1978 No. 407

COUNTY COURTS

County Court (Rent Order) Rules (Northern Ireland) 1978

Made . . . . . *29th December* 1978

Coming into operation . . . *1st February* 1979

To be laid before Parliament

The Secretary of State in pursuance of section 146 of the County Courts Act (Northern Ireland) 1959(a) hereby, on the recommendation of the County Court Rules Committee and after consultation with the Lord Chief Justice, makes the following rules:

PART I

GENERAL

Citation and commencement

1. These rules may be cited as the County Court (Rent Order) Rules (Northern Ireland) 1978 and shall come into operation on 1st February 1979.

Interpretation

2. In these rules—

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

"the County Court Rules" means the County Court Rules (Northern Ireland) 1976(c);

and any reference to a Form by number is a reference to the Form as numbered in the Schedule to these rules.

PART II

APPEALS UNDER ARTICLE 11 OF THE ORDER

Appeals to the county court against restricted rent certificates, regulated rent certificates and against refusal of application for regulated rent certificate

3.—(1) An appeal under article 11 of the Order shall be by notice in such one of Forms 1 to 4 as may be appropriate and an order made by the court on such appeal may be in one of the Forms 5 to 12.

(2) The District Council shall be the respondent to the appeal and the appellant shall serve the notice on the respondent in accordance with rule 10 and shall lodge the notice with the clerk of the Crown and peace together with a copy of the restricted rent certificate or regulated rent certificate served on the appellant by the respondent or, where the appeal is against the refusal of an application under article 9 of the Order, of the notice of refusal of the application.

(a) 1959 c. 25 (N.I.) as modified by S.I. 1973/2163 (1973 III, p. 7541)
(b) S.I. 1978/1050 (N.I. 20)
(c) S.R. 1976 No. 374 (II, p. 1774)

(3) The appellant shall, in addition to complying with paragraph (2), serve in accordance with rule 10 a copy of the notice of appeal upon the landlord or, as the case may be, the tenant who shall thereupon become a party to the appeal and may appear and be heard.

PART III

APPLICATIONS UNDER ARTICLE 20 OF THE ORDER

Applications by tenant for compensation under article 20 of the Order

4.—(1) An application by a tenant for compensation under article 20 of the Order shall be by notice in Form 13.

(2) The landlord shall be the respondent to the application and the applicant shall serve the notice on the respondent in accordance with rule 10 and shall lodge a copy with the clerk of the Crown and peace.

(3) An order awarding compensation under article 20 of the Order may be in Form 14.

PART IV

APPEALS UNDER ARTICLE 47 OF THE ORDER

Appeals by landlord or tenant under article 47 against issue by district council of certificate of disrepair, etc.

5.—(1) An appeal under article 47 of the Order shall be by notice in such one of Forms 15 to 18 as may be appropriate and an order made by the court may be in one of the Forms 19 to 22.

(2) The District Council shall be respondent to the appeal and the appellant shall serve the notice on the respondent in accordance with rule 10 and shall lodge a copy of the notice of appeal with the clerk of the Crown and peace together with the certificate of disrepair issued under article 46 of the Order by the District Council or, where the District Council has issued a notice stating that it does not intend to issue such a certificate, a copy of that notice.

(3) The appellant shall, in addition to complying with paragraph (2), serve in accordance with rule 10 a copy of the notice of appeal upon the landlord or, as the case may be, the tenant who shall thereupon become a party to that appeal and may appear and be heard.

PART V

APPLICATIONS UNDER ARTICLE 69 OF THE ORDER

Applications under article 69 of the Order for determination of certain questions in relation to tenancy

6.—(1) An application under article 69 of the Order made for the purpose of determining any question—

(*a*) as to whether a tenancy is a protected tenancy or whether any person is a statutory tenant of a dwelling-house; or

(*b*) as to the rent recoverable under a regulated or restricted tenancy; or

(*c*) as to whether a tenancy is a restricted or regulated tenancy;

shall be by notice in such one of the Forms 23 to 26 as may be appropriate and a determination made by the Court on any such application may be in one of the Forms 27 to 30.

(2) The landlord or, as the case may be, the tenant shall be the respondent to the application and the applicant shall serve the notice on the respondent in accordance with rule 10 and shall lodge a copy of the notice with the clerk of the Crown and peace together with a copy of any tenancy agreement referred to in the notice.

(3) The particulars of the tenancy in the notice shall state whether a protected tenancy purports to have been determined and the date of such termination and where it is alleged by the applicant that a statutory tenancy has arisen by succession or otherwise shall state the manner in which the tenancy has arisen.

(4) The particulars of any protected tenancy shall state the valuation of the dwelling-house at the grant of the tenancy, the permitted rent under the Rent Restriction Acts and how it is calculated by reference to the standard rent and any permitted increase under those Acts and whether the rates are payable by the landlord or tenant.

(5) Where the application is for the determination of any such question as is referred to in paragraph (*b*) of article 69(1) of the Order, the particulars in the notice shall in addition to those required under paragraph (4) include—

(*a*) whether or not a regulated rent certificate or restricted rent certificate has been issued by a District Council with respect to the dwelling-house;

(*b*) the net annual value of the dwelling-house as ascertained for the purposes of the Order under article 71 thereof;

(*c*) details of any determination by a rent assessment committee under article 27 of the Order.

PART VI

APPLICATIONS UNDER SCHEDULE 1 OR 2 TO THE ORDER

Applications for decision under paragraph 4 or 9 of Schedule 1 to the Order

7.—(1) An application under paragraph 4 of Schedule 1 to the Order shall be by notice in Form 31 and an order made on such decision as is referred to in that paragraph shall be in Form 32.

(2) Such person or persons who are members of the original tenant's family referred to in paragraph 4 of Schedule 1 to the Order and who is not an applicant or who are not applicants for a decision of the court under that paragraph shall be the respondent or respondents to such an application.

(3) An application under paragraph 9 of Schedule 1 to the Order shall be by notice in Form 33 and an order made on such decision as is referred to in that paragraph shall be in Form 34.

(4) Such person or persons who are members of the first successor's family referred to in paragraph 9 of Schedule 1 to the Order and who is not an applicant for a decision of the court under that paragraph shall be the respondent or respondents to such an application.

(5) The applicant shall serve notice of the application on the respondent or respondents in accordance with rule 10 and shall lodge a copy of the notice with the clerk of the Crown and peace.

Applications for an order under paragraph 2(1) *of Schedule* 2 *to the Order*

8.—(1) An application under paragraph 2(1) of Schedule 2 to the Order shall be on notice in Form 35 and an order under paragraph 2(2) of this Schedule made on such application may be in Form 36.

(2) An order made under paragraph 2(3) of Schedule 2 to the Order may be in Form 37.

(3) The spouse entitled to occupy the dwelling-house by virtue of the protected or statutory tenancy shall be the respondent to the application and the applicant shall serve the notice on the respondent and on the landlord of the house subject to the tenancy in accordance with rule 10 and shall lodge a copy with the clerk of the Crown and peace.

(4) Before hearing such an application as is referred to in paragraph (1) of this rule the Court shall ascertain that notice has been served on the landlord under paragraph (3) in accordance with paragraph 2(7) of Schedule 2 to the Order and shall, before making an order upon such application, give the landlord an opportunity of being heard.

PART VII

SUPPLEMENTARY

Court to which appeals and applications under the Order to be made

9. An appeal or application under the Order shall be brought or made to the county court for the division in which the dwelling-house to which the appeal or application relates is situated and shall be heard at such times as the judge for that division may appoint in accordance with section 2(2) of the County Courts Act (Northern Ireland) 1959 or, in lieu of such appointment, at the sitting of the Court for equity matters.

Service of notice and entry of appeals or applications

10.—(1) Notice of an appeal or an application to be served on any party under these rules shall be served in accordance with Order 6 of the County Court Rules not less than twenty-eight days before the entry day for the sitting at which the application or appeal is to be heard.

(2) The appellant or applicant shall lodge a copy of the notice with the clerk of the Crown and peace at his office duly endorsed as to service and shall, where notice was served on the respondent by post in accordance with the said Order 6, attach to the copy any certificate of posting.

(3) Upon receipt of the copy of the notice the clerk of the Crown and peace shall enter the appeal or application for hearing at the appropriate sitting without requiring the production of an entry sheet.

Roy Mason
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
29th December 1978

LIST OF FORMS IN THE SCHEDULE

1. Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by landlord where restricted rent certificate has been issued by District Council under article 8(2)(*a*).

2. Notice of appeal by county court under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued by District Council under article 8(2)(*b*).

3. Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by landlord where application for regulated rent certificate has been refused under article 9(2).

4. Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued under article 9(2).

5. Order by county court allowing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where restricted rent certificate has been issued under article 8(2)(*a*).

6. Order by county court dismissing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where restricted rent certificate has been issued under article 8(2)(*a*).

7. Order by county court allowing appeal by tenant under article 11 of the Rent (Northern Ireland) Order 1978 where regulated rent certificate has been issued under article 8(2)(*b*).

8. Order by county court dismissing appeal by tenant under article 11 of the Rent (Northern Ireland) Order 1978 where regulated rent certificate has been issued under article 8(2)(*b*).

9. Order by county court allowing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where application for regulated rent certificate has been refused by District Council under article 9(2).

10. Order by county court dismissing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where application for regulated rent certificate has been refused by District Council under article 9(2).

11. Order by county court allowing appeal by tenant under article 11 of the Rent (Northern Ireland) Order 1978 where regulated rent certificate has been issued under article 9(2).

12. Order by county court dismissing appeal under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued under article 9(2).

13. Notice of application to county court by tenant for compensation under article 20 of the Rent (Northern Ireland) Order 1978.

14. Order by county court awarding compensation under article 20 of the Rent (Northern Ireland) Order 1978.

15. Notice of appeal to the county court under article 47 of the Rent (Northern Ireland) Order 1978 by landlord where certificate of disrepair has not been issued under article 46 on application of landlord.

16. Notice of appeal to the county court under article 47 of the Rent (Northern Ireland) Order 1978 by tenant where certificate of disrepair has been issued under article 46 on application of landlord.

17. Notice of appeal to the county court under article 47 of the Rent (Northern Ireland) Order 1978 by landlord where certificate of disrepair has been issued under article 46 on application of tenant.

18. Notice of appeal to the county court under article 47 of the Rent (Northern Ireland) Order 1978 by tenant where certificate of disrepair has not been issued under article 46 on application of tenant.

19. Order by county court allowing appeal by landlord under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has not been issued under article 46 on application of landlord.

20. Order by county court allowing appeal by tenant under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has been issued under article 46 on application of landlord.

21. Order by county court allowing appeal by landlord under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has been issued under article 46 on application of tenant.

22. Order by county court allowing appeal by tenant under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has not been issued under article 46 on application of tenant.

23. Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to whether a tenancy is a protected tenancy.

24. Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to whether a person is a statutory tenant of a dwelling-house.

25. Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to the rent recoverable under a regulated or restricted tenancy.

26. Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to whether a tenancy is a restricted or regulated tenancy.

27. Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to whether a tenancy is a protected tenancy.

28. Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to whether a tenancy is a statutory tenancy.

29. Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to rent recoverable under a regulated or restricted tenancy.

30. Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to whether a tenancy is a restricted or regulated tenancy.

31. Notice of application to the county court for decision under paragraph 4 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of original tenant's family shall be statutory tenant.

32. Order by county court under paragraph 4 of Schedule 1 of the Rent (Northern Ireland) Order 1978 as to which member of original tenant's family to be statutory tenant.

33. Notice of application to the county court for decision under paragraph 9 of Schedule 1 of the Rent (Northern Ireland) Order 1978 as to which member of first successor's family to be statutory tenant.

34. Order by county court under paragraph 9 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of first successor's family to be statutory tenant.

35. Notice of application under paragraph 2(1) of Schedule 2 to the Rent (Northern Ireland) Order 1978 for an order under paragraph 2(2) or 2(3) of the Schedule.

36. Order by county court under paragraph 2(2) of Schedule 2 to the Rent (Northern Ireland) Order 1978.

37. Order by county court under paragraph 2(3) of Schedule 2 to the Rent (Northern Ireland) Order 1978.

SCHEDULE

FORMS TO BE USED IN PROCEEDINGS UNDER THE RENT (NORTHERN IRELAND) ORDER 1978

FORM NO. 1

Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by landlord where restricted rent certificate has been issued by District Council under article 8(2)(a)

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an appeal under article 11 of the Rent (Northern Ireland) Order 1978

Between
of

Appellant

and

the District Council

Respondent

WHEREAS the appellant is the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by (*name of tenant*) under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the appellant [*or* the said tenant] on the day of 19 made an application to the respondent District Council under article 8(1) of the said Order and the said District Council caused the said dwelling-house to be inspected with a view to ascertaining whether it met the regulated tenancy standards under Schedule 3 to the said Order and on the day of 19 served on the appellant a restricted rent certificate with respect to the tenancy of the said dwelling-house;

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order that the said certificate be quashed and that the respondent District Council do issue a regulated rent certificate with respect thereto.

Dated the day of 19 .

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at

(*address of Crown and Peace Office*)

and to the respondent District Council
and to the above-named tenant.

FORM No. 2

Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued by District Council under article 8(2)(b)

[*Title as in Form No.* 1]

WHEREAS the appellant is the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and of which (*name and address of landlord*) is the landlord, held by the appellant under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the appellant [*or* the said landlord] on the day of 19 made an application to the respondent District Council under article 8(1) of the said Order and the respondent District Council caused the said dwelling-house to be inspected with a view to ascertaining whether it met the regulated tenancy standards under Schedule 3 to the said Order and on the day of 19 served on the appellant a copy of the regulated rent certificate issued to the landlord with respect to the tenancy of the said dwelling-house;

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order that the said certificate be quashed and that the respondent District Council do issue a restricted rent certificate with respect thereto.

Dated the day of 19 .

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the respondent District Council

and to the above-named landlord.

FORM NO. 3

Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by landlord where an application for a regulated rent certificate has been refused by District Council under article 9(2)

[*Title as in Form No.* 1]

WHEREAS the appellant is the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by (*name of tenant*) under a restricted tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the appellant on the day of 19 made an application under article 9 of the said Order and the respondent District Council caused the said dwelling-house to be inspected with a view to ascertaining whether it met the regulated tenancy standards under Schedule 3 to the said Order and on the day of 19 gave notice to the appellant of its refusal of his application for a regulated rent certificate in respect of the tenancy of the said dwelling-house;

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order that the respondent District Council do issue a regulated rent certificate with respect thereto.

Dated the day of 19 .

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the respondent District Council

and to the above-named tenant

FORM No. 4

Notice of appeal to county court under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued under article 9(2)

[*Title as in Form No.* 1]

WHEREAS the appellant is the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and of which (*name and address of landlord*) is the landlord, held by the appellant under a tenancy which until the day of 19 was a restricted tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the said landlord made an application under article 9 of the said Order and the respondent District Council caused the said dwelling-house to be inspected with a view to ascertaining whether it met the regulated tenancy standards under Schedule 3 to the said Order and on the day of 19 served on the appellant a copy of the regulated rent certificate issued to the said landlord with respect to the tenancy of the said dwelling-house;

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order quashing the said certificate.

Dated the day of 19 .

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the respondent District Council
and to the above-named landlord.

FORM No. 5

Order by county court allowing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where restricted rent certificate has been issued under article 8(2)(a)

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an appeal under article 11 of the Rent (Northern Ireland) Order 1978

Between

of

Appellant

and

the District Council

Respondent

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant (*name of tenant*) under a regulated tenancy within the meaning of the said Order of 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the tenant;

THE COURT ORDERED that the restricted rent certificate with respect to the tenancy of the said dwelling-house issued by the respondent District Council under article 8(2)(*a*) of the said Order of 1978 and served on the appellant on the day of 19 be quashed and that the respondent District Council do forthwith issue a regulated rent certificate with respect hereto;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all the other circumstances it was equitable so to do, that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said tenant the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Appellant/Solicitor for Appellant

FORM NO. 6

Order by county court dismissing appeal by landlord under article 11 of Rent (Northern Ireland) Order 1978 where restricted rent certificate has been issued under article 8(2)(a)

[*Title as in Form No. 5*]

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant (*name of tenant*) under a regulated tenancy within the meaning of the said Order of 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the tenant;

THE COURT ORDERED that the restricted rent certificate issued with respect to the tenancy of the said dwelling-house issued by the respondent District Council under article 8(2)(a) of the said Order of 1978 issued to the appellant on the day of 19 be confirmed and that the appeal be dismissed;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all other circumstances it was equitable so to do, that [the respondent District Council do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said tenant do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Respondent/Solicitor for Respondent
Tenant/Solicitor for Tenant

FORM No. 7

Order by county court allowing appeal by tenant under article 11 of the Rent (Northern Ireland) Order 1978 where a regulated rent certificate has been issued under article 8(2)(b)

[*Title as in Form No. 5*]

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and which (*name and address of landlord*) is the landlord, held by the appellant under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the landlord;

THE COURT ORDERED that the regulated rent certificate issued with respect to the tenancy of the said dwelling-house by the respondent District Council under Article 8(2)(*a*) of the said Order of 1978 and a copy of which was served on the appellant on the day of 19 be quashed and that the said District Council do forthwith issue a restricted rent certificate with respect thereto;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all other circumstances it was equitable so to do, that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [the said landlord the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Appellant/Solicitor for Appellant

FORM No. 8

Order by county court dismissing appeal by tenant under article 11 of the Rent (Northern Ireland) Order 1978 where regulated rent certificate has been issued under article 8(2)(b)

[*Title as in Form No. 5*]

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and of which (*name and address of landlord*) is the landlord, held by the appellant under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the landlord;

THE COURT ORDERED that the regulated rent certificate issued with respect to the tenancy of the said dwelling-house by the respondent District Council under article 8(2)(*a*) of the said Order of 1978 and a copy of which was served on the appellant on the day of 19 be confirmed and that the appeal be dismissed;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all other circumstances it was equitable so to do that [the respondent District Council do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said landlord do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Respondent/Solicitor for Respondent
Landlord/Solicitor for Landlord.

FORM NO. 9

Order by county court allowing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where application for regulated rent certificate has been refused by District Council under article 9(2)

[*Title as in Form No. 5*]

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant (*name of tenant*) under a restricted tenancy within the meaning of the said Order of 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the tenant;

THE COURT ORDERED that the refusal of the application of the appellant for a regulated rent certificate by the respondent District Council notice of which was given to the appellant by the respondent under article 9(2) of the said Order of 1978 on the day of 19 be quashed and that the respondent District Council do forthwith issue a regulated rent certificate with respect thereto;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all the other circumstances it was equitable so to do, that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said tenant the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Appellant/Solicitor for Appellant

FORM NO. 10

Order by county court dismissing appeal by landlord under article 11 of the Rent (Northern Ireland) Order 1978 where application for regulated rent certificate has been refused by District Council under article 9(2)

[*Title as in Form No. 5*]

UPON AN APPEAL under Article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant (*name of tenant*) under a restricted tenancy within the meaning of the said Order of 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the tenant;

THE COURT ORDERED that the refusal of the application of the appellant for a regulated rent certificate by the respondent District Council notice of which was given to the appellant by the respondent under article 9(2) of the said Order of 1978 on the day of 19 be upheld and that the appeal be dismissed;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all other circumstances it was equitable so to do that [the respondent District Council do recover from the appellant the sum of £. for costs and the sum of £ for witnesses' expenses] [and] [the said tenant do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Respondent/Solicitor for Respondent
Tenant/Solicitor for Tenant

FORM NO. 11

Order by county court allowing appeal under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued under article 9(2)

[*Title as in Form No. 5*]

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and of which (*name and address of landlord*) is the landlord, held by the appellant under a restricted tenancy within the meaning of the Rent (Northern Ireland) Order 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the landlord;

THE COURT ORDERED that the regulated rent certificate issued by the respondent District Council and a copy of which was served on the appellant by the respondent under article 10(3)(*a*) of the said Order of 1978 on the day of 19 be quashed;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all other circumstances it was equitable so to do, that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said landlord the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Appellant/Solicitor for Appellant

FORM NO. 12

Order by county court dismissing appeal under article 11 of the Rent (Northern Ireland) Order 1978 by tenant where regulated rent certificate has been issued under article 9(2)

[*Title as in Form No.* 5]

UPON AN APPEAL under article 11 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and of which (*name and address of landlord*) is the landlord, held by the appellant under a tenancy which until the day of 19 was a restricted tenancy within the meaning of the Rent (Northern Ireland) Order 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the landlord;

THE COURT ORDERED that the regulated rent certificate issued by the respondent District Council and a copy of which was served on the appellant by the respondent under article 10(3)(*a*) of the said Order of 1978 be confirmed and that the appeal be dismissed;

[AND IT WAS FURTHER ORDERED by the Court, it appearing to it having regard to the conduct of the parties and all other circumstances it was equitable so to do, that [the respondent District Council do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said landlord do recover from the appellant the sum of £ for costs and the sum of £ for witnesses' expenses]].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Respondent/Solicitor for Respondent
Landlord/Solicitor for Landlord

FORM NO. 13

Notice of application to county court by tenant for compensation under article 20 of the Rent (Northern Ireland) Order 1978

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under article 20 of the Rent (Northern Ireland) Order 1978

Between

of Appellant

and

of Respondent

WHEREAS the respondent was the landlord of the dwelling-house at (*address*) held by the applicant under a [protected] [statutory] tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and on the day of 19 the Court made an order for possession of the said dwelling-house in accordance with article 13 of the said Order under the following circumstances, namely—

(*specify under what circumstances and under what case in Schedule 4 to the Order possession was obtained*);

AND WHEREAS the applicant alleges that the said order for possession was obtained by the following misrepresentation [or concealment] of material facts, namely—

TAKE NOTICE that the applicant intends to apply to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on for an order that the respondent do pay to the applicant the sum of £ as compensation for damage or loss sustained by the applicant as a result of the said order for possession.

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at
(*Address of Crown and Peace Office*)

and to the above-named Respondent.

FORM NO. 14

Order by county court awarding compensation under article 20 of the Rent (Northern Ireland) Order 1978

[*Title as in Form No.* 13]

UPON AN APPLICATION under article 20 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) the former tenant of the dwelling-house at (*address*) held by the applicant under a [protected] [statutory] tenancy within the meaning of the Rent (Northern Ireland) Order 1978;

UPON HEARING for the Applicant;

AND UPON HEARING for the Respondent;

IT APPEARING to the Court that the order for possession of the said dwelling-house made in accordance with article 13 of the said Order of 1978 by the County Court/Recorder's Court sitting for the above-named Division on the day of 19 was obtained by the respondent by misrepresentation [or concealment] of certain material facts.

THE COURT ORDERED that the respondent do pay to the applicant the sum of £ as compensation for damage or loss sustained by the applicant as a result of the said order for possession;

AND IT WAS FURTHER ORDERED that the applicant do recover from the respondent the sum of £ for costs and the sum of £ for witnesses' expenses.

Dated the day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Applicant/Solicitor for Applicant

FORM No. 15

Notice of appeal to county court under article 47 of the Rent (Northern Ireland) Order 1978 by landlord where certificate of disrepair has not been issued under article 46 on application of landlord

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an appeal under article 47 of the Rent (Northern Ireland) Order 1978

Between

of

Appellant

and

the District Council

Respondent

WHEREAS the appellant is the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by (*name of tenant*) under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the appellant on the day of 19 made an application to the respondent District Council under article 46(1) of the said Order and the said District Council caused the dwelling-house to be inspected with a view to ascertaining whether the tenant was in breach of the repairing conditions within the meaning of the said article 46(1) in relation to the said premises and on the day of 19 served a notice on the appellant stating that it did not intend to issue a certificate of disrepair with respect to the said premises [*or* failed to issue a certificate of disrepair];

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order that the respondent District Council do issue a certificate of disrepair with respect to the said premises.

Dated the day of 19

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at

(*address of Crown and Peace Office*)

and to the respondent District Council
and to the above-named tenant

FORM NO. 16

Notice of appeal to county court under article 47 of the Rent (Northern Ireland) Order 1978 by tenant where certificate of disrepair has been issued under article 46 on application of landlord

[*Title as in Form No.* 15]

WHEREAS the appellant is the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the landlord of the said dwelling-house (*name*) of (*address*) on the day of 19 made an application to the respondent District Council under article 46(1) of the said Order and the said District Council caused the dwelling-house to be inspected with a view to ascertaining whether the appellant was in breach of the repairing conditions within the meaning of the said article 46(1) in relation to the said premises and on the day of 19 served a certificate of disrepair on the appellant with respect to the said premises;

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order quashing the said certificate.

Dated the day of 19

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at
(*address of Crown and Peace Office*)

and to the respondent District Council
and to the above-named landlord

FORM No. 17

Notice of appeal to county court under article 47 of the Rent (Northern Ireland) Order 1978 by landlord where certificate of disrepair has been issued under article 46 on application of tenant

[*Title as in Form No.* 15]

WHEREAS the appellant is the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the tenant (*name*) of (*address*) on the day of 19 made an application to the respondent District Council under article 46(1) of the said Order and the said District Council caused the dwelling-house to be inspected with a view to ascertaining whether the appellant was in breach of the repairing conditions within the meaning of the said article 46(1) in relation to the said premises and on the day of 19 served a certificate of disrepair on the appellant with respect to the said premises;

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order quashing the said certificate.

Dated the day of 19 .

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the respondent District Council
and to the above-named tenant

FORM NO. 18

Notice of appeal to county court under article 47 of the Rent (Northern Ireland) Order 1978 by tenant where certificate of disrepair has not been issued under article 46 on application of tenant

[*Title as in Form No.* 15]

WHEREAS the appellant is the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant under a regulated tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and whereas the appellant on the day of 19 made an application to the respondent District Council under article 46(1) of the said Order and the said District Council caused the dwelling-house to be inspected with a view to ascertaining whether the landlord of the said premises (*name*) of (*address*) was in breach of the repairing conditions within the meaning of the said article 46(1) in relation to the said premises and on the day of 19 served a notice on the appellant that it did not intend to issue a certificate of disrepair with respect to the said premises [*or* failed to issue a certificate of disrepair];

TAKE NOTICE that the appellant hereby appeals to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for an order that the respondent District Council do issue a certificate of disrepair with respect to the said premises.

Dated the day of 19 .

Appellant/Solicitor for Appellant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the respondent District Council
and to the above-named landlord

FORM NO. 19

Order by county court allowing appeal by landlord under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has not been issued under article 46 on application of landlord

BY THE COUNTY COURT JUDGE/RECORDER for the Division of

IN THE MATTER OF an appeal under article 47 of the Rent (Northern Ireland) Order 1978.

Between

of

Appellant

and

the

District Council
Respondent

UPON AN APPEAL under article 47 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant (*name of tenant*) under a regulated tenancy within the meaning of the said Order of 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the tenant;

The court being satisfied that the said tenant is in breach of the repairing conditions within the meaning of article 46 of the said Order of 1978 in relation to the said premises in the following respect—

(*state conditions with which tenant has not complied*)

THE COURT ORDERED that the respondent District Council do issue a certificate of disrepair specifying such works as are required by the tenant to make good the repairing conditions and requiring the tenant to carry out to the respondent District Council's satisfaction the works specified in the said certificate;

AND IT WAS FURTHER ORDERED by the Court that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [[and] the said tenant the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Appellant/Solicitor for Appellant

FORM No. 20

Order by county court allowing appeal by tenant under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has been issued under article 46 on application of landlord

[*Title as in Form No.* 19]

UPON AN APPEAL under article 47 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant under a restricted tenancy within the meaning of the said Order of 1978 from the landlord (*name of landlord*) of (*address*);

UPON HEARING for the Appellant;
for the Respondent District Council;
for the landlord;

THE COURT being satisfied that the said tenant is not in breach of the repairing conditions within the meaning of article 46(1) in relation to the said premises;

THE COURT ORDERED that the certificate of disrepair issued by the respondent District Council and served on the appellant on the day of 19 be quashed;

AND IT WAS FURTHER ORDERED by the Court that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [[and] the said landlord the sum of £ for witnesses' expenses].

Dated at this day of 19

Signed
Clerk of the Crown and Peace

(Seal)

Signed
Appellant/Solicitor for Appellant

FORM NO. 21

Order by county court allowing appeal by landlord under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has been issued under article 46 on application of tenant

[*Title as in Form No. 19*]

UPON AN APPEAL under article 47 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the landlord of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant (*name of tenant*) under a regulated tenancy within the meaning of the said Order of 1978;

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the tenant;

THE COURT being satisfied that the appellant is not in breach of the repairing conditions within the meaning of article 46 of the said Order of 1978 in relation to the said premises;

THE COURT ORDERED that the certificate of disrepair issued by the respondent District Council and served on the appellant on the day of 19 be quashed;

AND IT WAS FURTHER ORDERED by the Court that the appellant do recover from [the respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said tenant the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Appellant/Solicitor for Appellant

FORM No. 22

Order by county court allowing appeal by tenant under article 47 of the Rent (Northern Ireland) Order 1978 where certificate of disrepair has not been issued under article 46 on application of tenant

[*Title as in Form No.* 19]

UPON AN APPEAL under article 47 of the Rent (Northern Ireland) Order 1978 by (*name*) of (*address*) being the tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant under a regulated tenancy within the meaning of the said Order of 1978 from the landlord (*name of landlord*) of (*address*);

UPON HEARING for the Appellant;
and for the Respondent District Council;
and for the landlord;

THE COURT being satisfied that the said landlord is in breach of the repairing conditions within the meaning of article 46 of the said Order of 1978 in relation to the said premises in the following respect—

(*state conditions with which landlord has not complied*),

THE COURT ORDERED that the respondent District Council do issue a certificate of disrepair specifying such works as are required by the landlord to make good the repairing conditions and requiring the landlord to carry out to the respondent District Council's satisfaction the works specified in the said certificate;

AND IT WAS FURTHER ORDERED by the Court that the appellant do recover from [the Respondent District Council the sum of £ for costs and the sum of £ for witnesses' expenses] [and] [the said landlord the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19 .

Signed
Clerk of the Crown and Peace

(Seal)

Signed
Appellant/Solicitor for Appellant

FORM NO. 23

Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to whether a tenancy is a protected tenancy

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under article 69 of the Rent (Northern Ireland) Order 1978.

Between

of Applicant

and

of Respondent

WHEREAS the applicant is the tenant [*or* landlord] of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state how tenancy arose giving details of every relevant tenancy or sub-tenancy, the valuation of the premises at the grant of each tenancy or sub-tenancy, the standard rent, permitted increases, etc., including every particular relevant to the determination of whether the tenancy is a protected tenancy*);

TAKE NOTICE that the applicant intends to apply to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for the determination of the question as to whether the said tenancy is a protected tenancy within the meaning of the Rent (Northern Ireland) Order 1978.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the Respondent

FORM NO. 24

Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to whether a person is a statutory tenant of a dwelling-house

[*Title as in Form No.* 23]

WHEREAS the applicant is the tenant [*or* landlord] of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state how tenancy arose giving details of every relevant tenancy or sub-tenancy, the valuation of the premises at the grant of each tenancy or sub-tenancy, the standard rent, permitted increases, etc., including every particular relevant to the determination of whether the tenancy has become a statutory tenancy*) and whereas the said tenancy was terminated as follows—

(*specify manner of termination including by whom and when notice to quit served*);

TAKE NOTICE that the applicant intends to apply to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for the determination of the question as to whether he [*or* (*name of person alleged to be statutory tenant*)] is a statutory tenant within the meaning of the Rent (Northern Ireland) Order 1978 of the said dwelling-house.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the Respondent

FORM No. 25

Notice of application to county court under article 61 of the Rent (Northern Ireland) Order 1978 for determination as to the rent recoverable under a regulated or restricted tenancy

[*Title as in Form No.* 23]

WHEREAS the applicant is the tenant [*or* landlord] of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state how tenancy arose giving details of every relevant tenancy or sub-tenancy, the valuation of the premises at the grant of each tenancy or sub-tenancy, the standard rent, permitted increases, etc., including every particular relevant to the determination of whether the tenancy is a protected or statutory tenancy and stating, where appropriate, how and when the protected tenancy was terminated*) and whereas the said tenancy is a [regulated] [restricted] tenancy because

(*state how tenancy became a regulated or, as the case may be, restricted tenancy*);

TAKE NOTICE that the applicant intends to apply to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for the determination of the question as to the rent recoverable under the said tenancy.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the Respondent

FORM NO. 26

Notice of application to county court under article 69 of the Rent (Northern Ireland) Order 1978 for determination as to whether a tenancy is a restricted or regulated tenancy

[*Title as in Form No.* 23]

WHEREAS the applicant is the tenant [*or* landlord] of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state how tenancy arose giving details of every relevant tenancy or sub-tenancy, the valuation of the premises at the grant of each tenancy or sub-tenancy, the standard rent, permitted increases, etc., including every particular relevant to the determination of whether the tenancy is a protected or statutory tenancy*) and whereas the applicant asserts that the said tenancy being a [protected] [statutory] tenancy is [a restricted] [a regulated] tenancy because

(*state why protected or statutory tenancy is or is not a regulated tenancy*);

TAKE NOTICE that the applicant intends to apply to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for a determination of the question as to whether the said tenancy is a [restricted] [regulated] tenancy within the meaning of the Rent (Northern Ireland) Order 1978.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the Respondent

FORM NO. 27

Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to whether a tenancy is a protected tenancy

[*Title as in Form No.* 23]

UPON AN APPLICATION by (*name*) of (*address*) being the tenant [*or* landlord] of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state details of tenancy*) heard by the above-named County Court/Recorder's Court at the sittings on the day of 19 ;

UPON HEARING for the Applicant and for the Respondent;

THE COURT DETERMINED that the said tenancy was [not] a protected tenancy within the meaning of the Rent (Northern Ireland) Order 1978 [and ordered that the applicant [*or* respondent] do recover from the respondent [*or* applicant] the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19 .

Signed Clerk of the Crown and Peace

(Seal)

Signed Applicant/Solicitor for Applicant [*or* Respondent/Solicitor for Respondent]

FORM NO. 28

Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to whether a tenancy is a statutory tenancy

[*Title as in Form No.* 23]

UPON AN APPLICATION by (*name*)
of (*address*) being premises
tenant [*or* landlord] of the dwelling-house at
(*address*) being premises
consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state details of tenancy*) which tenancy was terminated as follows—

(*specify manner of termination including by whom and when notice to quit served*) which application was heard by the above-named County Court/Recorder's Court at the sittings on the day of 19 ;

UPON HEARING for the Applicant and for the Respondent;

THE COURT DETERMINED that the said tenancy was [not] a statutory tenancy within the meaning of the Rent (Northern Ireland) Order 1978 [and ordered that the applicant [*or* respondent] do recover from the respondent [*or* applicant] the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19 .

Signed
Clerk of the Crown and Peace

(Seal)

Signed
Applicant/Solicitor for Applicant
[*or* Respondent/Solicitor for Respondent]

FORM NO. 29

Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to rent recoverable under a regulated or restricted tenancy

[*Title as in Form No.* 23]

UPON AN APPLICATION by (*name*)
of (*address*) being the
tenant [*or* landlord] of the dwelling-house at
(*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state details of tenancy*) which is a [regulated] [restricted] tenancy within the meaning of the Rent (Northern Ireland) Order 1978 because

(*state how tenancy became a regulated, or as case may be, restricted tenancy*) for a determination as to the rent recoverable under the said tenancy;

UPON HEARING for an Applicant and
for the Respondent;

THE COURT DETERMINED that the sum of £ per [week] [month] was recoverable for the rent under the said tenancy for the period
[and ordered that the applicant [*or* respondent] do recover from the respondent [*or* applicant] the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated at this day of 19

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Applicant/Solicitor for Applicant

FORM NO. 30

Determination by county court under article 69 of the Rent (Northern Ireland) Order 1978 as to whether tenancy is a restricted or regulated tenancy

[*Title as in Form No. 23*]

UPON AN APPLICATION by (*name*)
of (*address*) being the tenant
[*or* landlord] of the dwelling-house at
(*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) held by the tenant as a separate dwelling under a tenancy granted as follows—

(*state how tenancy arose*) for a determination as to whether the said tenancy is a [restricted] [regulated] tenancy;

UPON HEARING for the Applicant and
for the Respondent;

THE COURT DETERMINED that the said tenancy was a [restricted] [regulated] tenancy [and ordered that the applicant [*or* the respondent] do recover from the respondent [*or* applicant] the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated this day of 19

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Applicant/Solicitor for Applicant
[*or* Respondent/Solicitor for Respondent]

FORM NO. 31

Notice of application to the county court for decision under paragraph 4 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of original tenant's family shall be statutory tenant

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under paragraph 4 of Schedule 1 to the Rent (Northern Ireland) Order 1978;

Between

of

Applicant

and

of

Respondent(s)

WHEREAS (*name*) of (*address*) was the [protected] [statutory] tenant within the meaning of the Rent (Northern Ireland) Order 1978 of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and was the original tenant of the dwelling-house within the meaning of Schedule 1 to the said Order of 1978 and whereas paragraphs 2 and 3 of that Schedule do not apply and the following persons, namely—

who were members of the family of the original tenant were residing with him at the time of and for the period of 6 months immediately before his death;

TAKE NOTICE that the applicant hereby applies to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for a decision as to which of the said persons shall be the statutory tenant of the said dwelling-house.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the Respondent(s).

FORM No. 32

Order by county court under paragraph 4 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of original tenant's family to be statutory tenant

[*Title as in Form No.* 31]

UPON AN APPLICATION by (*name*)
of (*address*) for a decision
by the County Court/Recorder's Court for the above-named Division under paragraph 4 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of the family of the original tenant within the meaning of the Schedule should be the statutory tenant of the dwelling-house at
(*address*) being premises
consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*);

UPON HEARING for the Applicant;
and upon hearing for the Respondent(s);

THE COURT ORDERED that (*name*)
of (*address*) should be
the statutory tenant of the said dwelling-house;

[AND IT WAS FURTHER ORDERED that the applicant [*or* respondent(s)] do recover from the respondent(s) [*or* applicant] the sum of £ for costs and the sum of £ for witnesses' expenses.]

Dated the day of 19 .

Signed

Clerk of the Crown and Peace

(Seal)

Signed

Applicant/Solicitor for Applicant

FORM NO. 33

Notice of application to the county court for decision under paragraph 9 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of first successor's family to be statutory tenant

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under paragraph 9 of Schedule 1 to the Rent (Northern Ireland) Order 1978;

Between

of

Applicant

and

of

Respondent(s)

WHEREAS (*name*) of (*address*) was the statutory tenant within the meaning of the Rent (Northern Ireland) Order 1978 of the dwelling-house at being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and was the first successor within the meaning of Schedule 1 to the said Order of 1978 to the tenancy of the said dwelling-house and whereas paragraphs 7 and 8 of that Schedule do not apply and the following persons, namely—

who were members of the family of the first successor were residing with him at the time of and for the period of 6 months immediately before his death;

TAKE NOTICE that the applicant hereby applies to the County Court/Recorder's Court for the above-named Division at the sitting [commencing] on the day of 19 for a decision as to which of the said persons shall be the statutory tenant of the said dwelling-house.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at (*address of Crown and Peace Office*)

and to the Respondent(s).

FORM No. 34

Order by county court under paragraph 9 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of first successor's family to be statutory tenant

[*Title as in Form No.* 33]

UPON AN APPLICATION by (*name*)
of (*address*)
for a decision by the County Court/Recorder's Court for the above-named Division under paragraph 9 of Schedule 1 to the Rent (Northern Ireland) Order 1978 as to which member of the family of the first successor within the meaning of that Schedule should be the statutory tenant of the dwelling-house at (*address*) being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*);

UPON HEARING for the Applicant
and upon hearing for the Respondent(s);

THE COURT ORDERED that (*name*)
of (*address*)
should be the statutory tenant of the said dwelling-house;

[AND IT WAS FURTHER ORDERED that the applicant [*or* respondent(s)] do recover from the respondent(s) [*or* applicant] the sum of £ for costs and the sum of £ for witnesses' expenses.]

Dated the day of 19 .

Signed
Clerk of the Crown and Peace

(Seal)

Signed
Applicant/Solicitor for Applicant

FORM NO. 35

Notice of application under paragraph 2(1) of Schedule 2 to the Rent (Northern Ireland) Order 1978 for an order under paragraph 2(2) or 2(3) of that Schedule

IN THE COUNTY COURT/RECORDER'S COURT for the Division of

IN THE MATTER OF an application under paragraph 2(1) of Schedule 2 to the Rent (Northern Ireland) Order 1978

Between

of Applicant

and

of Respondent

WHEREAS the respondent as the husband [*or* wife] of the applicant is entitled in his [*or* her] own right [*or* jointly with her [*or* him]] to occupy the dwelling-house at (*address*)
being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*) and the applicant [*or* the respondent] was on the day of 19 granted a decree of judicial separation [*or* an order under section 3(1)(*a*) of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945];

TAKE NOTICE that the applicant hereby applies for an order under paragraph 2(2) [*or* (3)] of Schedule 2 to the Rent (Northern Ireland) Order 1978.

Dated the day of 19 .

Applicant/Solicitor for Applicant

To the Clerk of the Crown and Peace at
(*address of Crown and Peace Office*)

and to the Respondent.

FORM NO. 36.

Order by county court under paragraph 2(2) of Schedule 2 to the Rent (Northern Ireland) Order 1978

[*Title as in Form No.* 35]

UPON AN APPLICATION under paragraph 2(1) of Schedule 2 to the Rent (Northern Ireland) Order 1978 by (*name*)
of (*address*)
the wife [*or* husband] of the respondent and the respondent being entitled in his [*or* her] own right [*or* jointly with her] [*or* him]] to occupy the dwelling-house at (*address*) being
premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*), the applicant [*or* the respondent] having on the day of 19
been granted a decree of judicial separation [*or* an order under section 3(1) of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945];

UPON HEARING for the Applicant;
AND UPON HEARING for the Respondent;

THE COURT ORDERED and directed that, the respondent being entitled to occupy the said dwelling-house by virtue of a protected tenancy, there be transferred to the applicant the following estate, namely—

(*details*)
which the respondent has in the said dwelling-house by virtue of the following lease [*or* agreement] dated the day of 19 ,
namely—

creating the tenancy in the said dwelling-house, with all rights, privileges and appurtenances attaching to that estate but subject to all covenants, obligations, liabilities and incumbrances to which it is subject; [and the respondent, being an assignee of the said lease [*or* agreement], that there be transferred to the applicant any liability of the respondent under any covenant of indemnity by the respondent expressed or implied in the assignment of the said lease [*or* agreement] [and the court directed that both the applicant and the respondent should be jointly and severally liable to discharge or perform the following liabilities and obligations, namely—

(*details*)
in respect of the dwelling-house [arising under the tenancy or otherwise] which at the date of this order have fallen due to be discharged by the respondent [*or* applicant] [*or* which, but for this direction would before the date of this order fall due to be discharged or performed by the respondent [*or* applicant]] [and further directed that the respondent [*or* applicant] shall be liable to indemnify the applicant [*or* the respondent] to the following extent, namely—

against any payment made or expenses incurred by the applicant [*or* respondent] in discharging such liability or obligation]];

AND IT WAS FURTHER ORDERED that the applicant do recover from the respondent the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated the day of 19 .

Signed Clerk of the Crown and Peace

(Seal)

Signed Applicant/Solicitor for Applicant

FORM NO. 37

Order by county court under paragraph 2(3) of Schedule 2 to the Rent (Northern Ireland) Order 1978

[*Title as in Form No.* 35]

UPON AN APPLICATION under paragraph 2(1) of Schedule 2 to the Rent (Northern Ireland) Order 1978 by (*name*)
of (*address*)
the wife [*or* husband] of the respondent and the respondent being entitled in his [*or* her] own right [*or* jointly with her [*or* him]] the dwelling-house at (*address*)
being premises consisting of the following accommodation, namely—

(*specify details of dwelling-house and of accommodation occupied by tenant*), the applicant [*or* the respondent] having on the day of 19 been granted a decree of judicial separation [*or* an order under section 3(1)(*a*) of the Summary Jurisdiction (Separation and Maintenance) Act (Northern Ireland) 1945];

UPON HEARING for the Applicant;
AND UPON HEARING for the Respondent;

THE COURT ORDERED and directed that the respondent being entitled to occupy the dwelling-house by virtue of a statutory tenancy the respondent shall cease to be entitled to occupy the said dwelling-house and that the applicant shall be deemed to be the [sole] tenant under that statutory tenancy [and directed that both the applicant and the respondent shall be jointly and severally liable to discharge the following liabilities and obligations, namely—

in respect of the dwelling-house [arising under the tenancy or otherwise] which at the date of this order have fallen due to be discharged by the respondent [*or* applicant] [*or* which, but for this direction would before the date of this order fall due to be discharged or performed by the respondent [*or* applicant]] [and further directed that the respondent [*or* applicant] shall be liable to indemnify the applicant [*or* the respondent] to the following extent, namely—

against any payment made or expenses incurred by the applicant [*or* respondent] in discharging such liability or obligation]];

AND IT WAS FURTHER ORDERED that the applicant do recover from the respondent the sum of £ for costs and the sum of £ for witnesses' expenses].

Dated the day of 19 .

Signed
Clerk of the Crown and Peace

(Seal)

Signed
Applicant/Solicitor for Applicant

EXPLANATORY NOTE

(This note is not part of the rules but is intended to indicate their general purport.)

These rules provide for the procedure in the County Court under the Rent (Northern Ireland) Order 1978 upon appeals under article 11 from the issue or refusal of regulated or restricted rent certificates by a District Council.

The procedure is also prescribed upon applications by a tenant for compensation under article 20 of the Order as well as for appeals under article 47 against the issue or refusal by a District Council of certificates of disrepair and upon applications under article 69 for the determination of certain questions relating to tenancies to which the Order applies.

The rules also govern the procedure upon applications under Schedule 1 to the Order relating to statutory tenants by succession and under Schedule 2 relating to the transfer after a separation order or judicial separation of a protected or statutory tenancy or right of occupation under a statutory tenancy.

1978 No. 408

Medicines (Exemptions from Restrictions on the Retail Sale or Supply of Veterinary Drugs) (Amendment) Order 1978

This Order has been made by the Secretary of State concerned with health in England, the Secretaries of State respectively concerned with health and with agriculture in Scotland and in Wales, the Minister of Agriculture, Fisheries and Food, the Department of Health and Social Services for Northern Ireland and the Department of Agriculture for Northern Ireland, acting jointly, in exercise of powers conferred by sections 57(1), (2) and 129(4) of the Medicines Act 1968.

In pursuance of paragraph 11 of Schedule 4 to that Act this Order has been registered as a Northern Ireland Statutory Rule under the Statutory Rules Act (Northern Ireland) 1958. It is printed in full in the volume of United Kingdom Statutory Instruments and has been numbered 1001 in that series.