1994 No. 156

HOUSING

Housing (Prescribed Forms) Regulations (Northern Ireland) 1994

Made	*15th April 1994*
Coming into operation . .	*20th June 1994*

The Department of the Environment, in exercise of the powers conferred on it by Article 162 of the Housing (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Housing (Prescribed Forms) Regulations (Northern Ireland) 1994 and shall come into operation on 20th June 1994.

Forms

2. The forms set out in Schedule 2 (of which a List is set out in Schedule 1) shall be used for the purposes of Chapter II of Part III of the Housing (Northern Ireland) Order 1981(**b**).

Revocation

3. The Regulations specified in Schedule 3 are hereby revoked.

Sealed with the Official Seal of the Department of the Environment on 15th April 1994.

(L.S.) *C. D. Doake*
Assistant Secretary

(**a**) S.I. 1981/156 (N.I. 3); *see* Art. 2(2) for the definition of "the Department"
(**b**) As substituted by Schedule 5 to the Housing (Northern Ireland) Order 1992 (S.I. 1992/1725 (N.I. 15))

List of Forms

Form No.

1. Notice requiring execution of works to render a house, a house in multiple occupation or flat fit for human habitation.

2. Notice requiring execution of works to part of a building to render a flat fit for human habitation.

3. Notice of intention to enter a house for the purpose of executing works.

4. Closing order.

5. Demolition order.

6. Notice requiring an occupier to quit premises after a demolition order has become operative.

7. Closing order in substitution for a demolition order.

8. Demolition order in substitution for a closing order.

9. Notice of intention to include a building in a clearance area.

10. Notice to be published of making of clearance order.

11. Notice to be served of making of clearance order.

12. Notice to be published of clearance order having been confirmed by the Department.

13. Notice to be served of clearance order having been confirmed by the Department.

14. Notice to occupier to quit building after clearance order has become operative.

SCHEDULE 2 Regulation 2

FORM 1

Housing (Northern Ireland) Order 1981

ARTICLE 41

NOTICE TO EXECUTE REPAIRS TO AN UNFIT [HOUSE] [HOUSE IN MULTIPLE OCCUPATION] [FLAT]

To of

1. You are the person [owning] [managing] the [house] [house in multiple occupation] [flat] known as

("the premises").

2. The Executive is satisfied that the premises are unfit for human habitation as described in Schedule 1 to this notice.

3. The Executive having had regard to the guidance given by the Department under Article 46A of the Housing (Northern Ireland) Order 1981 is satisfied that the most satisfactory course of action in respect of the premises is the service of a repair notice under Article 41(1) of the Order.

4. In the opinion of the Executive the works specified in Schedule 2 to this notice ("the works") [when taken together with works proposed to be carried out under a group repair scheme] will make the premises fit for human habitation.

5. Under Article 41(1) of the Order the Executive requires you to carry out the works and to begin them no later than the day of 19 and to complete them within the period of of that date.

SCHEDULE 1

In the opinion of the Executive the premises fail to meet the following requirement(s) of Article 46(1) of the Housing (Northern Ireland) Order 1981—

and, by reason of that failure, the premises are not reasonably suitable for occupation.

SCHEDULE 2

Specification of works to be carried out

[Date and signature]

NOTES

(as set out after Form 2 below)

FORM 2

Housing (Northern Ireland) Order 1981

ARTICLE 41(2)

NOTICE TO EXECUTE REPAIRS TO A PART OF A BUILDING CONTAINING AN UNFIT FLAT

To of

1. You are the person owning the premises [known as] [comprising]

("the premises").

2. The premises are a part of the building containing the flat ("the flat") known as which is outside the flat.

3. The Executive is satisfied that the flat is unfit for human habitation as described in Schedule 1 to this notice.

4. The Executive having had regard to the guidance given by the Department under Article 46A of the Housing (Northern Ireland) Order 1981, is satisfied that the most satisfactory course of action in respect of the flat is the service of a repair notice in respect of the premises under Article 41(2) of the Order.

5. In the opinion of the Executive the works specified in Schedule 2 to this notice ("the works") [together with the additional works specified in the repair notice served under Article 41(1) of the Order on of

]

will make the flat fit for human habitation [when taken together with works proposed to be carried out under a group repair scheme].

6. Under Article 41(1) of the Order the Executive requires you to carry out the works and to begin them not later than the day of 19 and to complete them within the period of of that date.

SCHEDULE 1

In the opinion of the Executive [the flat fails to meet the following requirement(s) of Article 46(1) of the Housing (Northern Ireland) Order 1981—

]

[and] [the building containing the flat] [the premises] fail(s) to meet the following requirements of Article 46(2) of the Housing (Northern Ireland) Order 1981—

]

and by reason of that failure, the flat is not reasonably suitable for occupation.

SCHEDULE 2

Specification of works to be carried out

[Date and signature]

NOTES TO FORMS 1 AND 2

(Statutory references, unless otherwise stated, are to Chapter II of Part III of the Housing (Northern Ireland) Order 1981 as substituted by Schedule 5 to the Housing (Northern Ireland) Order 1992).

[House in Multiple Occupation

A house in multiple occupation is a house (including any part of a building, such as a flat, which was originally constructed or subsequently adapted for occupation by a single household) which is occupied by persons who do not form a single household. [A part of a building which constitutes a flat in multiple occupation is referred to as a house in multiple occupation.]

(Article 75, Housing (Northern Ireland) Order 1992)]*

* Include this note, as appropriate, only where the notice relates to a house in multiple occupation.

[Group Repair Scheme

The Executive has decided that within the next 12 months the premises to which this notice relates should form part of a group repair scheme under Articles 65 to 68 of the Housing (Northern Ireland) Order 1992. This is a scheme under which the outside of a block of at least 4 houses is put into reasonable repair by the Executive but with the owner paying part or all of the cost. The owner's consent is needed for inclusion of the premises in a scheme. The Executive will provide you with full details of the scheme in due course. If, for whatever reason, the premises do not eventually form part of a group repair scheme the Executive may need to serve a further repair notice, requiring you to carry out the works of repair which would have been carried out under the scheme.

(Article 41A)]**

** Include this note only where Article 41A applies.

Right of Appeal

If you do not agree with this notice you may appeal against it to the county court but you must do this within 21 days after this notice is served on you.

(Article 43)

For example, you may appeal if you think that making a demolition order under Article 35 (which would require the premises to be pulled down) or a closing order under Article 38 (which would prevent the premises being used for human habitation) is the most satisfactory course of action in respect of the premises. If you do so appeal,