
STATUTORY INSTRUMENTS

1992 No. 1725

The Housing (Northern Ireland) Order 1992

PART VI

PRIVATE SECTOR TENANTS

Regulated tenancy standards

98.—(1) In Article 8 of the Rent (Northern Ireland) Order 1978(1) (restricted and regulated rent certificates), for paragraph (7) there shall be substituted the following paragraphs—

“(7) A dwelling-house satisfies the regulated tenancy standards if it is fit for human habitation.

(7A) Article 46 of the Housing (Northern Ireland) Order 1981 (standard of fitness for human habitation) shall apply for the purposes of paragraph (7) as if for any reference in that Article to the Executive there were substituted a reference to a district council.”

(2) Nothing in this Article shall affect the validity of a regulated rent certificate issued under Article 8 of the Rent (Northern Ireland) Order 1978(2) before the day of the coming into operation of this Article.

Department’s power to remove tenancies from register of rents

99. After Article 25 of the Rent (Northern Ireland) Order 1978 (register of rents) there shall be inserted the following Article—

“Removal of tenancies from the register

25A.—(1) Subject to the following provisions of this Article, where the rent payable for the tenancy of a dwelling-house is registered in the register of rents, the Department may, if it is satisfied that the dwelling-house has ceased to be let under a regulated or a restricted tenancy, remove any entry relating to the tenancy or the dwelling-house from the register.

(2) The Department shall give to any person appearing to it to have an interest in the dwelling-house, 14 days' notice of its intention to remove the entry from the register.

(3) For the purposes of paragraph (1) the Department may make such enquiries as it considers appropriate.”

Reduction of rent on failure to comply with certificate of disrepair

100. In Article 31 of the Rent (Northern Ireland) Order 1978 (application for determination of appropriate rent following change in condition of dwelling-houses, etc.), after paragraph (2) there shall be inserted the following paragraph—

(1) 1978 NI 20
(2) 1978 NI 20

“(2A) Where, by virtue of paragraph (2), there is a change of circumstances relating to a dwelling-house or tenancy, the appropriate rent for that dwelling-house shall be such amount as a rent assessment committee may determine, being an amount which is no less than the rent payable under the tenancy immediately before 1st October 1978.”

Service of documents under Rent (Northern Ireland) Order 1978

101. After Article 73 (service of notices on landlord’s agents) of the Rent (Northern Ireland) Order 1978(3) there shall be inserted the following Article—

“Method of serving certain documents

73A.—(1) Any document to be served under any of the following provisions of this Order, namely Articles 8, 9, 10, 25(6), 25A(2), 26(4), 46 and 73(2) and paragraph 2(1) of Schedule 6 may be served by being sent by ordinary post.

(2) In section 24(1) of the Interpretation Act (Northern Ireland) 1954 (service of documents), as it applies to the service by post of such a document, the word “registering” shall be omitted.”

Other amendments of Rent (Northern Ireland) Order 1978

102. The amendments to the Rent (Northern Ireland) Order 1978, which are set out in Schedule 7 shall have effect.