1983 No. 263

LANDLORD AND TENANT

The Protected Shorthold Tenancies (Notice to Tenant) Regulations (Northern Ireland) 1983

Made . . . . . *5th September 1983*

Coming into operation . . . *28th September 1983*

The Department of the Environment, in exercise of the powers conferred on it by Articles 92(3) and 106 of the Housing (Northern Ireland) Order 1983(**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 Protected Shorthold Tenancies (Notice to Tenant) Regulations (Northern Ireland) 1983 and shall come into operation on 28th September 1983.

Form of Notice to Tenant

2. The requirements with which a notice has to comply in order to be valid for the purposes of Article 92(1)(*b*) of the Housing (Northern Ireland) Order 1983 are that it shall be in the form set out in the Schedule.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 5th September 1983.

(L.S.) *E. A. Simpson*
Assistant Secretary

(a) S.I. 1983/1118 (N.I. 15)

SCHEDULE

NOTICE OF A PROTECTED SHORTHOLD TENANCY

(The landlord must give this to the tenant *before* a protected shorthold tenancy is granted. It does not commit the tenant to take the tenancy.)

To .....

(Name of proposed tenant)

IMPORTANT

Please read this Notice Carefully

IF THERE IS ANYTHING YOU DO NOT UNDERSTAND YOU SHOULD GET ADVICE (FOR EXAMPLE, FROM A SOLICITOR OR A CITIZENS' ADVICE BUREAU) BEFORE YOU AGREE TO TAKE A SHORTHOLD TENANCY

N.B. This document is important; keep it in a safe place.

1. You are proposing to take a tenancy of the dwelling known as

   .....

   .....

   from ..... 19 to 19
   (day) (month) (year) (day) (month) (year)

2. This notice is to tell you that your tenancy is to be a *protected shorthold tenancy*. Under shorthold, provided you keep the terms of the tenancy, you are entitled to remain in the dwelling for the fixed period agreed at the start of the tenancy. At the end of this period the landlord has the right to repossession if he wants. Full details about shorthold are given in the Department of the Environment booklet "Shorthold Tenancies in Northern Ireland" obtainable free from the office of the Rent Officer for Northern Ireland, Development and District Development offices of the Department of the Environment, offices of the Northern Ireland Housing Executive and Citizens' Advice Bureaux. You are advised to read this booklet before you agree to take a shorthold tenancy.

* The landlord must cross out the version of paragraph 3 below which does not apply.

*3. A rent of ..... per ..... is already registered for the dwelling under the Rent (Northern Ireland) Order 1978.

This is the most you can be required to pay as rent until such time as a higher rent is registered. If I apply for a higher rent to be registered you will be told about my application and you will have the opportunity to appear before a rent assessment committee to determine an appropriate rent for that dwelling.

*3. A rent has not yet been registered for the dwelling under the Rent (Northern Ireland) Order 1978. Within 28 days of the start of the tenancy I shall be applying for such a rent to be registered. However, the Department of the Environment has advised that on registration the rent for the dwelling will be ..... per .....

This is the most you can be required to pay as rent until such time as a higher rent is registered. If I apply for a higher rent to be registered you will be told about my application and you will have the opportunity to appear before a rent assessment committee to determine an appropriate rent for that dwelling.

4. This notice is given to you on 19
   (day) (month) (year)

Signed .....

(on behalf of) .....

.....

(Name and address of landlord)

SPECIAL NOTE FOR EXISTING TENANTS

IF YOU ARE ALREADY A PROTECTED OR STATUTORY TENANT UNDER THE RENT (NORTHERN IRELAND) ORDER 1978 YOUR PRESENT TENANCY CANNOT LAWFULLY BE CONVERTED INTO A SHORTHOLD. BUT SHOULD YOU GIVE IT UP AND TAKE A SHORTHOLD TENANCY IN SOME OTHER ACCOMMODATION, INCLUDING ANOTHER FLAT IN THE SAME BUILDING, YOU WILL ALMOST CERTAINLY HAVE *LESS* SECURITY UNDER SHORTHOLD THAN UNDER YOUR EXISTING TENANCY.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

One of the conditions which has to be satisfied for a tenancy to be a protected shorthold tenancy is that, before the grant of the tenancy, the landlord has given the tenant a valid notice stating that the tenancy is to be a protected shorthold tenancy.

Article 92(3) of the Housing (Northern Ireland) Order 1983 provides that a notice is not valid unless it complies with the requirements of regulations made by the Department of the Environment. These regulations require that the notice is in the form set out in the Schedule.