

---

STATUTORY INSTRUMENTS

---

**1992 No. 1725**

**The Housing (Northern Ireland) Order 1992**

**PART III**

**GRANTS**

**CHAPTER I**

**GRANTS TOWARDS COST OF IMPROVEMENTS AND REPAIRS, ETC.**

*Preliminary conditions*

**Certificate as to future occupation, etc.**

**44.**—(1) Subject to paragraph (9) and Article 64, the Executive may not entertain an application for a renovation grant or a disabled facilities grant unless it is accompanied by a certificate falling within one of paragraphs (2) to (5) in respect to the dwelling, building or flat to which the application relates.

(2) A certificate under this paragraph (an “owner-occupation certificate”) certifies—

- (a) that the applicant has, or proposes to acquire, an owner’s interest in the dwelling or building; and
- (b) that he, or a member of his family, intends to live in the dwelling or, as the case may be, a flat in the building as his (or that member's) only or main residence for a period of not less than 12 months beginning on the certified date.

(3) A certificate under this paragraph (a “tenant’s certificate”) certifies—

- (a) that the applicant is a tenant of the dwelling who falls within paragraph (5) of Article 42 or that his application is a tenant’s application for a disabled facilities grant; and
- (b) that he or a member of his family intends to live in the dwelling or, as the case may be, a flat in the building as his (or that member's) only or main residence.

(4) A certificate under this paragraph (a “certificate of intended letting”) certifies that the applicant has or proposes to acquire an owner’s interest in the dwelling or building and intends to or already has let the dwelling or, as the case may be, one or more flats in the building as a residence—

- (a) to some one other than a member of his family; and
- (b) except where the tenancy relates to a disabled facilities grant, for a period of not less than 5 years beginning on the certified date.

(5) A certificate under this paragraph (a “special certificate”) certifies that the applicant has, or proposes to acquire, an owner’s interest in the dwelling or building and is an applicant of a class prescribed for the purposes of this Article.

(6) The Executive may not entertain a tenant’s application unless—

- (a) it is also accompanied by a certificate of intended letting made by the person who at the time of the application is the landlord under the tenancy; or

(b) the Executive considers it unreasonable in the circumstances to seek such a certificate.

(7) The Executive may not entertain an application for an HMO grant unless it is accompanied by a certificate that the applicant has or proposes to acquire an owner's interest in the house in question and intends—

(a) to license the use of part of it as a residence as mentioned in sub-paragraphs (a) and (b) of paragraph (4), or

(b) to let part of it as a residence as mentioned in those sub-paragraphs,

or has already so licensed or let part of it.

(8) The Executive may not entertain an application for a common parts grant unless it is accompanied by a certificate signed by the applicant or, as the case may be, by each of the applicants which—

(a) specifies the interest of the applicant or, as the case may be, each of the applicants in the building or in each flat in the building; and

(b) certifies that the required proportion, within the meaning of Article 43, of the flats in the building is occupied by occupying tenants.

(9) This Article does not apply to—

(a) an application for a grant by a religious denomination or body, or on behalf of a religious denomination or body by the trustees of the denomination or body; and

(b) an application for a grant made by a charity or on behalf of a charity by the trustees of the charity.