
DRAFT STATUTORY INSTRUMENTS

2003 No.

The Housing (Northern Ireland) Order 2003

PART II

CONDUCT OF TENANTS

CHAPTER II

INTRODUCTORY TENANCIES

Succession on death of tenant

Cases where the tenant is a successor

14.—(1) The tenant is himself a successor if—

- (a) the tenancy vested in him by virtue of Article 15 (succession to introductory tenancy),
- (b) he was a joint tenant and has become the sole tenant,
- (c) he became the tenant on the tenancy being assigned to him (but subject to paragraphs (2) and (3)), or
- (d) he became the tenant on the tenancy being vested in him on the death of the previous tenant.

(2) A tenant to whom the tenancy was assigned in pursuance of an order under—

- (a) Article 26 of the [Matrimonial Causes \(Northern Ireland\) Order 1978 \(NI 15\)](#) (property adjustment orders in connection with matrimonial proceedings),
- (b) Article 21 of the [Matrimonial and Family Proceedings \(Northern Ireland\) Order 1989 \(NI 4\)](#) (property adjustment orders after overseas divorce, &c.), or
- (c) Part II of Schedule 2 to the [Family Homes and Domestic Violence \(Northern Ireland\) Order 1998 \(NI 6\)](#) (orders transferring certain tenancies on divorce, etc. or on separation of cohabitants),

is a successor only if the other party to the marriage was a successor.

(3) Where within 6 months of the coming to an end of an introductory tenancy (“the former tenancy”) the tenant becomes a tenant under another introductory tenancy, and—

- (a) the tenant was a successor in relation to the former tenancy, and
- (b) under the other tenancy either the dwelling-house or the landlord, or both, are the same as under the former tenancy,

the tenant is also a successor in relation to the other tenancy unless the agreement creating that tenancy otherwise provides.