

## **NORTHERN IRELAND, U.K.**

**Organisation:** Supporting Communities, NI

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**Tenure structure, 2011 NI House Condition Survey**

**Owner occupied housing:** 66.5%

**Social rental:** 11.5%

**Private rental:** 18%

**Others:** 4%

### **Initial rent –is it free or regulated?**

The rent is determined by the local "market" and is largely free and unregulated although there is a small and declining number of rent-controlled properties, like older stock, rural tied cottages etc.

### **Can the tenant challenge the initial rent?**

All new tenancies are to subject to a fitness inspection by the local authority but these relate to the physical condition and minimum standard of the dwelling.

### **How often can the landlord increase the rent?**

Most tenancies are for 12-month periods, although there has been a popular call for establishing a formal basis for longer term tenancies.

Increases would be a matter between the landlord and tenant and should be subject to a condition of the tenancy.

### **Challenge rent increases?**

The Rent Assessment Panel is an independent body funded by the Department for Communities. Rent Assessment Committees (usually made up of a chair and one member) are constituted from the Rent Assessment Panel.

The function of a Committee is, at the request of a landlord or tenant, to consider if the rent determined by the Rent Officer is an appropriate rent.

The Rent Officer determines an appropriate rent for any property subject to rent control. This only applies to properties subject to a Rent Control decision by the Rent Officer.

In Northern Ireland, if a tenant and landlord have a dispute after seeking individual advice from the local Environmental Health Department, Housing Rights Service or a landlord representative body, such as the Landlords Association for Northern Ireland, the only option is to take the dispute to a small claims court.

### **Duration of leases**

Most commonly are 1-year leases.

As there are increasing numbers of people seeking longer term lets in the private rented sector it is not hard to envisage a situation where tenancies roll on for a succession of 12 month periods - because that is how the tenancy period has traditionally been viewed. We suspect it gives the landlord the comfort of being able to extricate themselves from the letting market if they wanted to sell the property, at times of price inflation, but remaining in the rented sector for as long as it suits.

Another advantage of renewing 12-month leases for subsequent year - this benefits landlords as at renewal a new rent would be agreed for the forthcoming 12 months and this would take into account inflation/increased rates/costs/other rents in the area and these would be at the landlords' discretion.

**Notice periods**

- **For leases for less than 5 years:** The notice to quit period remains at 4 weeks written notice. But the legislative provisions were amended as follows:

- **For 5-10 years' tenancies:** The notice to quit period is not valid unless given in writing not less than 8 weeks before the date on which it is to take effect;

- **For more than 10 year tenancies:** Here the notice to quit period is not valid unless given in writing not less than 12 weeks before the date on which it is to take effect.

**Security deposit**

Generally, 1 months' rent, although this has been formalized by the Tenancy Deposit Scheme. The exception to this is in the case of tenancy deposit disputes as the Three Scheme Administrators, three separate administrators of the Deposit Schemes, provide an independent dispute resolution mechanism,

Since 1 April 2013 all tenants' deposits for privately rented accommodation in Northern Ireland must be protected by their landlord in an approved Tenancy Deposit Scheme.

Still, Housing Rights advisors continue to report a significant number of enquiries from tenants in dispute with landlords over tenancy deposits.