dwelling-house a copy of that record. Responsibility for other repairs is determined by your tenancy agreement but you can get help from the environmental health department of your local council for some items of disrepair.

Fitness for human habitation

3. A dwelling-house built before 6 November 1956 which is let under a private tenancy commencing after the introduction of the Order and which is not a prescribed dwelling-house and in respect of which there is no current certificate of fitness must be inspected by the district council to ascertain if it is fit for human habitation. Where a dwelling-house does not meet the fitness standard it is subject to rent control and an appropriate rent will be determined by the Rent Officer for Northern Ireland.

Rent Book

4. All private tenants have a legal right to a rent book. Your district council has powers to take legal action where this requirement is not complied with.

Notice to quit

5. 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

6. 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 local council has powers to take legal action should any of these occur.

Security of tenure

7. 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.

Rent and rates

8. 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. You may also be entitled

to rate relief or rates exemption. For further information contact your local Housing Executive office or the Rates Collection Agency.

Further information

9. If you would like independent advice or information on your rights and obligations you should contact a solicitor, or Housing Rights Service (telephone number (028) 90245640), or Advice NI, (telephone number (028) 90645919) which will be able to give you details of your local independent advice centre, or your local Citizens Advice Bureau (see the telephone directory for details).

EXPLANATORY NOTE

(This note is not part of the Regulations)

Article 4(1) of The Private Tenancies (Northern Ireland) Order 2006 (“the Order”) requires the landlord of a private tenancy commencing after the introduction of the Order to provide the tenant with a written statement of the main terms of the tenancy within 28 days of the commencement of the tenancy.

Regulation 1 relates to citation, commencement and interpretation.

Regulation 2 sets out the particulars and information to be contained in a statement of tenancy terms.