1978 No. 260

LANDLORD AND TENANT

The Rent (Forms) Regulations (Northern Ireland) 1978

Made . . . . . *6th September* 1978

Coming into operation . . . *1st October* 1978

The Department of the Environment, in exercise of the powers conferred on it by Article 74(1) of the Rent (Northern Ireland) Order 1978(a) and of all other powers enabling it in that behalf hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Rent (Forms) Regulations (Northern Ireland) 1978 and shall come into operation on 1st October, 1978.

Interpretation

2. In these regulations:—

"the Order" means the Rent (Northern Ireland) Order 1978;

"register" means the register of rents referred to in Article 25(1) of the Order.

Forms to be used

3. 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.

Particulars to be contained in register of rents

4. The register shall contain the particulars with regard to a regulated tenancy or a restricted tenancy which are set out in Schedule 3.

Fee for certified copy of entry in register of rents

5. The fee to be paid under Article 25(8) of the Order for a certified copy of an entry in the register shall be 15p.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 6th September 1978.

(L.S.)

R. B. Spence
Assistant Secretary

(a) S.I. 1978/1050 (N.I. 20)

SCHEDULE 1

List of Forms

Form No.

1. Notice of application to a district council to determine whether a house meets the regulated tenancy standards.
2. Regulated rent certificate.
3. Restricted rent certificate.
4. Refusal of application for regulated rent certificate.
5. Application for registration of rent of a regulated tenancy.
6. Application for registration of rent of a restricted tenancy.
7. Notification of registration of rent of a regulated tenancy.
8. Notification of registration of rent of a restricted tenancy.
9. Notice of increase in rent of a regulated tenancy.
10. Certificate of disrepair.
11. Notice by rent assessment committee requiring information to be given.

SCHEDULE 2 Article 10(2)

FORM 1

(i) ..... COUNCIL

(ii) .....

NOTICE OF APPLICATION TO A DISTRICT COUNCIL TO ASCERTAIN WHETHER A HOUSE MEETS THE REGULATED TENANCY STANDARDS RENT (NORTHERN IRELAND) ORDER 1978

TO (iii) ....

1. Take notice that (i) ..... Council has received an application to ascertain whether the dwelling house at (iv) .... meets the regulated tenancy standards (See Note 4)).

2. A copy of the application is enclosed.

3. You may, within 28 days from the service of this notice, make representations to the council as to whether or not the dwelling house meets the regulated tenancy standards.

4. You should read the notes below which explain the regulated tenancy standards and the effect they have on your rent.

Dated this day of 19 .

.....
For and on behalf of the Council

(i) Insert name of council.

(ii) Insert address of council.

(iii) Insert name and address of landlord (or agent) or tenant as appropriate.

(iv) Insert address.

NOTES

(1) Article 8(1) of the Rent (Northern Ireland) Order 1978 provides that a district council shall if an application in that behalf is made to it not later than 30th September, 1979, by a landlord or tenant of a dwelling house let on a regulated tenancy, cause that house to be inspected with a view to ascertaining whether it meets the regulated tenancy standards.

(2) Article 9(1) of the Rent (Northern Ireland) Order 1978 provides that a district council shall if an application is made to it in that behalf at any time by the landlord under a restricted tenancy, cause the dwelling house in which the tenancy subsists to be inspected with a view to ascertaining whether it meets the regulated tenancy standards.

(3) Articles 8(2) and 9(2) provide that where on an application under Article 8(1) or Article 9(1) the council is satisfied that a dwelling house meets the regulated tenancy standards it shall issue a certificate to that effect.

(4) The council will issue a regulated rent certificate if it is satisfied that the house meets the regulated tenancy standards. A house satisfies the regulated tenancy standards if:—

(*a*) it is structurally stable;

(*b*) it is substantially free from damp;

(*c*) it has satisfactory provision for natural lighting and for ventilation;

(*d*) it has an adequate piped supply of wholesome water available within the dwelling-house;

(*e*) it has a water closet available for the exclusive use of the occupants of the dwelling-house;

(*f*) it has an effective system for the drainage and disposal of foul and surface water;

(*g*) it has satisfactory facilities for the storage and preparation of food within the house;

(*h*) its internal arrangement is satisfactory;

(*i*) it has a hot water supply at a sink within the dwelling-house;

(*j*) it is in such a state of repair as to render it reasonably suitable for occupation.

(5) The council will issue a restricted rent certificate if it is satisfied that the house does not meet the regulated tenancy standards.

(6) If a restricted rent certificate is issued in respect of your house, the rent will be restricted to what was legally chargeable immediately before 1st October 1978. The landlord or the tenant may apply to have this rent registered by the Department of the Environment.

(7) If a regulated rent certificate is issued, the landlord or the tenant may apply to the Department of the Environment to register a new rent.

(8) The registered annual rent would be 2½ times the net annual value of the house (subject to a maximum of £8 per week) but if the landlord or the tenant is of the opinion it is not the appropriate rent he may apply to a rent assessment committee. A full explanation of that procedure is included in the notice of registration issued by the Department.

FORM 2 Article 8(2)(*b*)

(*a*) ..... COUNCIL

REGULATED RENT CERTIFICATE

The Rent (Northern Ireland) Order 1978

House at .....

The ..... Council in accordance with Article (*a*)[8][9] of the Rent (Northern Ireland) Order 1978 having caused the above dwelling house to be inspected, hereby certifies that it is satisfied it meets the regulated tenancy standards.

If a restricted rent certificate has previously been issued in respect of the above house it shall cease to have effect as from the date of issue of this regulated rent certificate.

Dated this day of 19 .

Address of Council .....

....

..... For and on behalf of the Council

(*a*) Delete as appropriate.

NOTES

RENT

1. Where a regulated tenancy certificate is issued the landlord or the tenant may apply to the Department of the Environment, Stormont, Belfast 4, to have the rent registered by the Department.

2. Where a regulated rent certificate is issued in respect of a house the rent chargeable is limited to the greater of the following:—

(*a*) the rent registered by the Department of the Environment under Article 25 of the Rent (Northern Ireland) Order 1978, i.e., 2½ times the net annual value of the house subject to a maximum of £8 per week or, if an appeal is made to a rent assessment committee, the appropriate rent fixed by that committee;

(*b*) the rent payable immediately before 1st October 1978 if the tenancy existed on that date.

APPEAL

3. A tenant on whom a copy of a regulated rent certificate is served may appeal to the county court within 28 days after the service of the copy or such longer period as the court may allow.