
STATUTORY INSTRUMENTS

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”.