

2019 No. 38

HOUSES IN MULTIPLE OCCUPATION

**The Houses in Multiple Occupation (Notice of Application)
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 paragraphs 2(1) and (2) and 4(2) of Schedule 2 to the Houses in Multiple Occupation Act (Northern Ireland) 2016 (b), makes the following Regulations:

The Department has consulted with statutory consultees in accordance with section 86(5) of the Houses in Multiple Occupation Act (Northern Ireland) 2016.

Citation and commencement

1. These Regulations may be cited as the Houses in Multiple Occupation (Notice of Application) Regulations (Northern Ireland) 2019 and shall come into operation on 1 April 2019.

Notice of application

2. A person making an application (“applicant”) for a licence for a house in multiple occupation (HMO) shall, not later than 7 days beginning with the date of that application:-

- (a) cause notice of that application to be published at his own expense in one or more newspapers circulating in the locality of the HMO; and
- (b) supply a copy of each such notice to the council.

3. A notice of application published under Regulation 2 shall state:-

- (a) the name of the applicant;
- (b) the address of the HMO to which the notice relates;
- (c) the proposed occupancy level;
- (d) the council district in which the HMO is situated and to which the licence application will be submitted; and
- (e) the notice of a right to make representations about the application.

4. Where a notice of application for an HMO licence has been received, a council:-

- (a) shall publish such notice on its website; and
- (b) shall serve notice of application to any identified occupier on neighbouring land.

(a) see section 1(7) of the Departments Act (Northern Ireland) 2016 c.5 (N.I.)

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

Exclusion from requirement to publish notice

5. The council may exclude an applicant from the requirement to publish notice of an application if it is satisfied that publishing such a notice would be likely to jeopardise the safety or welfare of any persons or the security of any premises.

Representations in response to notice

6. Any person wishing to make representations in response to notice of an application for an HMO licence should do so in writing to the council, stating in general terms the nature of those representations, not later than 28 days beginning with the date on which the council publishes a notice under Regulation 4.

Consequences of failure to comply

7. Where a person fails to comply with the requirements of these Regulations the council shall cease to consider the application in question.

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

David Polley

A senior officer of the Department for Communities

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations make provision about the procedural requirements relating to an application for an HMO licence, in particular the requirements for the giving of notice of the making of applications for an HMO licence.

Regulations 2 and 3 describe the requirements for an applicant to publish a notice of application for an HMO licence. Regulation 4 requires the council to publish and serve the notice of application. Regulation 5 provides for the council to make exceptions from the requirement to publish the notice. Regulation 6 provides for representations to be made in response to the notice. Regulation 7 describes the consequences of failing to comply with the requirements of the regulations.

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