

**EXPLANATORY MEMORANDUM TO**  
**The Registered Rents (Increase) Order (Northern Ireland) 2019**

**SR 2019 No. 84**

**1. Introduction**

- 1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid in the Assembly Business Offices.
- 1.2. The Statutory Rule is made under Article 55(5) and (6) of the Private Tenancies (Northern Ireland) Order 2006 and is subject to the negative resolution procedure.

**2. Purpose**

- 2.1. The purpose of the Order is to allow for increases in rents of statutory and protected tenancies in those properties that meet the housing fitness standard. Rents entered on the register during 2nd April 2007 and 12 May 2019 will be entitled to be increased by 1.8 percent.

**3. Background**

- 3.1. It has been established practice that each year the Department for Communities in conjunction with the Rent Officer for Northern Ireland reviews the levels of rents entered on the rents register and makes an Order to allow an increase to take account of the cost of living. The amount of increase has traditionally been the same as that applied to Housing Executive rents. Due to the collapse of the assembly there has been no registered rent increase since August 2016. The Permanent Secretary has under the Northern Ireland (Executive Formation and Exercise of Functions) Act 2018 approved the recommendation of the Rent Officer of a 1.8 percent increase in line with CPI to those properties that meet the fitness standard.

**4. Consultation**

- 4.1. Consultation was not necessary as the power to review registered rents and to subsequently increase them is provided in the Private Tenancies (NI) Order 2006.

**5. Equality Impact**

- 5.1. Consideration was given to compliance with section 75 of the Northern Ireland Act 1998. The Order has no negative impact on any equality group and it is considered that an Equality Impact Assessment is not required.

**6. Regulatory Impact**

- 6.1. A regulatory impact assessment is not considered necessary because registered rents are being increased by in line with CPI of 1.8 percent plus.

**7. Financial Implications**

- 7.1. There are no financial implications

## **8. Section 24 of the Northern Ireland Act 1998**

- 8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the rule is not incompatible with any of the convention rights; is not incompatible with community law; does not discriminate against a person or class of person on the ground of religious belief or political opinion; and does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998

## **9. EU Implications**

- 9.1. Not applicable

## **10. Parity or Replicatory Measure**

- 10.1. There is no equivalent legislation in Great Britain as private tenancies are governed differently. There are therefore no parity or replicatory issues.

## **11. Additional Information**

- 11.1. Not applicable