



2016 CHAPTER 22

**PART 4**

Standards of housing

CHAPTER 1

Overcrowding

*Overcrowding notices*

**Contents of overcrowding notice**

**45.—**(1) An overcrowding notice must state, in relation to each room in the HMO and in accordance with section 43—

- (a) what is the permitted number of persons for that room, or
- (b) that the room is unsuitable to be occupied as sleeping accommodation.

(2) An overcrowding notice must contain—

- (a) the requirement as to overcrowding generally (set out in section 46), or
- (b) the requirement not to permit new residents (set out in section 47).

(3) A council which has issued an overcrowding notice containing the requirement not to permit new residents may, at any time, withdraw that notice and issue instead an overcrowding notice containing the requirement as to overcrowding generally.

(4) If the permitted number for a licensed HMO (calculated in accordance with section 43(3)) is less than the number of persons authorised to occupy the HMO as specified in the licence, the overcrowding notice must state that the council proposes to vary the licence accordingly.

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**Changes to legislation:** *There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Section 45. (See end of Document for details)*

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(5) Schedule 4 (procedure for varying or revoking licences) does not apply to a proposal to vary a licence under subsection (4); but the proposal does not have effect unless and until the overcrowding notice becomes operative in accordance with paragraph 2 of Schedule 5.

(6) An overcrowding notice may state that its operation is suspended in accordance with paragraph 4 of Schedule 5.

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**Commencement Information**

**II** S. 45 in operation at 1.4.2019 by S.R. 2019/39, art. 2 (with art. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Houses in Multiple Occupation Act (Northern Ireland) 2016, Section 45.