

2019 No. 36

HOUSES IN MULTIPLE OCCUPATION

The Houses in Multiple Occupation (Specified Educational Establishments) Regulations (Northern Ireland) 2019

Made - - - - - *7th March 2019*

Coming into operation - *1st April 2019*

The Department for Communities (a) in exercise of the powers conferred by Section 86 of and paragraph 5(2) to Schedule 1 to the Houses in Multiple Occupation Act (Northern Ireland) 2016 (b), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Houses in Multiple Occupation (Specified Educational Establishments) Regulations (Northern Ireland) 2019 and shall come into operation on 1st April 2019.

(2) In these Regulations:—

“the HMO Act” means the Houses in Multiple Occupation Act (Northern Ireland) 2016.

Educational establishments specified for the purposes of paragraph 5(1)(a) of Schedule 1 to the HMO Act

2. Education establishments specified for the purposes of paragraph 5(1)(a) of Schedule 1 to the HMO Act shall be:—

- (a) Queen’s University Belfast;
- (b) Ulster University;
- (c) Stranmillis University College;
- (d) St Mary’s University College;
- (e) Belfast Metropolitan College;
- (f) Northern Regional College;
- (g) North West Regional College;
- (h) Southern Regional College;
- (i) South Eastern Regional College;
- (j) South West College; and
- (k) College of Agriculture, Food and Rural Enterprise.

(a) 2016 c.5 (N.I.)
(b) 2016 c.22 (N.I.)

Educational establishments of a specified description for the purposes of paragraph 5(1)(a) of Schedule 1 to the HMO Act

3.—(1) Educational establishments of a specified description for the purposes of paragraph 5(1)(a) of Schedule 1 to the HMO Act shall be:—

- (a) any building occupied by students and solely managed by an educational establishment; or
- (b) any purpose built managed student accommodation that is run and managed by a private company for the sole use of full-time students of more than 15 occupants.

(2) Educational establishments of specified description shall be:—

- (a) signed up to and accepted by a recognised specified accreditation and remain within accreditation without any period of suspension; and
- (b) occupied solely or principally by persons who occupy them for the purpose of undertaking a full-time course of further or higher education.

(3) For the purposes of paragraph 5(1)(b) of Schedule 1, “managing and having control of” means that the educational establishment or person of a specified description carries the main responsibility for the repair and maintenance of the building and for the day to day landlord tenant relationship.

Specified description of a person for the purposes of paragraph 5(1)(b) of Schedule 1 to the HMO Act

4. The specified description of a person for the purposes of paragraph 5(1)(b) of Schedule 1 to the HMO Act shall be the person named in a nomination agreement contained in a recognised specified accreditation.

Recognised specified accreditations

5. The recognised specified accreditations shall be:—

- (a) the Universities UK / The Universities UK Code of Practice for University Managed Student Accommodation;
- (b) the Accreditation Network / Unipol Code of Standards for Larger Developments for Student Accommodation Managed and Controlled by Educational Establishments; or
- (c) any other accreditation approved by the Department for Communities.

Sealed with the Official Seal of the Department for Communities on 7 March 2019.
(L.S.)

David Polley
A senior officer of the
Department for Communities

EXPLANATORY NOTE

(This note is not part of the Order)

Schedule 1 to the Houses in Multiple Occupation Act (Northern Ireland) 2016 (“the HMO Act”) lists types of building that are not houses in multiple occupation (“HMOs”). For the purposes of the HMO Act, HMOs are defined in section 1 of the Act. Paragraph 5 of Schedule 1 to the HMO Act refers to any building which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full time course of further or higher education at a specified educational establishment, or at an educational establishment of a specified description, and where the person

managing or controlling the building is the education establishment in question, or a specified person, or a person of a specified description.

Where a building is managed or controlled by an educational establishment which is listed in these Regulations and that educational establishment is a member of a recognised specified accreditation referred to in Regulation 5, then that building is not an HMO for the purposes of the HMO Act.

A copy of the ANUK/UNIPOL Code of Standards for Larger Residential Developments for Student Accommodation Managed and Controlled by Educational Establishments dated 28th August 2008 can be obtained from the National Codes Administrator, 155-157 Woodhouse Lane, Leeds, LS2 3ED, by emailing NationalCodes@unipol.org.uk or online at www.nationalcode.org or www.anuk.org.uk.

A copy of Universities UK / Guild HE Code of Practice for the Management of Student Housing dated 17th August 2010 can be obtained from Universities UK, Woburn House, 20 Tavistock Square, London, WC1H 9HQ, by emailing info@universitiesuk.ac.uk or online at www.universitiesuk.ac.uk.

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