

Privately Rented Housing

Housing should provide an environment that is as safe and healthy as possible. Poor housing conditions can be a major cause of ill health.

The council works to tackle problems in relation to privately rented housing by requiring landlords to carry out necessary repair or improvement work.

Under the Private Tenancies (NI) Order 2006, the Rent (NI) Order 1978 and the Public Health (Ireland) Act 1878, landlords have certain legal responsibilities to their tenants.



Certificate of Fitness

If the dwelling was built before 1945, a tenant moved in after 1st April 2007, it does not have a Regulated Rent Certificate issued within the past 10 years or did not have a renovation grant paid by the Housing Executive within the past 10 years or did not have a HMO grant paid within the past 10 years you are required by law to have an inspection carried out on the property to determine its fitness for human habitation, the cost of which is £50. Failure to do so is an offence and can result in a fine.

The inspection is carried out by Environmental Health Officers and a certificate of fitness will be issued if the dwelling meets the fitness standard for human habitation. To pass inspection the dwelling must:

- Be structurally stable
- Be free from serious disrepair
- Be free from dampness prejudicial to the health of the occupants
- Have adequate provision for lighting, heating and ventilation
- Have an adequate piped supply of wholesome water
- Have satisfactory facilities in the house for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water
- Have a suitably located toilet for the exclusive use of the occupants
- Have a suitably located fixed bath or shower and wash-hand basin each of which is provided with a satisfactory supply of hot and cold water
- Have an effective system for the draining of foul, waste and surface water

If one or more of these standards are not met, the dwelling will be deemed to be unfit and a notice of refusal will be issued, meaning that the rent for the property will be controlled by the Rent Officer for Northern Ireland until the works required to bring the property up to the fitness standard are carried out.

[Application form to conduct a fitness inspection \(landlord application\)](#)

[Application form to conduct a fitness inspection \(tenant application\)](#)

Rent Books

Landlords must provide a rent book to their tenants. The information contained in the book depends upon when the tenancy started. Follow the links below for further information.

[Particulars to be included in a rent book \(For tenancies that started before April 2007\)](#)

[Particulars to be included in a rent book \(For tenancies that started after April 2007\)](#)

Tenancy Statements

Landlords must also provide a tenancy statement for all tenancies that started after April 2007. The tenancy statement must be provided within **28 days** of a tenancy starting otherwise a six month tenancy will apply along with default repairing obligations for the landlord and tenant.

[Particulars to be included in a tenancy statement \(Required for all tenancies that started after April 2007\)](#)

[Default repairing obligations for landlords and tenants](#)

Freedom from Harassment & Illegal Eviction

Harassment and unlawful eviction are criminal offences under the Rent (NI) Order 1978.

Harassment covers any action taken by a landlord, or someone acting on their behalf, to make a tenant leave their home.

Illegal eviction occurs when a landlord, or any person acting for them, forces or attempts to force a tenant from their home where the correct legal procedure has not been followed.

If a landlord wants a tenant to leave, they must provide a 'notice to quit', even if there is no tenancy agreement.

The notice must be for at least 28 days, regardless of what the tenancy agreement states. It should be in writing and both the landlord and tenant should keep a copy.

If the tenant does not leave after the notice has run out, the landlord can apply for a court order from a magistrates' court.

However, it is an offence to evict a tenant without getting a court order, even if the notice to quit has expired.

Landlords do not need a court order to evict licensees, who share part or all of a property (usually with the landlord). Licensees are only entitled to 'reasonable' notice before they must leave the property.

Dampness and Condensation

Dampness is caused by a structural defect to the property that allows water to pass from the exterior of the dwelling to the interior. Condensation is caused by living conditions within the dwelling by the occupant(s), for example drying clothes over radiators or not heating the dwelling adequately. Please follow the link below for further information on condensation.

[Condensation guidance document](#)

Under the Public Health (Ireland) Act 1878, rented dwellings should be free from dampness prejudicial to the Health of the tenant(s). If an assessment by an Environmental Health Officer finds that dampness prejudicial to the health of the tenant(s) is present, a Statutory Notice can be served on the landlord, which in turn allows them to apply to the Northern Ireland Housing Executive for grant assistance.

Disrepair and Unfitness

In certain circumstances, action can be taken against landlords where a tenanted privately rented dwelling is in serious disrepair or unfit.

For further information on any of the above contact the Environmental Health Department at Antrim Borough Council on Tel: 02894 463113

or

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