
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

Tenant's application to have dwelling-house inspected

35.—(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 a certificate of fitness is in effect.

(2) Where a dwelling-house to which this Article applies is let under a private tenancy, the tenant may apply at any time to the appropriate district council to have the dwelling-house inspected.

(3) An application under this Article shall be in such form and contain such information as may be prescribed.

(4) An application under this Article must state the name of the landlord, or his agent, under the tenancy to which the application relates.

(5) Before considering an application under this [F1 Article], the appropriate district council shall serve on the landlord, or his agent, a copy of the application and a notice in the prescribed form—

- (a) informing him that he may, within 28 days from the service of the notice or such other period as may be prescribed, make representations to the council as to whether or not the dwelling-house is fit for human habitation; and
- (b) containing such other information or explanation of the effect of a certificate of fitness or a notice of refusal as may be prescribed.

Textual Amendments

- F1** Word in [art. 35\(5\)](#) substituted (31.7.2010) by [Housing \(Amendment\) Act \(Northern Ireland\) 2010](#) (c. 9), [ss. 15, 19\(1\)](#); S.R. 2010/251, [art. 2](#)

Status:

Point in time view as at 31/07/2010.

Changes to legislation:

There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, Section 35.