
STATUTORY INSTRUMENTS

2006 No. 1459

The Private Tenancies (Northern Ireland) Order 2006

PART IV

CERTIFICATES OF FITNESS AND RENT CONTROL

CHAPTER II

CERTIFICATES OF FITNESS

Landlord's application to have dwelling-house inspected

33.—(1) This Article applies to any dwelling-house—

- (a) which was constructed before 6th November 1956 or provided by conversion of a building that was constructed before that date,
- (b) which is not a prescribed dwelling-house, and
- (c) in respect of which no certificate of fitness is in effect.

(2) Where, on or after the commencement of this Order, any person intends to let under a private tenancy a dwelling-house to which this Article applies, he may apply to the appropriate district council to have the dwelling-house inspected, in order to determine whether it is fit for human habitation.

(3) Where,—

- (a) a private tenancy of a dwelling-house to which this Article applies is granted on or after the commencement of this Order, and
- (b) no application has been made under paragraph (2) in respect of that dwelling-house,

the landlord shall apply to the appropriate district council to have the dwelling-house inspected, in order to determine whether it is fit for human habitation.

(4) An application under paragraph (3) shall be made within 28 days after the date on which the tenancy is granted.

(5) A landlord under a private tenancy of a dwelling-house to which this Article applies, who fails within the period mentioned in paragraph (4) to comply with paragraph (3), shall be guilty of an offence under this Order.

(6) Where a dwelling-house to which this Article applies is let under a private tenancy, the landlord may apply at any time to the appropriate district council to have the dwelling-house inspected, in order to determine whether it is fit for human habitation.

(7) Paragraph (6) has effect whether the tenancy was granted before or after the commencement of this Order.