



# **Houses in Multiple Occupation Act (Northern Ireland) 2016**

## CHAPTER 22

### HOUSES IN MULTIPLE OCCUPATION ACT (NORTHERN IRELAND) 2016

#### PART 1

##### Meaning of “house in multiple occupation”

1. Meaning of “house in multiple occupation”
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3. Cases where person is treated as occupying accommodation as only or main residence
4. Persons who are members of the same household
5. Notice regarding evidence of household
6. Notice regarding continuation of occupation

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###### *Requirement for and issue of licences*

7. Requirement for HMOs to be licensed
8. Applications for HMO licence
9. Breach of planning control

**Changes to legislation:** There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016. (See end of Document for details)

10. Fit and proper persons
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14. Licence conditions

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SCHEDULES

SCHEDULE 1 — Buildings or parts of buildings which are not houses in multiple occupation

*Buildings (or parts) which are not houses in multiple occupation*

- 1. (1) The following paragraphs list buildings which are not houses...

*Buildings controlled or managed by public sector bodies etc.*

- 2. (1) A building where the person managing or having control...

*Establishments regulated by the Regulation and Quality Improvement Authority*

- 3. Any building where— (a) the person managing or having control...

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*Buildings regulated otherwise than under this Act*

4. Any building whose occupation is regulated otherwise than by or...

*Buildings occupied by students and managed by educational establishment*

5. (1) Any building— (a) which is occupied solely or principally...

*Buildings occupied by religious communities*

6. Any building which is occupied principally for the purposes of...

*Buildings occupied by members of the armed forces*

7. Any building which is owned by the Crown and occupied...

*Prisons, etc*

8. A prison, a young offenders centre, a juvenile justice centre...

*Buildings occupied by owners*

9. Any building which is occupied only by the following persons —...

SCHEDULE 2 — Applications for HMO licences: requirements and procedure

— CONTENT OF APPLICATION

1. (1) An application for an HMO licence must be in...

— PUBLICATION OF APPLICATION

*Regulations regarding notice of application*

2. (1) The Department must make regulations providing for the giving...

*Notice to statutory authorities*

3. The council must send a copy of any application for...

*Representations in response to notices*

4. (1) A representation made in response to a notice under...

— REFUSAL OF APPLICATION: BREACH OF PLANNING CONTROL

5. Paragraphs 6 and 7 apply where the council is not...

6. (1) The council must serve on the applicant a notice...

7. (1) This paragraph applies if, after the council has refused...  
— CONSIDERATION OF APPLICATION AND HEARINGS
8. Paragraphs 9 to 13 apply where the council does not...

*Notice of proposed decision*

9. (1) The council must serve a notice under this paragraph...

*Hearings*

10. (1) This paragraph applies if the council decides (whether on...

*Consideration of application*

11. In determining whether to grant the licence (and in what...

*Time limit for determining application*

12. (1) The council must decide whether to grant or refuse...

*Notice of determination*

13. (1) The council must serve notice of its decision on...  
— FALSE OR MISLEADING INFORMATION
14. (1) A person commits an offence if—

SCHEDULE 3 — Further provision about notices that specify works  
Part 1 — Provision applying to all notices that specify works

*Application of Part of Schedule*

1. This Part of this Schedule applies to—

*Listed buildings etc*

2. (1) In this paragraph “protected building” means a building—

*Extension of date for completion of works*

3. (1) The council may, in accordance with this paragraph, extend...

Part 2 — Failure to carry out works required by rectification notice or hazard notice

*Application of Part of Schedule*

4. This Part of this Schedule applies if the owner of...

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*Carrying out of work by council*

5. (1) The council may carry out any work required by...

*Vacation of land or premises to allow work to be carried out*

6. (1) Where the council— (a) is authorised by paragraph 5...

*Warrants requiring occupant to vacate land or premises*

7. (1) Where an occupant has not complied with a requirement...

*Unlawful occupation etc*

8. (1) A person commits an offence if the person—

*Recovery of expenses etc from owner*

9. (1) The council may recover from the owner of the...

*Recovery of expenses etc from other person benefiting from works*

10. (1) This paragraph applies if a court of summary jurisdiction...

SCHEDULE 4 — Variation and revocation of HMO licences: procedure

*Notice of proposal to vary or revoke*

1. (1) This paragraph applies where the council proposes to vary...

*Notice of proposal not to vary*

2. (1) This paragraph applies where the council proposes to refuse...

*Hearings*

3. (1) This paragraph applies if the council decides (whether on...

*Consideration of application*

4. In determining whether (and in what way) to vary a...

*Notice of determination*

5. (1) The council must serve on— (a) the owner,

*Effective date of decision*

6. A variation or revocation has effect from—

SCHEDULE 5 — Part 4 notices: further provision



## Part 1 — Service and date of effect of notices

### *Service of notices*

1. (1) If a council issues a Part 4 notice, the...

### *Operation of notices*

2. (1) A Part 4 notice becomes operative at the end...
3. If no appeal is made against a Part 4 notice,...

### Part 2 — Suspension of effect of notices

4. (1) A Part 4 notice (other than an emergency hazard...
5. (1) The council may at any time review a Part...

### Part 3 — Variation and revocation

### *Variation*

6. (1) The council may vary a Part 4 notice in...

### *Revocation*

7. (1) The council may, or must, revoke a Part 4...

## SCHEDULE 6 — Definitions for the purpose of section 73

### *Gangmasters*

1. (1) This paragraph applies for the purposes of section 73(2)(e)....

### *Utilities undertaker*

2. A “utilities undertaker” means any of the following—

### *Institution of further education*

3. “Institution of further education” has the meaning given by Article...

### *Higher education institution*

4. “Higher education institution” has the meaning given by Article 30...

### *Estate agency work*

5. “Estate agency work” has the meaning given by section 1...

### *Lettings agency work*

6. (1) “Lettings agency work” means things done by a person...

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### *Housing benefit*

7. “Housing benefit” means housing benefit provided by virtue of a...

#### SCHEDULE 7 — Consequential amendments

##### *Land Registration Act (Northern Ireland) 1970*

1. In Schedule 11 (matters which must be registered in the...

##### *Rates (Northern Ireland) Order 1977*

2. In Article 20(1B) (rating of owners instead of occupiers in...

##### *Housing (Northern Ireland) Order 1981*

3. (1) In Article 2(2), in the definition of “house in...

##### *Home Energy Conservation Act 1995*

4. In section 1(1), in the definition of “residential accommodation”, in...

##### *Housing (Northern Ireland) Order 2003*

5. In Article 2(2) (general interpretation), at the appropriate place insert—...
6. (1) In Article 28(1)— (a) in the definition of “house...

##### *Fire and Rescue Services (Northern Ireland) Order 2006*

7. In Article 52(1) (interpretation of Part 3), for “Article 75...

##### *Water and Sewerage Services (Northern Ireland) Order 2006*

8. In paragraph 2(2) of Schedule 2 (premises not to be...

#### SCHEDULE 8 — Repeals

**Changes to legislation:**

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