STATUTORY RULES OF NORTHERN IRELAND

2007 No. 131

LANDLORD AND TENANT

The Private Tenancies (Forms etc.) Regulations (Northern Ireland) 2007

Made - - - -	*5th March 2007*
Coming into operation	*1st April 2007*

The Department for Social Development makes the following Regulations, in exercise of the powers conferred on it by Articles 34(1) and (3), 35(3) and (5), 45(2), 46(3), 49(2) and 72(1) of and paragraph 1(1) of Schedule 2 to the Private Tenancies (Northern Ireland) Order 2006(**1**):

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Private Tenancies (Forms Etc.) Regulations (Northern Ireland) 2007 and shall come into operation on 1st April 2007.

(2) In these Regulations:—

"appropriate rent" has the meaning assigned to it in Article 39 of the Order;

"controlled tenancy" has the meaning given in Article 40(4) of the Order;

"HMO grant" has the meaning assigned to it in Article 35(5) of the Housing (Northern Ireland) Order 2003(**2**);

"house in multiple occupation" has the meaning assigned to it in Part IV of the Housing (Northern Ireland) Order 1992(**3**);

"the Order" means the Private Tenancies (Northern Ireland) Order 2006;

"register" means the register of rents referred to in Article 46(1) of the Order;

"renovation grant" means a grant paid under Article 50 of the Housing (Northern Ireland) Order 1992, or paid or payable under Article 40 of the Housing (Northern Ireland) Order 2003.

Forms to be used

2. The forms set out in Schedule 2 (of which a list is set out in Schedule 1) shall be the forms to be used in the exercise of functions under the Order.

(**1**) S.I. 2006 /1459 (N.I. 10)
(**2**) S.I.2003/412 (N.I. 2)
(**3**) S.I. 1992/1725 (N.I. 15) as amended by S.I. 2003/412 (N.I. 2)

Particulars to be contained in the register of rents

3. The register shall contain the particulars with regard to a controlled tenancy which are set out in Schedule 3.

Revocation

4. The Rent (Forms etc.) Regulations (Northern Ireland) 1983(**4**) are hereby revoked.

Sealed with the Official Seal of the Department for Social Development on 5th March 2007.

D. M. Crothers
A senior officer of the
Department for Social Development

(**4**) S.R.1983 No. 266

SCHEDULE 1 Regulation 2

List of Forms

Form No.

1. Application to conduct an inspection for fitness (landlord application)
2. Application to conduct an inspection for fitness (tenant application)
3. Notice of application received to inspect a dwelling-house for fitness
4. Certificate of fitness
5. Notice of refusal of application for a certificate of fitness
6. Notification of registration of rent of a controlled tenancy
7. Application for further determination of rent
8. Notice by rent assessment committee requiring information

9a. and 9b. Notice of unfitness

10a. and 10b. Notice of disrepair

11. Notice of increase in rent of a controlled tenancy

SCHEDULE 2 Regulation 2

FORM 1

FORM 1

[*Insert name and address of district council*]

Application to Conduct an Inspection for Fitness (Landlord Application)

The Private Tenancies (Northern Ireland) Order 2006 Article 33

Please use BLOCK LETTERS, in black ink, and send the form to the District Council named above.

The Council will send a copy of this application form to the tenant. Please see the attached notes.

* **A fee of £50 must accompany this form.**

* **This application relates to a re-inspection. A fee of £100 must accompany this form.**

* **delete as appropriate**

1. Address of dwelling-house

This can be a house or flat

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2. Name of tenant

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3. Date the current tenancy commenced

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4. Rent payable ☐ weekly ☐ monthly ☐ other (please specify)

5. Name and address of landlord

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6. Name and address of landlord's agent (if any)

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7. Does the tenancy include property other than the dwelling-house?

For example, garage, or other separate buildings or land YES ☐ NO ☐

If "YES", give details

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8. Has a notice of refusal been issued in respect of this dwelling? (see note 6)

YES ☐ NO ☐ DON'T KNOW ☐

9. Description of dwelling-house

Tick which is applicable or provide details as appropriate

Year of construction

Pre 1945 ☐

1945-1956 ☐

Don't know ☐

House type

Terrace house ☐ Semi-detached house ☐ Detached house ☐

Flat in 2-storey block ☐ Other flat or maisonette ☐

Rooms

number of reception/living rooms _____

number of double bedrooms (minimum floor area 9.3m^2) _____

number of single bedrooms (minimum floor area 3.7m^2) _____

Heating

Full central heating (i.e. radiators in all rooms) ☐

Partial central heating (i.e. radiators in some rooms) ☐

Facilities *Insert "s" if shared with another household*

Fixed bath or shower ☐

WC inside ☐

WC outside only ☐

wash hand basin ☐

hot water supply ☐

piped cold water supply ☐

kitchen sink ☐

10. Is the property let furnished? YES ☐ NO ☐

11. Is the landlord responsible for repairs in accordance with Articles 7 and 9 of the Private Tenancies (Northern Ireland) Order 2006? (see note 7)

YES ☐ NO ☐

If no, please attach tenancy agreement

12. Have any improvements been carried out by the tenant or on the tenant's behalf (for example, installation of central heating, replacement of kitchen or bathroom fittings)?

YES ☐ NO ☐

If yes, please provide details

Signed .....

*LANDLORD/AGENT

*(delete as appropriate)

Date .....

NOTES

Fitness Inspections

(1) Article 36 of the Private Tenancies (Northern Ireland) Order 2006 states that a district council shall, if an application under Article 33 is made to it, inspect a dwelling-house let under a private tenancy, (certain dwelling-houses do not require a fitness inspection — see Note 3 below), with a view to deciding if it meets the fitness standard for human habitation. A dwelling-house can be a house or a flat.

Protected and statutory tenancies

(2) Protected and statutory tenancies are always subject to rent control. In the absence of a rent determination under the Private Tenancies (NI) Order 2006, the rent of a protected or statutory tenancy remains fixed at the level payable under the Rent (Northern Ireland) Order 1978.