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## STATUTORY INSTRUMENTS

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### 2006 No. 1459

#### The Private Tenancies (Northern Ireland) Order 2006

### PART IV

#### CERTIFICATES OF FITNESS AND RENT CONTROL

#### CHAPTER III

#### TENANCIES SUBJECT TO RENT CONTROL

##### *Introductory*

##### **Interpretation: Chapter III**

**39.** In this Chapter—

- “appropriate rent” means an appropriate rent for a rental period;
- “the appropriate standard of fitness” shall be construed in accordance with Article 40(3);
- “controlled tenancy” has the meaning given in Article 40(4);
- “the register of rents” means the register established under Article 46;
- “registered rent”, in relation to a controlled tenancy of a dwelling-house, means the rent entered in the register of rents as an appropriate rent under that tenancy;
- “rent assessment committee” means a committee constituted under Schedule 1;
- “the rent limit” means the rent limit under Article 48;
- “rental period” means a period in respect of which a payment of rent falls to be made.

##### **Tenancies subject to rent control**

**40.—**(1) A tenancy of a dwelling-house is subject to rent control if the tenancy is for the time being a protected tenancy or a statutory tenancy.

(2) A tenancy of a dwelling-house is subject to rent control if—

- (a) the tenancy—
  - (i) is not a protected tenancy or a statutory tenancy, but
  - (ii) is a private tenancy granted on or after the commencement of this Order; and
- (b) the dwelling-house—
  - (i) was constructed before 6th November 1956 or was provided by conversion of a building that was constructed before that date, and
  - (ii) does not meet the appropriate standard of fitness.

(3) A dwelling-house does not meet the appropriate standard of fitness unless—

- (a) it is a prescribed dwelling-house, or

- (b) a certificate of fitness is in effect in respect of it.
- (4) A tenancy which is subject to rent control is referred to in this Chapter as a “controlled tenancy”.

**Changes to legislation:**

There are currently no known outstanding effects for the The Private Tenancies (Northern Ireland) Order 2006, Cross Heading: Introductory.