



Subject:	Department for Communities - Notice to Quit consultation
Date:	7 th December 2021
Reporting Officer:	Siobhan Toland, Director of City Services
Contact Officer:	Claire O'Neill, Principal Environmental Health Officer

Restricted Reports	
Is this report restricted?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If Yes, when will the report become unrestricted?	
After Committee Decision	<input type="checkbox"/>
After Council Decision	<input type="checkbox"/>
Some time in the future	<input type="checkbox"/>
Never	<input type="checkbox"/>

Call-in	
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	To seek approval to provide a Council response to a consultation from the Department for Communities in relation to proposals to amend the Notice to Quit period for private tenancies.
2.0	Recommendations
2.1	The Committee is asked to <ul style="list-style-type: none">Note the draft proposals and agree the Council response under paragraph 3.3 and Appendix 2.
3.0	Main report
3.1	Key issues In addition to the consultation response agreed by members at the 11 th November People and Communities meeting regarding the Communities Committee private tenancies bill a further correspondence has been received. The Department for Communities issued a consultation

questionnaire on 1st December (Appendix 1) to seek views and opinions to inform its policy position on the extension of the notice to quit period for private tenancies. The closing date for response is 25th January 2022.

- 3.2 The Private Tenancies Bill which is currently making its way through the NI Assembly contains a clause to increase the Notice to Quit period that a landlord is required to give a tenant depending on the duration of the tenancy:
- Notice to Quit will be increased to 8 weeks for tenancies lasting more than 12 months up to 10 years.
 - It also amends the Notice to Quit that a tenant has to give a landlord to 4 weeks if the tenancy has not been in existence for more than 10 years and 12 weeks if more than 10 years.
- 3.3 The Department wants to test if 8 weeks is a sufficient timeframe to allow tenants (resident in their homes for more than a year) to find an affordable, suitable new home and has therefore included a range of alternative Notice to Quit options for Council to consider.
- 3.4 Minister Hargey asked for some further research to be carried out on a range of Notice to Quit options and this work was recently completed by the Chartered Institute of Housing. This research has been summarised within the consultation document to provide additional context.
- 3.5 It is important to note that the draft Bill contains a provision which would allow the Notice to Quit to be amended in the future.
- 3.6 The current notice to quit period under the Private Tenancies (NI) Order 2006 as amended by the Housing (Amendment) Act (NI) 2011 are as follows:
- Less than 5 years tenancy- 4 weeks' notice to quit.
 - More than 5 years but less than 10 years- 8 weeks' notice to quit
 - More than 10 years – 12 weeks' notice to quit.
- 3.7 The response to the questionnaire is contained in Appendix 2, however the draft response is summarised as follows;
1. The Council supports the view that the landlord should be required to give a longer Notice to Quit period than the Notice that a tenant is required to give a landlord.
 2. The Council supports the view that Notices to Quit should vary depending on the length of the tenancy.

	<p>3. The Council supports the view that 12-month fixed term tenancies should be given more than 4 weeks' notice to quit</p> <p>4. The Council supports the view that the Notice to Quit period that a landlord should be required to give a tenant where the tenancy is between 12 months and 10 years in length should be 12 weeks</p> <p>5. The Council agrees that exemptions should be applied for certain defined circumstances and the Notice to Quit period should be reduced to 4 weeks where exemptions apply.</p> <p>6. The Council supports the view that tenants of HMOs should be given the same legislative protection as other private rented tenants. Tenants of HMOs are often the most vulnerable members of the community members so should be treated equitably in terms of the Notice to Quit period.</p>
3.8	<p>Financial and Resource Implications</p> <p>The Private Tenancies Bill when enacted will give local councils additional enforcement powers to deal with issues in the Private Rented sector. These additional powers will mean more enforcement officers will be required to deal with the additional workload. There will be fixed penalties introduced for some of the offences, but fixed penalty income will not cover the additional staffing and administrative resources required.</p>
3.9	<p>Equality or Good Relations Implications/ Rural Needs Assessment</p> <p>None associated with this report.</p>
4.0	<p>Appendices – Documents Attached</p>
	<p>Appendix 1 – Request from the Department for Communities</p> <p>Appendix 2- Questionnaire with response</p>