1978 No. 253

LANDLORD AND TENANT

The Rent Book Regulations (Northern Ireland) 1978

Made . . . . . 31*st August* 1978
Coming into operation . . . . . 1*st October* 1978

The Department of the Environment in exercise of powers conferred on it by Articles 38(2) and 74 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 Book 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;

"uncontrolled tenancy" means a tenancy which is a private tenancy but which is neither a regulated tenancy nor a restricted tenancy.

Particulars to be contained in rent books

3. Every rent book provided in pursuance of Article 38(1) of the Order shall contain the following particulars and information:—

(i) the address of the premises;
(ii) the name of the tenant;
(iii) the name and address of the landlord or his agent;
(iv) the rent payable and the period covered by each payment;
(v) the rates payable by the tenant in addition to rent and the period covered by each payment;
(vi) the amount and description of any other payment which the tenant is required to make in addition to rent;
(vii) the information referred to in regulation 4.

Information required by regulation 3(*vii*)

4. The information referred to in regulation 3(vii) is:—

(i) in the case of premises let under a regulated tenancy, as set out in Part I of the Schedule;
(ii) in the case of premises let under a restricted tenancy, as set out in Part II of the Schedule;
(iii) in the case of premises let under an uncontrolled tenancy as set out in Part III of the Schedule.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 31st August 1978.

(L.S.)

J. L. Semple,
Assistant Secretary

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

SCHEDULE

PART I

Rent book for a regulated tenancy

Additional particulars to be included in every rent book supplied in connection with a regulated tenancy

Register of rents

1. The Department of the Environment, Stormont, Belfast 4, maintains a register of rents and you or your landlord may apply to the Department to have your rent included in the register.

2. The register of rents may be inspected at your local Development Office or District Development Office and a certified copy of an extract relating to your house may be obtained for a payment of 15p.

Amount of rent

3. The landlord is not permitted to increase your rent until the new rent is registered by the Department of the Environment. The Department will notify you as soon as it registers the new rent and you will have a right to appeal to a rent assessment committee if you think the increase is too much.

4. If your rent is increased and you think that there are serious defects in your house, there are 2 possible courses open to you:—

(*a*) You may apply to your district council for a restricted rent certificate *but your application must reach the council by 30th September* 1979. If the council considers your house is below the standard of accommodation which the Department has laid down, they will issue a restricted rent certificate. Once this certificate is issued, the landlord will not be allowed to charge you a rent greater than he was allowed to charge immediately before 1st October 1978.

(*b*) You may ask your landlord to carry out whatever repairs you consider to be his responsibility—see paragraphs 11 and 12 below. If he fails to do so you may take the action set out in paragraph 13. However, you cannot take action under paragraph 13 if a restricted rent certificate is issued by the district council.

Appeal

5. If you consider the registered rent is too high you may apply to a rent assessment committee to determine an appropriate rent. Your application must be made to the Rent Officer for Northern Ireland within 4 weeks from the date on which you are notified by the Department that the rent has been registered.

Increases in rent

6. The landlord must give you 4 week's notice of any increase in your rent.

7. If your landlord carries out improvements to your house, he may apply to a rent assessment committee to have the registered rent increased.

8. The Department of the Environment will review the level of registered rents from time to time and may determine an increase.

Assistance to pay rent

9. If you have difficulty in paying your rent you may apply to the Department of Finance for a rent allowance. Details of the Private Tenants' Rent Allowance Scheme may be obtained from the Department of Finance, Oxford House, Chichester Street, Belfast 1, or from your local Rating Office of the Department of Finance.

Rates

10. Your landlord may charge, in addition to rent for a rental period, the proportion of the annual rates applicable to that period.

Repairs

11. Your obligations to carry out repairs and your landlord's obligations are set out in the leaflet "Tenants' Rights" obtainable free from the Department of the Environment, Stormont, Belfast 4, your local Development Office or District Development Office, your Estate Agent or a Citizens' Advice Bureau.

12. In the absence of express provisions to the contrary in your contract of tenancy, broadly speaking your landlord is responsible for the exterior and structure (e.g. roof, chimney, gutters, etc.) and you are responsible for the maintenance and decoration of the interior.

13. If your landlord fails to carry out any repairs which you have asked him to do, you may apply to your district council for a certificate of disrepair. The council will then arrange for your house to be inspected and, if it is satisfied that repairs should be carried out by the landlord it will serve on him a certificate of disrepair requiring him to carry out the works. If he still fails to do so, the council may take court proceedings against him.

Security of tenure

14. Your landlord cannot evict you without a court order.

Harassment

15. It is a criminal offence for your landlord or anyone else to try to make you leave your home by using force, by harassing you or your family or by interfering with your home or your possessions.

Citizens' Advice Bureau

16. Your local Citizens' Advice Bureau is available to advise you on any matter connected with your tenancy.

Further information

17. For further information you should obtain the leaflet "Tenants' Rights" referred to in paragraph 11.

Part II

Rent book for a restricted tenancy

Additional particulars to be included in every rent book supplied in connection with a restricted tenancy

Register of rents

1. The Department of the Environment, Stormont, Belfast 4, maintains a register of rents and you or your landlord may apply to the Department to have your rent included in the register.

2. The register of rents may be inspected at your local Development Office or District Development Office and a certified copy of an extract relating to your house may be obtained for a payment of 15p.

Amount of rent

3. Your landlord may not charge you a rent greater than the amount he was legally entitled to charge immediately before 1st October 1978 unless the district council issues a regulated rent certificate certifying that your house meets certain standards of accommodation which the Department has laid down.

4. Your landlord may apply to the district council for a regulated rent certificate.

5. If a regulated rent certificate is issued your landlord may apply to the Department of the Environment to register a higher rent and the Department will inform you of the result of his application and of your rights.

Assistance to pay rent

6. If you have difficulty in paying your rent you may apply to the Department of Finance for a rent allowance. Details of the Private Tenants' Rent Allowance Scheme may be obtained from the Department of Finance, Oxford House, Chichester Street, Belfast 1, or from your local Rating Office of the Department of Finance.

Increases in rent

7. Your landlord may apply to a rent assessment committee to have the rent increased if he carries out improvements to your house.

Rates

8. Your landlord may charge, in addition to rent for a rental period, the proportion of the annual rates applicable to that rental period.

Security of tenure

9. Your landlord cannot evict you without a court order.

Harassment

10. It is a criminal offence for your landlord or anyone else to try to make you leave your home by using force, by harassing you or your family or by interfering with your home or your possessions.

Citizens' Advice Bureau

11. Your local Citizens' Advice Bureau is available to advise you on any matter connected with your tenancy.

Further information

12. For further information you should obtain the leaflet "Tenants' Rights" which is available free from the Department of the Environment, Stormont, Belfast 4, your local Development Office or District Development Office, your Estate Agent or a Citizens' Advice Bureau.

PART III

Rent book for uncontrolled tenancies

Additional particulars to be included in every rent book supplied in connection with an uncontrolled tenancy

Assistance to pay rent

1. If you have difficulty in paying your rent you may apply to the Department of Finance for a rent allowance. Details of the Private Tenants' Rent Allowance Scheme may be obtained from the Department of Finance, Oxford House, Chichester Street, Belfast 1, or from your local Rating Office of the Department of Finance.

Notice to Quit

2. A Notice to Quit is not valid unless it is given not less than 4 weeks before the date on which it is to take effect.

Harassment

3. It is a criminal offence for your landlord or anyone else to try to make you leave your home by using force, by harassing you or your family or by interfering with your home or your possessions.

Citizens' Advice Bureau

4. Your local Citizens' Advice Bureau is available to advise you on any matter connected with your tenancy.

EXPLANATORY NOTE

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

These regulations set out the particulars and information required to be contained in rent books supplied by landlords of houses let under private tenancies.

If a landlord or any person who demands or receives rent on his behalf of a house let under a private tenancy fails to provide the tenant with a rent book containing the aforesaid particulars and information after 1st October 1978 he shall be liable to a fine not exceeding £400.