



2011 CHAPTER 22

Houses in multiple occupation

Houses in multiple occupation: evidence of family relationship

10.—(1) At the end of Article 75 of the [Housing \(Northern Ireland\) Order 1992 \(NI 15\)](#) (definition of house in multiple occupation) insert—

“(3) Where—

- (a) a house is occupied by more than 2 qualifying persons, and
- (b) the Executive reasonably believes that those persons are not all members of the same family,

the Executive may serve a notice under this paragraph complying with paragraphs (4) and (5).

(4) The notice may be served on—

- (a) the person having control of the house;
- (b) the person managing the house; or
- (c) the owner of the house.

(5) The notice shall—

- (a) state the Executive’s belief referred to in paragraph (3)(b) and the grounds for that belief,
- (b) inform the person on whom the notice is served that he may, within 56 days of the date of service of the notice or such longer period as the Executive may in any case determine, provide the Executive with evidence that all the qualifying persons occupying the house are members of the same family, and
- (c) inform the person of the effect of paragraphs (6) to (8).

- (6) Paragraph (7) applies if—
- (a) the Executive serves a notice under paragraph (3) in respect of a house; and
 - (b) either—
 - (i) no evidence is provided to the Executive as mentioned in paragraph (5)(b), or
 - (ii) any evidence so provided is in the opinion of the Executive insufficient to cause the Executive to change its belief.
- (7) Subject to paragraph (8), as from the expiry of the period mentioned in paragraph (5)(b) the house is to be treated as a house in multiple occupation for the purposes of this Part.
- (8) Paragraph (7) does not apply or (as the case may be) ceases to apply if—
- (a) the Executive ceases (for whatever reason) to hold the belief mentioned in paragraph (3)(b); or
 - (b) a court determines that the house is not a house in multiple occupation.”.