1993 No. 38

HOUSING

Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1993

Made . . . . . *5th February 1993*
Coming into operation . . *15th March 1993*

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The Department of the Environment in exercise of the powers conferred upon it by Article 78 of the Housing (Northern Ireland) Order 1992(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

PART I

PRELIMINARY

Citation and commencement

1. These Regulations may be cited as the Housing (Management of Houses in Multiple Occupation) Regulations (Northern Ireland) 1993 and shall come into operation on 15th March 1993.

Interpretation

2.—(1) In these Regulations—

"house" means a house in multiple occupation;

"manager", in relation to a house,—

(i) means the person who, being an owner or lessee of the house, receives rents directly or through an agent or trustee, and

(ii) includes, where those rents are received through another person as agent or trustee, that other person;

"rents" means rents or other payments from tenants of parts of a house, or from lodgers therein and where rents are paid on behalf of any person they shall be treated as rents paid by that person; and "the rents", in relation to a person who is an owner or lessee of a house or an agent or trustee through whom rents are received, means such rents or other payments as are received by or through that person;

"resident" means a tenant or lodger and any other person living in a house; and

"staircase" includes any landing.

(2) In these Regulations—

(*a*) references to a lessee of a house include references to a person holding the interest of lessee under a sub-lease of the house or a tenant or sub-tenant of the house or a person having an estate in the house under an agreement for a lease, sub-lease or tenancy and a person who retains possession of the house by virtue of the Rent (Northern Ireland) Order 1978(**b**) and not as being entitled to any tenancy;

(**a**) S.I. 1992/1725 (N.I. 15); *see* Article 2(2) for the definition of "the Department"
(**b**) S.I. 1978/1050 (N.I. 20)

(*b*) references to a person having an estate in a house include references to a person who retains possession of the house by virtue of the Rent (Northern Ireland) Order 1978 as aforesaid.

(3) Any requirement of these Regulations with respect to repair shall be construed as requiring a standard of repair that is reasonable in all the circumstances; and, in determining the appropriate standard for a room in, or any part of, a house, regard shall be had to the age, character and prospective life of the house and the locality in which it is situated.

PART II

DUTIES OF MANAGEMENT

General

3. Nothing in these Regulations shall—

(*a*) be taken to require or authorise anything to be done in connection with water supply, drainage, or the supply of gas or electricity otherwise than in accordance with any enactment, or to oblige the manager to take, in connection with those matters, any action which is the responsibility of a government department, district council, statutory undertaker or any other person, other than such action as may be necessary to bring the matter promptly to the attention of the government department, district council, statutory undertaker or person concerned; or

(*b*) oblige the manager to repair, put or keep in repair or maintain anything which a resident is entitled to remove from the house.

Water supply and drainage

4.—(1) The manager shall ensure that all means of water supply and drainage in the house (including the curtilage, if any) are in and are maintained in repair, a clean condition and good order (including, where appropriate, proper working order), and shall, in particular, ensure that the water pipes and fittings within the curtilage of the house shall comply with the Water Regulations (Northern Ireland) 1991(**a**).

(2) The manager shall not unreasonably cause a supply of water to any resident in the house to be interrupted.

Supply of gas and electricity

5. The manager shall not unreasonably cause a supply of gas or electricity to any resident in the house to be interrupted.

Parts of the house in common use

6.—(1) The manager shall ensure that all parts of the house in common use are in and are maintained in repair (including, where appropriate, decorative repair), a clean condition and good order.

(a) S.R. 1991 No. 50

(2) The manager shall also ensure that such parts of the house in common use as comprise staircases, passageways, corridors, halls, lobbies, balconies and entrances (including entrance doors, porches and steps) are kept reasonably free from obstruction.

(3) The manager's duties as respects the parts of the house mentioned in paragraph (2) shall, without prejudice to the generality of paragraph (1), include the duty to ensure that all handrails and banisters are kept in good order and repair, that any missing handrails and (in so far as considerations of safety may require) banisters are replaced, that such additional handrails and banisters as are necessary for the safety of residents are provided and that any staircoverings provided are safe and safely fixed.

(4) This regulation shall extend to any staircase, passageway or corridor which gives access to the living accommodation of a resident and which, though not itself in common use, opens directly on to a part of the house in common use from which it is not separated by a door.

Installations in common use

7.—(1) The manager shall ensure that the following installations in common use, or which serve any part of the house in common use, are in and are maintained in repair, a clean condition and good order (including, where appropriate, proper working order)—

(*a*) installations for the supply of gas and electricity, for lighting and for space heating or heating water;

(*b*) sanitary conveniences, baths, sinks, washbasins and installations for cooking or storing food;

(*c*) receptacles or other installations provided in connection with the delivery to the house of postal packets, within the meaning of the Post Office Act 1953(**a**);

(*d*) other installations (if any) in a kitchen, bathroom, lavatory or washroom which are not subject to any of the foregoing provisions of these Regulations.

(2) The manager shall ensure that installations for lighting serving any part of the house in common use are readily available for use by residents to such extent and at such times as they may reasonably require.

(3) This regulation shall extend to installations for lighting on staircases and at entrances to the house which are used by residents, whether in common or otherwise, except any staircase which is comprised in a resident's living accommodation which either does not open directly on to a part of the house in common use or is separated from such part by a door.

Living accommodation

8.—(1) The manager shall ensure that—

(*a*) the internal structure of any part of the house occupied by a resident as his living accommodation is in and is maintained in repair; and

(**a**) 1953 c. 36