

Tenancy Deposit Scheme

Any deposit taken by a landlord on or after 1st April 2013 must be protected in an approved scheme within 14 days of receiving the deposit. The landlord must also inform the tenant of the particular scheme where the deposit is secured in within 28 days.

There are 2 types of deposit scheme:

Custodial – The landlord gives the scheme administrator the full deposit to look after.

Insurance – The landlord holds onto the deposit & pays a fee to the insurance scheme provider to protect the deposit.

The deposit has to be secured in one of the following approved scheme administrators:

Letting Protection Service NI

T: 0330 303 0032
www.lettingprotectionni.com
(Custodial scheme only)

My Deposits

T: 0845 218 1060
www.mydepositsni.co.uk
(Both custodial & insurance scheme)

TDS Northern Ireland

TEL: 0845 094 0740
www.tdsnorthernireland.com
(Both custodial & insurance scheme)

At the end of the tenancy, if you and your tenant(s) are in agreement about the amount of deposit to be repaid, this should happen within 5 working days from the end of the tenancy. If you are not in agreement you can use the free 'dispute resolution mechanism' by contacting the scheme administrator.

Harassment & Illegal Eviction

The Rent (NI) Order 1978 protects tenants from harassment & illegal eviction within the privately rented sector.

Harassment includes any acts performed by any person (landlord or someone acting on their behalf) intended to prevent a tenant from exercising any of their rights in respect of the tenancy. Examples include withholding of services such as electricity or any acts of violence or unlawful entry.

Illegal Eviction covers any attempt to make a tenant leave their home where the correct procedure has not been followed.

Please note: It is an offence to evict a tenant without a court order, even if the notice to quit has expired.

Process for Lawful Eviction

Provide tenant with notice to quit in writing which must be at least:

- 4 weeks if tenancy has not been in existence for more than 5 years
- 8 weeks for tenancies in existence between 5-10 years
- 12 weeks for tenancies in existence for more than 10 years

If tenant does not move out, landlord will need to apply to the Courts for possession of the property

Obtain an enforcement order to enforce the original judgement

Court enforcement Officer carries out the eviction

Energy Performance Certificate

It is a legal requirement for a landlord to make available, free of charge, a valid energy performance certificate on any property they are newly letting or re-letting to a tenant.

Further information can be found at www.dfpni.gov.uk/articles/energy-performance-certificates or by contacting the Building Control department at Antrim and Newtownabbey Borough Council.

Rent Book

Landlords are legally obliged to provide tenants with a rent book. A rent book template can be downloaded from:

www.communities-ni.gov.uk/publications/template-rent-book

Houses in Multiple Occupation

A dwelling that is rented out to 3 or more people who are not related or a dwelling that has been converted into flats is probably a House in Multiple Occupation (HMO). Special rules and standards apply to such arrangements. All HMO properties should be registered with NIHE. For further information please contact the NIHE HMO office on 03448 920 900.

Further information on any of the above can be found at;

www.antrimandnewtownabbey.gov.uk
or contacting the Environmental Health Department

T 02890 340160

E envhealth@
antrimandnewtownabbey.gov.uk

Unfitness, Disrepair, & Public Health Notices

Environmental Health Officers can undertake visits to any private rented property that is not registered as a House of Multiple Occupation (HMO), to assess fitness and disrepair. These visits are largely as a result of complaints;

- If the property is unfit a Notice of Unfitness can be served
- If the property is fit but contains items of disrepair a Notice of Disrepair can be served

Such notices will state the works required to bring the property up to standard.

Officers also have the option to serve an abatement notice under the Clean Neighbourhoods and Environment Act (NI) 2011 in certain circumstances which can entitle the landlord to a repair grant from the Northern Ireland Housing Executive (NIHE).

For more information on the amount of grant that may be available please contact the NIHE grants team;

T 03448 920 900

Affordable Warmth Scheme

If you own a property in the Antrim and Newtownabbey Borough Council area that you rent out to tenants you may be eligible for financial assistance to improve the energy efficiency of your property. For eligible households the landlord could benefit from a 50% grant towards energy efficiency measures such as insulation and heating. For landlords to be eligible they must also be registered on the Landlord Registration Scheme.

For more information contact the Affordable Warmth Team;

T 028 9034 0071

Abandonment

If you suspect that a tenant has abandoned your property, you should write to the tenant informing the tenant of your intention to regain possession of the property. This may be fixed to the property or posted to the address. This is sometimes referred to as an Abandonment Notice and will add to the evidence you have gathered in proving surrender of the tenancy and your reasonable attempts to contact the tenant.

Landlord Registration Scheme

From 25th February 2015 all private landlords must be registered on the Landlord Registration Scheme. Registration lasts for a 3 year period after which there is a requirement to re-register.

How To Register:

- Online at www.nidirect.gov.uk/landlord
- Call the advice line on 0300 200 7821
- Download a form at www.nidirect.gov.uk/landlord
- Call into your local Council or rates office for an application form

Registration costs £70 for online registration and £80 for paper registration.

Pre-1945 Properties

Under the Private Tenancies (NI) Order 2006, the landlord of a private tenancy commencing after 1st April 2007 of a property which was built before 1st January 1945 must have a fitness inspection carried out by the local council (unless exemptions apply). The fitness inspection is carried out by Environmental Health Officers and any property found to be unfit is subject to rent control. An application form can be downloaded from:

www.antrimandnewtownabbey.gov.uk/Residents/Environmental-Health/Private-Rented-Housing



Advice Leaflet For Private Tenants & Landlords

