

PROTECTED AND STATUTORY TENANCIES

INFORMATION ON DIRECT APPLICATIONS TO THE RENT OFFICER FOR NORTHERN IRELAND

The Private Tenancies (Northern Ireland) Order 2006 comes into force on 1 April 2007. One important change will be the introduction of a new method of determining controlled rents. The fitness status of a tenancy will have a significant impact on the amount of rent which can be charged.

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From 1 April 2007 former regulated and restricted tenancies will be treated in the same way: both will be known as protected and statutory tenancies and will remain subject to rent control. Unless an application is made to the Rent Officer to have a rent determined under the new rules, the rent of a protected or statutory tenancy remains fixed at the level currently payable under the Rent (Northern Ireland) Order 1978. This is either:

- the rent currently registered with the Northern Ireland Housing Executive
- or
- £1 per week, if no rent is registered.

THE FITNESS STANDARD FOR HUMAN HABITATION

The district council will inspect a dwelling if it receives a completed application form from the landlord. It is entitled to charge a fee for this service. It will then issue a certificate of fitness if it is satisfied that the dwelling meets the fitness standard for human habitation as set out in Article 46 of the Housing (NI) Order 1981. A dwelling meets this standard if:–

- it is structurally stable
- it is free from serious disrepair
- it is free from dampness prejudicial to the health of the occupants
- it has adequate provision for lighting, heating and ventilation
- it has an adequate piped supply of wholesome water
- there are satisfactory facilities in the house for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water
- it has a suitably located water-closet for the exclusive use of the occupants
- it has, for the exclusive use of the occupants, a suitably located fixed bath or shower and wash-hand basin, each of which is provided with a satisfactory supply of hot and cold water, and
- it has an effective system for the draining of foul, waste and surface water.

PROPERTIES ASSUMED TO MEET THE FITNESS STANDARD

When an application is made to the Rent Officer, a rent will be determined taking into account a number of factors, including the fitness status of the property. Some properties are assumed to meet the fitness standard. These are:

- any property built after 1 January 1945. Please note this date relates to the date of construction of the building and not the date of any subsequent conversion, for example, into flats.
- any property 'deemed fit' because:
 - a Regulated Rent Certificate was issued within the previous 10 years
 - a Renovation Grant was paid within the previous 10 years
 - an HMO grant was paid within the previous 10 years
 - it is currently registered with the Housing Executive as a House in Multiple Occupation

ANY DWELLING WHICH DOES NOT COME UNDER ONE OF THESE CATEGORIES WILL BE ASSUMED NOT TO MEET THE FITNESS STANDARD UNLESS A CERTIFICATE OF FITNESS IS ISSUED BY THE DISTRICT COUNCIL. THIS WILL AFFECT THE RENT DETERMINED BY THE RENT OFFICER.

WHAT TO DO NOW

- If the property is 'deemed fit', apply directly to the Rent Officer, using the attached form, for a new rent determination. You will be able to download further application forms from www.rentofficer-ni.gov.uk
- If the property requires a fitness inspection, contact your district council to obtain an application form.
- If the property is not 'deemed fit' (see above) and an application is made to the rent officer, it will be assumed that the property is unfit and the rent will be determined on this basis.

FURTHER INFORMATION

A range of information booklets on all aspects of the new legislation, the role of district councils and the rent officer is available for downloading from the DSD website and from the Rent Officer's website www.rentofficer-ni.gov.uk.

RENT OFFICER FOR NORTHERN IRELAND
PROTECTED AND STATUTORY TENANCIES ONLY
DIRECT REGISTRATION FORM

Please complete as appropriate. All fields marked * must be completed. Failure to do so will result in your application being returned to you. Please read all the attached notes

Please complete in BLOCK CAPITALS

For Office Use Only UPRN Reference _____

Tenant(s) Details

*Title _____ * First Name: _____ *Surname: _____

*Title _____ * First Name: _____ *Surname: _____

Tel No: _____ Fax: _____

Mobile: _____ Email: _____

Address of Tenancy

*No: _____ *Postcode: _____

Sub Building: _____ Building Name: _____

*Street: _____ Primary Locality: _____

Townland: _____ *City/Town: _____

County: _____

*District Council _____

NIHE District Office _____

Landlord Name

*Title _____ * First Name: _____ *Surname: _____

Landlord Address

*No: _____ *Postcode: _____

Sub Building: _____ Building Name: _____

*Street: _____ *City/Town: _____

*Tel No: _____ Fax: _____

Mobile: _____ Email: _____

Landlord's Agent **(if applicable)*

*Title _____ * First Name: _____ *Surname: _____
Company Name _____

Agent Address

*No: _____ *Postcode: _____
Sub Building: _____ Building Name: _____
*Street: _____ *City/Town: _____
*Tel No: _____ Fax: _____
Mobile: _____ Email: _____

PROPERTY INFORMATION

Tenancy Details

*Rent Frequency: Weekly
 Monthly
 Quarterly
 Other *(please specify)* _____

*General Condition Good
 Fair
 Poor

Property Characteristics (See Note 1 attached)

*House Type: Detached *Age: Pre 1945
 Semi-detached Pre 1945 Rehabilitated
 Terrace Post 1945
 Flat in 2-Storey block Post 1945 Rehabilitated
 Other Flat

*Number of Reception Rooms _____
*Number of Single Bed Rooms *Minimum size 40 sq ft or 3.7 sq m (1 bedspace)* _____
*Number of Double Bed Rooms *Minimum size 100 sq ft or 9.3 sq m (2 bedspaces)* _____
*Total Bedspaces _____

Amenities (see Note 2 attached)

*Central Heating Full (Radiator in all rooms) Partial (minimum 3 rooms) None

*Provided by Landlord Tenant EAGA

* Installed Date _____
(if supplied by EAGA-Warm Homes)

Tick all that are present in the property:

- | | | |
|--|--|---|
| <input type="checkbox"/> *Bath / Shower | <input type="checkbox"/> *Piped Cold Water | <input type="checkbox"/> *Wash Hand Basin |
| <input type="checkbox"/> *Hot Water Supply | <input type="checkbox"/> *WC Inside | <input type="checkbox"/> *Furnished |
| <input type="checkbox"/> *Kitchen | | |

- *Garage: none
 light and power
 light only
 no light or power
 power only

Fitness Details (See Note 3 attached)

*This tenancy meets the fitness standard because:
(please specify and provide date of construction or date of grant paid or certificate issued. Please attach copy of relevant certificate or grant completion letter, if appropriate)

OR

*The tenancy does not meet the fitness standard as none of the above applies
**Delete as appropriate*

Repairing obligations

The Rent Officer will determine a rent based on the default provisions of the Private Tenancies Order. This means that it will be assumed that the landlord is responsible for all repairs and maintenance to the property with the exception of interior décor and damage caused by the tenant. If this is not the case, please provide details below.

Tenants' improvements

It will be assumed that all amenities which form part of the premises have been provided by the landlord. Where the tenant has provided any amenities or carried out any improvements, for example the replacement of kitchen or bathroom fittings, installation of central heating etc., please give details below. Decorative work should be ignored.

*Tenants Improvements

OR

*All amenities within the property were provided by the landlord.

**please delete as appropriate*

Signature: _____

Print name: _____ Date: _____

Tel No: _____ Email: _____

Please send completed form to:

Rent Officer for Northern Ireland
Level 2
Lighthouse Building
1 Cromac Place
Gasworks Business Park
Ormeau Road
Belfast
BT7 2JB

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NOTES ON APPLICATIONS

NOTE 1 REHABILITATED

A property is considered to be rehabilitated if the following ALL apply:

- Fixtures and fittings in the bathroom and kitchen are of a high standard
- The property has been wired / rewired in compliance with modern electrical standards
- All doors are of good quality and are draught proof
- All windows are of good quality, draught proof and can be opened, closed and secured

NOTE 2 CENTRAL HEATING

Whole house heating is present where all rooms have a radiator present. Only one radiator is required in either the hall, landing or bathroom.

Part house heating is present, in a house with 4 bedspaces or less, where 3 rooms have a radiator. Where the house has 5 or more bedspaces, 4 rooms must have a radiator.