1978 No. 260

LANDLORD AND TENANT

The Rent (Forms) Regulations (Northern Ireland) 1978

Made . . . . . *6th September* 1978

Coming into operation . . . *1st October* 1978

The Department of the Environment, in exercise of the powers conferred on it by Article 74(1) 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 (Forms) 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;

"register" means the register of rents referred to in Article 25(1) of the Order.

Forms to be used

3. The forms set out in Schedule 2 (of which a list is set out in Schedule 1) shall be the forms to be used in the exercise of functions under the Order.

Particulars to be contained in register of rents

4. The register shall contain the particulars with regard to a regulated tenancy or a restricted tenancy which are set out in Schedule 3.

Fee for certified copy of entry in register of rents

5. The fee to be paid under Article 25(8) of the Order for a certified copy of an entry in the register shall be 15p.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 6th September 1978.

(L.S.)

R. B. Spence
Assistant Secretary

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

SCHEDULE 1

List of Forms

Form No.

1. Notice of application to a district council to determine whether a house meets the regulated tenancy standards.
2. Regulated rent certificate.
3. Restricted rent certificate.
4. Refusal of application for regulated rent certificate.
5. Application for registration of rent of a regulated tenancy.
6. Application for registration of rent of a restricted tenancy.
7. Notification of registration of rent of a regulated tenancy.
8. Notification of registration of rent of a restricted tenancy.
9. Notice of increase in rent of a regulated tenancy.
10. Certificate of disrepair.
11. Notice by rent assessment committee requiring information to be given.

SCHEDULE 2 Article 10(2)

FORM 1

(i) ..... COUNCIL

(ii) .....

NOTICE OF APPLICATION TO A DISTRICT COUNCIL TO ASCERTAIN WHETHER A HOUSE MEETS THE REGULATED TENANCY STANDARDS RENT (NORTHERN IRELAND) ORDER 1978

TO (iii) ....

1. Take notice that (i) ..... Council has received an application to ascertain whether the dwelling house at (iv) .... meets the regulated tenancy standards (See Note 4)).

2. A copy of the application is enclosed.

3. You may, within 28 days from the service of this notice, make representations to the council as to whether or not the dwelling house meets the regulated tenancy standards.

4. You should read the notes below which explain the regulated tenancy standards and the effect they have on your rent.

Dated this day of 19 .

.....
For and on behalf of the Council

(i) Insert name of council.

(ii) Insert address of council.

(iii) Insert name and address of landlord (or agent) or tenant as appropriate.

(iv) Insert address.

NOTES

(1) Article 8(1) of the Rent (Northern Ireland) Order 1978 provides that a district council shall if an application in that behalf is made to it not later than 30th September, 1979, by a landlord or tenant of a dwelling house let on a regulated tenancy, cause that house to be inspected with a view to ascertaining whether it meets the regulated tenancy standards.

(2) Article 9(1) of the Rent (Northern Ireland) Order 1978 provides that a district council shall if an application is made to it in that behalf at any time by the landlord under a restricted tenancy, cause the dwelling house in which the tenancy subsists to be inspected with a view to ascertaining whether it meets the regulated tenancy standards.

(3) Articles 8(2) and 9(2) provide that where on an application under Article 8(1) or Article 9(1) the council is satisfied that a dwelling house meets the regulated tenancy standards it shall issue a certificate to that effect.

(4) The council will issue a regulated rent certificate if it is satisfied that the house meets the regulated tenancy standards. A house satisfies the regulated tenancy standards if:—

(*a*) it is structurally stable;

(*b*) it is substantially free from damp;

(*c*) it has satisfactory provision for natural lighting and for ventilation;

(*d*) it has an adequate piped supply of wholesome water available within the dwelling-house;

(*e*) it has a water closet available for the exclusive use of the occupants of the dwelling-house;

(*f*) it has an effective system for the drainage and disposal of foul and surface water;

(*g*) it has satisfactory facilities for the storage and preparation of food within the house;

(*h*) its internal arrangement is satisfactory;

(*i*) it has a hot water supply at a sink within the dwelling-house;

(*j*) it is in such a state of repair as to render it reasonably suitable for occupation.

(5) The council will issue a restricted rent certificate if it is satisfied that the house does not meet the regulated tenancy standards.

(6) If a restricted rent certificate is issued in respect of your house, the rent will be restricted to what was legally chargeable immediately before 1st October 1978. The landlord or the tenant may apply to have this rent registered by the Department of the Environment.

(7) If a regulated rent certificate is issued, the landlord or the tenant may apply to the Department of the Environment to register a new rent.

(8) The registered annual rent would be 2½ times the net annual value of the house (subject to a maximum of £8 per week) but if the landlord or the tenant is of the opinion it is not the appropriate rent he may apply to a rent assessment committee. A full explanation of that procedure is included in the notice of registration issued by the Department.

FORM 2 Article 8(2)(*b*)

(*a*) ..... COUNCIL

REGULATED RENT CERTIFICATE

The Rent (Northern Ireland) Order 1978

House at .....

The ..... Council in accordance with Article (*a*)[8][9] of the Rent (Northern Ireland) Order 1978 having caused the above dwelling house to be inspected, hereby certifies that it is satisfied it meets the regulated tenancy standards.

If a restricted rent certificate has previously been issued in respect of the above house it shall cease to have effect as from the date of issue of this regulated rent certificate.

Dated this day of 19 .

Address of Council .....

....

..... For and on behalf of the Council

(*a*) Delete as appropriate.

NOTES

RENT

1. Where a regulated tenancy certificate is issued the landlord or the tenant may apply to the Department of the Environment, Stormont, Belfast 4, to have the rent registered by the Department.

2. Where a regulated rent certificate is issued in respect of a house the rent chargeable is limited to the greater of the following:—

(*a*) the rent registered by the Department of the Environment under Article 25 of the Rent (Northern Ireland) Order 1978, i.e., 2½ times the net annual value of the house subject to a maximum of £8 per week or, if an appeal is made to a rent assessment committee, the appropriate rent fixed by that committee;

(*b*) the rent payable immediately before 1st October 1978 if the tenancy existed on that date.

APPEAL

3. A tenant on whom a copy of a regulated rent certificate is served may appeal to the county court within 28 days after the service of the copy or such longer period as the court may allow.

FORM 3 Article 8(2)

..... COUNCIL

RESTRICTED RENT CERTIFICATE

The Rent (Northern Ireland) Order 1978

House at .....

The ..... Council in accordance with Article 8 of the Rent (Northern Ireland) Order 1978 having caused the above dwelling house to be inspected hereby certifies that it is satisfied it does not meet the regulated tenancy standards. The Council considers that the house does not meet the regulated tenancy standards in the following respects .....

.....

Dated this day of 19 .

Address of Council .....

....

..... For and on behalf of the Council

NOTES

RENT

(1) Where a restricted rent certificate is issued in respect of a house the rent shall, notwithstanding anything in any agreement, not exceed the rent which was legally chargeable immediately before 1st October 1978.

APPEAL

(2) A landlord on whom a restricted rent certificate is served may appeal to the county court within 28 days after the service of the certificate or such longer period as the court may allow.

FORM 4 Article 9(2)

..... COUNCIL

NOTICE OF REFUSAL OF APPLICATION FOR REGULATED RENT CERTIFICATE

The Rent (Northern Ireland) Order 1978

House at .....

The ..... Council in accordance with Article 9(2) of the Rent (Northern Ireland) Order 1978 having caused the above dwelling-house to be inspected and not being satisfied that it meets the regulated tenancy standards hereby refuses to issue a regulated rent certificate certifying that it meets the regulated tenancy standards.

The reason for the Council's refusal is that it is not satisfied that the dwelling house meets the regulated tenancy standards for the following reasons:

.....

.....

Dated this day of 19

Address of Council .....

....

..... For and on behalf of the Council

NOTES

RENT

(1) Where a regulated rent certificate is refused in respect of a house the rent shall, notwithstanding anything in any agreement, not exceed the rent which was legally chargeable immediately before 1st October 1978.

APPEAL

(2) A landlord on whom a notice of refusal of a regulated rent certificate is served may appeal to the county court within 28 days after the service of the notice or such longer period as the court may allow.

FORM 5 Article 26(2)

DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND
RENT (NORTHERN IRELAND) ORDER 1978

REGULATED TENANCY

Application for Registration of Rent

To the Department of the Environment (N.I.), Stormont, Belfast BT4 3SS.

REGISTRATION NO: .....
for office use only

1. Address of Premises (*Block Capitals*) .....
.....

2. (a) Net Annual Value of Premises £.....
(b) If Premises are not separately assessed the apportionment of the Net Annual Value by the Valuation Office £.....

Notes:
(i) If the premises are not separately assessed you must secure an apportionment of the Net Annual Value from the Valuation Office.
(ii) If the Net Annual Value is less than £60 you must send a copy of a Regulated Rent Certificate issued by the district council.

3. State whether rent paid weekly, monthly or at other intervals. .....

4. Name of Tenant (*Block Capitals*) .....

5. Name and addres of Landlord or Agent (*Block Capitals*) .....
.....

6. Description of Premises

Terrace House	☐	Please tick where applicable
Semi-Detached House	☐	
Detached House	☐	
Flat	☐	
Number of Storeys*	☐	Please insert number
Number of Reception Rooms	☐	
Number of Bedrooms	☐	

*A house comprising a ground floor and a floor above should be regarded as of 2 storeys, etc.

Bath or shower		Please tick if installed and insert "S" if shared with another household
WC Inside		
WC Outside		
Wash Hand Basin		
Hot Water		
Cold Water		
Kitchen Sink		
When Built: Pre 1870		Please tick
1870—1919		
1920—1944		
Post 1944		

7. I hereby apply for registration of the rent for the aforementioned premises. To the best of my knowledge and belief the particulars given above are correct.

Signed .....

State whether Landlord/Agent/Tenant .....

Date .....

FORM 6 Article 26(2)

DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND
RENT (NORTHERN IRELAND) ORDER 1978

RESTRICTED TENANCY

Application for Registration of Rent

To the Department of the Environment (N.I.), Stormont, Belfast BT4 3SS.

REGISTRATION NO: .....
for office use only

1. Address of Premises (*Block Capitals*) .....
.....
2. Net Annual Value £.....
3. Name of Tenant (*Block Capitals*) .....
4. Weekly Rent (excluding rates) .....
5. Name and address of landlord or agent (*Block Capitals*) .....
.....
6. I hereby apply for registration of the rent for the above premises as stated in 4 above. To the best of my knowledge and belief the particulars given are correct.

Signed .....

State whether Landlord/Agent/Tenant .....

Date .....

Notes:

(i) This application must be accompanied by a Rent Book, receipt or Landlord's Certificate showing the last weekly payment of rent before 1st October 1978.

(ii) If the Net Annual Value is £60 or more you must send a copy of a Restricted Rent Certificate issued by the district council.

FORM 7 Article 26(4)

DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND STORMONT, BELFAST 4

RENT (NORTHERN IRELAND) ORDER 1978

Registration No. .....

To .....

of .....

.....

State whether tenant or landlord .....

Dear Sir/Madam,

NOTIFICATION OF REGISTRATION OF RENT (REGULATED TENANCY) DWELLING HOUSE AT .....

DATE ON WHICH APPLICATION FOR REGISTRATION WAS RECEIVED BY THE DEPARTMENT .....

1. The Department of the Environment has now registered the rent payable in respect of the above dwelling house. The registered rent is shown in the box below.

REGISTERED RENT ..... per .....
(Not including rates)

2. If the landlord or the tenant wishes to appeal to a rent assessment committee that the rent is inappropriate application must be made within 4 weeks of the service of this notice. (See Notes 5 and 6).

3. If the rent presently payable is less than the registered rent, the landlord may serve a notice of increase to bring it up to the registered rent. The increase shall not be payable earlier than:—

(*a*) 10 weeks after the application for registration was received by the Department;

(*b*) 4 weeks after the service of the notice of increase.

4. Where a tenant pays rent in excess of the registered rent he is entitled to recover the excess from the landlord at any time up to 2 years after the date of payment.

5. The rent register may be inspected during normal hours of business at your local Development Office or District Development Office of the Department of the Environment. (The addresses will be found in the telephone directory.) A certified copy of an entry in the register may be obtained from that office or the Department of the Environment, Stormont, Belfast 4, on payment of 15p.

6. A copy of this notice has been sent to the other party affected by the registration.

DATE ..... SIGNED .....

NOTES

REGULATED TENANCY STANDARDS

(1) The Rent (Northern Ireland) Order 1978 provides that a landlord may not increase the rent which was legally chargeable by him immediately before 1st October 1978 if a district council has certified that the house does not meet the regulated tenancy standards. In order to meet the regulated tenancy standards a house must:—

(*a*) be structurally stable;

(*b*) be substantially free from damp;

(*c*) have satisfactory provision for natural lighting and for ventilation;

(*d*) have an adequate piped supply of wholesome water available within the dwelling house;

(*e*) have a water closet available for the exclusive use of the occupants of the dwelling house;

(*f*) have an effective system for the drainage and disposal of foul and surface water;

(*g*) have satisfactory facilities for the storage and preparation of food within the house;

(*h*) have a satisfactory internal arrangement;

(*i*) have a hot water supply at a sink within the dwelling house;

(*j*) be in such a state of repair as to render it reasonably suitable for occupation.

(2) If the tenant considers that the house does not meet any of these standards he may ask the district council to have it inspected.

(3) If his request is received by the council not later than 30th September 1979 and the council considers that the house does not meet the standards it will issue a restricted rent certificate. This would enable the tenant to have the rent restricted to the amount which the landlord was permitted to charge immediately before 1st October 1978.

(4) If the request is received by the council on or after 1st October 1979 the council may inspect the house to ascertain if it meets the regulated tenancy standards. If it does not the rent for the property will not be automatically reduced to what was charged before 1st October 1978 but the tenant may apply to a rent assessment committee to have the rent reduced.

APPLICATION TO RENT ASSESSMENT COMMITTEE

(5) If either the landlord or the tenant considers that the registered rent is not the appropriate rent he may apply to a rent assessment committee to determine an appropriate rent but his application must be received not later than 4 weeks after service of this notice. (The appropriate rent is the rent which would be charged for the house if it were let by the Northern Ireland Housing Executive.)

(6) An application to a rent assessment committee may be made by writing to the Rent Officer for Northern Ireland.

RENT BOOK

(7) The landlord is required to provide the tenant with a rent book containing details of the rent payments and other prescribed information relating to the tenancy.

ASSISTANCE TO PAY RENT

(8) If the tenant has difficulty in paying his rent and is not in receipt of Supplementary Benefit it is open to him to apply for a rent allowance. Application should be made to the local rating office of the Department of Finance or to the Department of Finance, Rating Division, Oxford House, Chichester Street, Belfast 1.

FORM 8 Article 26(4)

DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND STORMONT, BELFAST 4

RENT (NORTHERN IRELAND) ORDER 1978

Registration No. .....

To .....

of .....

.....

State whether tenant or landlord .....

Date .....

Dear Sir/Madam,

NOTIFICATION OF REGISTRATION OF RENT (RESTRICTED TENANCY)

DWELLING HOUSE AT .....

DATE ON WHICH APPLICATION FOR REGISTRATION WAS RECEIVED BY THE DEPARTMENT .....

1. The Department of the Environment has now registered the rent payable in respect of the above dwelling house. The registered rent is shown in the box below.

REGISTERED RENT ..... per .....
(Not including rates)

2. When a tenant pays rent in excess of the registered rent he is entitled to recover the excess from the landlord at any time up to 2 years after the date of payment.

3. The rent register may be inspected during normal office hours at your local Development Office or District Development Office of the Department of the Environment. (The addresses will be found in the telephone directory.) A certified copy of an entry in the register may be obtained from that office or the Department of the Environment, Stormont, Belfast 4, on payment of .....

4. A copy of this notice has been sent to the other party affected by the registration.

DATE ..... SIGNED .....

NOTES

REGULATED TENANCY STANDARDS

(1) The house to which this notice relates is deemed not to meet the regulated tenancy standards. In order to meet the regulated tenancy standards a house must:—

(*a*) be structurally stable;

(*b*) be substantially free from damp;

(*c*) have satisfactory provision for natural lighting and for ventilation;

(*d*) have an adequate piped supply of wholesome water available within the dwelling house;

(*e*) have a water closet available for the exclusive use of the occupants of the dwelling house;

(*f*) have an effective system for the drainage and disposal of foul and surface water;

(*g*) have satisfactory facilities for the storage and preparation of food within the house;

(*h*) have a satisfactory internal arrangement;

(*i*) have a hot water supply at a sink within the dwelling house;

(*j*) be in such state of repair as to render it reasonably suitable for occupation.

(2) If the landlord considers that the house meets these standards he may ask the district council to have it inspected. If the council considers that the house meets the standards it will issue a regulated rent certificate. This would enable the landlord to have a new rent registered for the house.

RENT BOOK

(3) The landlord is required to provide the tenant with a rent book containing details of the rent payments and other prescribed details relating to the tenancy.

ASSISTANCE TO PAY RENT

(4) If the tenant has difficulty in paying his rent and is not in receipt of Supplementary Benefit it is open to him to apply for a rent allowance. Application should be made to the local rating office of the Department of Finance or to the Department of Finance, Rating Division, Oxford House, Chichester Street, Belfast 1.

FORM 9 Article 22

RENT (NORTHERN IRELAND) ORDER 1978

NOTICE OF INCREASE IN RENT OF A REGULATED TENANCY

To(1) ..... tenant of(2).....

I hereby give you notice that the rent lawfully recoverable from you as tenant of the above-mentioned premises will be increased from(3)..... by £..... per

The new rent payable will therefore be £..... but see Note 5.
(4) You will also have to make a payment in respect of rates — see Note 4.

Signature of(5) landlord/agent .....

Address of(5) landlord/agent .....

(1) Insert name of tenant.
(2) Insert address of tenant.
(3) Insert date from which increase takes effect (see note 3).
(4) Delete if inappropriate.
(5) Delete whichever is inappropriate.

NOTES

1. This notice of increase is for a regulated tenancy under the Rent (Northern Ireland) Order 1978.

2. This notice may only be issued after the increased rent has been registered by the Department of the Environment. The Department must serve on the tenant a notice stating the amount of the registered rent.

3. The increased rent shown on this notice shall not come into effect before —

(*a*) the date on which the registered rent to which it relates takes effect (this date is shown on the notification of registration of rent) or

(*b*) 4 weeks after the service of this notice;

whichever is the later.

4. Where a landlord pays rates on behalf of a tenant he may recover from the tenant an amount in respect of rates in addition to the registered rent. This amount should be the appropriate proportion of the annual rates, for example one fifty second if the rent is paid weekly. If the annual rates are increased, the landlord may increase accordingly the amount recovered from the tenant, without serving a notice of increase.

5. RENT ALLOWANCE SCHEME

(*a*) A tenant can be given an allowance towards all or part of his rent if his income is below a certain level. Application should be made to the local rating office of the Department of Finance or to the Department of Finance, Rating Division, Oxford House, Chichester Street, Belfast 1.

(*b*) If you are already in receipt of a rent allowance you should inform your local rating office of the Department of Finance (or the Department of Finance, Rating Division, Oxford House, Chichester Street, Belfast 1) of the date from which the increased rent will come into effect and the amount of the new rent so that your rent allowance can be increased.

(*c*) You may also be entitled to a rate rebate if your income is below a certain level. Further information can be obtained from your local rating office of the Department of Finance or the Department of Finance, Rating Division, Oxford House, Chichester Street, Belfast 1.

6. SUPPLEMENTARY BENEFIT

If you are in receipt of supplementary benefit you should inform your local office of the Department of Health & Social Services of the date from which the increased rent will come into effect and the amount of the new rent.

FORM 10 Article 46

.....

(Name of district council)

CERTIFICATE OF DISREPAIR

Rent (Northern Ireland) Order 1978

To .....

.....

.....

1. The ..... District Council has caused the dwelling house at ..... which is let on a regulated tenancy and of which you are the landlord/tenant to be inspected with a view to ascertaining whether you are in breach of any covenant or condition (whether express or implied) to repair, maintain or take care of the said dwelling house, any fixtures attached to these premises or any such installations as are mentioned in Art. 41(1)(*c*) of the Rent (Northern Ireland) Order 1978 (hereinafter referred to as "the repairing conditions").

2. The Council hereby certifies that it is satisfied that you are in breach of the repairing conditions and that the following works are required to make good the said breach.

.....

.....

.....

.....

.....

.....

3. You are hereby required to carry out the said works to the council's satisfaction within a period of ..... days commencing with the date this certificate is served on you.

4. If you or the landlord/tenant disagree with this certificate each of you may, within 28 days after the date on which it is served, appeal to the county court.

5. If you fail to comply with this certificate within the period indicated at 3 above or if having appealed against it to the county court, the appeal is not upheld, the council may apply to a court of summary jurisdiction for an order requiring you to comply with this certificate.

Dated this day of 19 .

.....

For and on behalf of the council

FORM 11 Article 28(2) and Schedule 6

RENT ASSESSMENT COMMITTEE

Dear Sir/Madam,

DWELLING HOUSE AT

The rent assessment committee to which the application for the determination of an appropriate rent for the above-mentioned dwelling has been assigned requires you to give to the committee the information specified below.

Take notice that you are to forward this information to the committee at the address above not later than ..... Failure to supply this information without reasonable cause may, on first conviction, result in a fine not exceeding £100 and on a second or subsequent conviction result in a fine not exceeding £400.

INFORMATION REQUIRED

Yours faithfully

SCHEDULE 3

Particulars with regard to a regulated tenancy or a restricted tenancy to be contained in the register.

1. Address of the house to which the registered rent relates.
2. Reference number.
3. Registered rent.
4. Date from which registration takes effect.
5. Period covered by each payment of rent.
6. Whether rent determined by a rent assessment committee.

EXPLANATORY NOTE

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

These regulations prescribe the forms to be used for the purposes of the Rent (Northern Ireland) Order 1978 and also the information to be contained in the register of rents (Schedule 3). Schedule 1 gives a list of the forms and Schedule 2 specifies the form to be used for each different purpose.