

Report on	DfC Consultation - Notice to Quit Periods for Private Tenancies
Date of Meeting	13 th January 2022
Reporting Officer	Kieran Gordon, Assistant Director Health, Leisure & Wellbeing
Contact Officer	Anne Caldwell, Principal Environmental Health officer

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to inform members of a consultation by the Department for Communities (DfC) into "Notice to Quit Periods for Private Tenancies" and seek any comments/amendments from Members on the enclosed Mid Ulster District Council draft response and thereafter, approval for response submission by the deadline of 25 th January 2022.
2.0	Background
2.1	DfC has opened a consultation into "Notice to Quit Periods for Private Tenancies" and the cover letter and the consultation document are enclosed within the appendices.
2.2	A notice to quit is a type of eviction letter which must typically be given to a private tenant in writing before the landlord can take the tenant to court for an eviction hearing.
2.3	<p>The period of notice required by landlords and tenants to validly end a private tenancy is set out in Article 14 of the Private Tenancies (Northern Ireland) Order 2006. The notice was originally four weeks, but from 30 June 2011 was amended for tenancies longer than five years' duration as set out below. This amendment was made by the Housing (Amendment) Act (Northern Ireland) 2011:</p> <ul style="list-style-type: none"> • 4 weeks' notice, for tenancies up to 5 years' duration; • 8 weeks' notice, for tenancies longer than 5 years and up to 10 years' duration; • 12 weeks' notice, for tenancies longer than 10 years' duration.
2.4	<p>The required notice period has been temporarily extended to 12 weeks for all tenancies until 4 May 2022, by The Private Tenancies (Coronavirus Modifications) Regulations (Northern Ireland) 2021. This consultation is not seeking views on any future temporary extension as a result of the Coronavirus pandemic.</p> <p>Prior to this this legislation being passed, tenants in Northern Ireland could be evicted with 28 days' notice from their landlord.</p>

2.5	A Private Tenancies Bill is currently making its way through the NI Assembly which would propose to extend the minimum notice to quit period to 8 weeks for tenancies lasting longer than 12 months. It will retain the 12-week notice period for tenancies of more than 10 years.
3.0	Main Report
3.1	<p>During 2021, DfC published the response to a consultation on proposals to reform and make the private rented sector safer and a more secure housing option. Due to the urgent need for improved standards in the sector, legislation to bring about reform in the Private Rented Sector is being introduced in 2 phases:</p> <ol style="list-style-type: none"> (1) Firstly, those proposals that could be advanced in the time frame available would be brought forward in a Bill to be delivered during the current Assembly mandate; and (2) Secondly, a further phase of work, such as letting agent regulation, grounds for eviction and a review of the fitness standard, to follow as soon as possible in the next mandate.
3.2	As an initial step, and in line with the original consultation exercise in 2017, a Private Tenancies Bill is currently making its way through the NI Assembly which would propose to extend the minimum notice to quit period to 8 weeks for tenancies lasting longer than 12 months. It will retain the 12-week notice period for tenancies of more than 10 years.
3.3	The Bill contains a power to further increase the Notice to Quit landlords must give tenants up to 6 months for tenancies longer than a year.
3.4	<p>The Chartered Institute of Housing (CIH) were asked by DfC to carry out research on Notice to Quit periods elsewhere and their research is summarised within this consultation document. A link to the published research Private Rented Tenancies in Northern Ireland and Notice to Quit periods can be found here: https://www.cih.org/publications</p>
3.5	<p>This current consultation will inform the current Bill as it progresses and seeks views on a number of options for the Notice to Quit period, namely if:</p> <ul style="list-style-type: none"> • landlords should be subject to longer notice periods than tenants • notice periods should differ for longer tenancies • tenancies lasting less than a year should be terminated with just 28 days' notice • there should be any exemptions from longer notice periods and what these should be • tenants in Housing in Multiple Occupancies (HMO) properties should be subject to different notice requirements
3.6	A draft response to the consultation is attached for members consideration and comment where appropriate.
4.0	Other Considerations

4.1	Financial, Human Resources & Risk Implications
	Financial: N/A during this current consultation phase.
	Human: Officer time to prepare and submit a consultation response.
	Risk Management: N/A during this current consultation phase.
4.2	Screening & Impact Assessments
	Equality & Good Relations Implications: To be considered by the Department coordinating the consultation exercise - A summary of evidence to support the proposed changes is included in this consultation document.
	Rural Needs Implications: To be considered by the Department coordinating the consultation exercise - A summary of evidence to support the proposed changes is included in this consultation document.
5.0	Recommendation(s)
5.1	To note the contents of this report and give approval for the enclosed draft consultation response to be submitted to DfC by deadline of 25th January 2022.
6.0	Documents Attached & References
6.1	Appendix A: DfC cover letter to consultation.
6.2	Appendix B: Consultation Document
6.3	Appendix C: Draft Mid Ulster District Council Consultation response