1983 No. 267

LANDLORD AND TENANT

The Rent Book Regulations (Northern Ireland) 1983

Made . . . . . *6th September 1983*

Coming into operation . . . *28th September 1983*

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) 1983 and shall come into operation on 28th September 1983.

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.

Revocation

3. The Rent Book Regulations (Northern Ireland) 1978(b) are hereby revoked.

Particulars to be contained in rent books

4. 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 and his agent (if any);

(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 and rates;

(vii) the information referred to in regulation 5.

Information required by regulation 4 (vii)

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

(i) in the case of premises let under a regulated tenancy, as set out in Part I of the Schedule;

(a) S.I. 1978/1050 (N.I. 20) as amended by S.I. 1983/1118 (N.I. 15)
(b) S.R. 1978 No. 253

(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 6th September 1983.

(L.S.) *E. A. Simpson*
Assistant Secretary

SCHEDULE

PART I

Additional information to be included in every rent book supplied in connection with premises let under a regulated tenancy

General

1. You are protected by the Rent (Northern Ireland) Order 1978 and your house is let under a "regulated tenancy". That Order contains important rules concerning your rights to stay in your home, the amount of rent you have to pay and the repairing obligations under your tenancy. Details of these are set out in the Department of the Environment's booklet "The Private Rented Sector in Northern Ireland — A Guide for Landlords and Tenants". The booklet is available from the Department's Development Offices or District Development Offices, the office of the Rent Officer for Northern Ireland, the Northern Ireland Housing Executive's Housing Advice Centre, the Belfast Housing Aid Society, any local Citizens' Advice Bureau or your estate agent.

Security of Tenure

2. You cannot be evicted from your home unless your landlord gets a possession order from the Courts and the Courts can grant an order only in certain circumstances.

Rent

3. Either you or your landlord may apply to the Department of the Environment to have your rent registered and the register of rents is available for inspection. There are rules about how and when the registered rent can be increased and grounds for either you or your landlord to appeal to a rent assessment committee.

Rates

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

Assistance with rent and rates

5. You may be entitled to get help to pay your rent and rates. Further details should be obtained from any local rating office of the Department of the Environment *or from 20th November 1983,* to your local office of the Northern Ireland Housing Executive or if you qualify for supplementary benefit at your local social security office.

Repairs

6. You and your landlord have certain repairing obligations. In the absence of express provision 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.

7. 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. Similar procedures are available to your landlord if you fail to meet your repairing responsibilities.

Shorthold tenancies

8. If you have a protected *shorthold* tenancy special rules apply. You should read the Department of the Environment's booklet "Shorthold Tenancies in Northern Ireland" which sets out these rules. The booklet can be obtained from those sources detailed in paragraph 1.

Harassment

9. It is 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.

Further advice

10. If you are in doubt about your legal rights or obligations, particularly if your landlord has asked you to leave, you should go to a Citizens' Advice Bureau, the Housing Executive's Housing Advice Centre, the Belfast Housing Aid Society or a solicitor. Help with all or part of the cost of legal advice from a solicitor may be available under the Legal Aid Scheme.

PART II

Additional information to be included in every rent book supplied in connection with premises let under a restricted tenancy

General

1. You are protected by the Rent (Northern Ireland) Order 1978 and your house is let under a "restricted tenancy". The Rent Order contains important rules concerning your rights to stay in your home and the amount of rent you have to pay. Details of these are set out in the Department of the Environment's booklet "The Private Rented Sector in Northern Ireland — A Guide for Landlords and Tenants". The booklet is available from the Department's Development Offices or District Development Offices, the office of the Rent Officer for Northern Ireland, the Northern Ireland Housing Executive's Housing Advice Centre, the Belfast Housing Aid Society, any local Citizens' Advice Bureau or your estate agent.

Security of tenure

2. You cannot be evicted from your home unless your landlord gets a possession order from the Courts and the Courts can grant an order only in certain circumstances.

Rent

3. Either you or your landlord may apply to the Department of the Environment to have your rent registered and the register of rents is available for inspection. Generally your landlord may not charge you a rent greater than the amount he was legally entitled to charge immediately before 1st October 1978, or if your landlord is an unregistered housing association the relevant date is before 28th September 1983.

Rates

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

Assistance to pay rent and rates

5. You may be entitled to get help to pay your rent and rates. Further details should be obtained from any local rating office of the Department of the Environment, *or from 20th November 1983*, to any local office of the Northern Ireland Housing Executive or if you qualify for supplementary benefit at your local social security office.

Regulated rent certificate

6. Your landlord may apply at any time to your district council for a regulated rent certificate. If such a certificate is issued your letting becomes a regulated tenancy and new rules will apply particularly in relation to the amount of rent you have to pay and to the repairing obligations of you and your landlord.

Shorthold tenancies

7. If you have a protected *shorthold* tenancy special rules apply. You should read the Department of the Environment's booklet "Shorthold Tenancies in Northern Ireland" which sets out these rules. The booklet can be obtained from the sources detailed in paragraph 1.

Harassment

8. 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.

Further advice

9. If you are in any doubt about your legal rights or obligations, particularly if your landlord has asked you to leave, you should go to a Citizens' Advice Bureau, the Housing Executive's Housing Advice Centre, the Belfast Housing Aid Society or a solicitor. Help with all or part of the cost of legal advice from a solicitor may be available under the Legal Aid Scheme.

PART III

Additional information to be included in every rent book supplied in connection with premises let under an uncontrolled tenancy

General

1. Your letting is not a protected or statutory tenancy within the meaning of the Rent (Northern Ireland) Order 1978 and is known as an "uncontrolled tenancy". The terms and conditions of your tenancy are a matter for agreement between you and your landlord.

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.

Assistance to pay rent and rates

3. You may be entitled to get help to pay your rent and rates. Further details should be obtained from any local rating office of the Department of the Environment, *or from 20th November 1983*, to any local office of the Northern Ireland Housing Executive or if you qualify for supplementary benefit at your local social security office.

Harassment

4. 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.

Further advice

5. If you are in any doubt about your legal rights or obligations, particularly if your landlord has asked you to leave, you should go to a Citizens' Advice Bureau, the Housing Executive's Housing Advice Centre, the Belfast Housing Aid Society or a solicitor. Help with all or part of the cost of legal advice from a solicitor may be available under the Legal Aid Scheme.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Article 38 of the Rent (Northern Ireland) Order 1978 provides that a landlord of a dwelling-house held under a private tenancy must provide the tenant with a rent book containing such particulars and information as may be prescribed by the Department of the Environment. If a landlord, or any person who demands or receives rent on his behalf, fails to provide such a rent book he shall be liable to a fine of up to £500.

These regulations, which revoke the Rent Book Regulations (Northern Ireland) 1978, set out the particulars and information which must be contained in rent books supplied by landlords of houses let under private tenancies.