



Landlords take note!

Everyone is aware of the recent boom in house prices in the Province. In some areas, prices have doubled in the past two years. The word "staggering" has been widely used to describe the growth and Northern Ireland has even been described as the "property hotspot of Europe".

Not only have first time buyers in some instances found it almost impossible to get on the property ladder but bodies wishing to acquire lands for social housing have found it increasingly difficult to secure land. Accordingly there has been a significant increase in reliance on rentals in the

private sector. A new piece of legislation concerning the private rented sector has recently been introduced in Northern Ireland.

The main features of note in the Private Tenancies (NI) Order 2006, which for the most part apply to tenancies created after 1 April 2007 are as follows:-

- ❖ Landlords must have a fitness inspection carried out where the property was built before 1st January 1945 unless it already has a fitness certificate or is otherwise exempt from the need to have an inspection. Exempt properties are defined in regulations and include properties, among other things, those which have had a Housing Executive renovation grant paid within the last 10 years
- ❖ Landlords must provide tenants with rent books and a written statement of the terms of their tenancy. The Regulations which compliment the Order set out the information that needs to be contained in the statement.
- ❖ Landlords have statutory obligations in relation to repair of all gas fittings, flues and installations and must provide the tenant with a copy of the record of safety checks
- ❖ If the tenancy agreement falls short in relation to repairing obligations, the Order sets out default obligations on both parties. In relation to the landlord this would include an obligation to keep the structure and exterior parts in good repair
- ❖ Environmental Health Departments within local councils are given new powers of enforcement where houses do not meet the "fitness for human habitation" standard or which are in a state of disrepair.

There are plentiful printed guides and web sites available for reference an example of which is to be found at www.houserights.org.uk. The penalties if you are in breach can be severe and if you have any doubts you should consult your legal advisor or Environmental Health Department.

Celia Worthington is a partner in Worthingtons Solicitors Belfast office