

Draft Regulations laid before the Assembly under Article 72(3) of the Private Tenancies (Northern Ireland) Order 2006, for approval by resolution of the Assembly

DRAFT STATUTORY RULES OF NORTHERN
IRELAND

2025 No. 0000

LANDLORD AND TENANT

**THE PRIVATE TENANCIES (NOTICE TO QUIT) REGULATIONS
(NORTHERN IRELAND) 2025**

Made - - - - - *XXxx XXXX 2025*

Laid before the Assembly *xx XXXX 2025*

Coming into operation *XX XXX 2025*

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SCHEDULE 1 — NOTICE TO QUIT: STANDARD CASE

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The Department for Communities **(a)** in exercise of the powers conferred by Article 14(5) and (9) of the Private Tenancies (Northern Ireland) Order 2006 **(b)** makes the following Regulations.

Introductory

Citation and commencement

1.—(1) These Regulations may be cited as the Private Tenancies (Notice to Quit) Regulations (Northern Ireland) 2025.

(2) These Regulations come into operation on XX XXXX 2025.

Interpretation

2. In these Regulations—

“2006 Order” means the Private Tenancies (Northern Ireland) Order 2006;

“special case” means a case within one of the circumstances set out in Article 14(6) of the 2006 Order;

“standard case” means a case where the relevant period for a notice to quit is set out in Article 14(1A) of the 2006 Order.

Notice to quit: standard case

Form of notice to quit

3. A notice to quit in a standard case must be in the form set out in Schedule 1.

Notice to quit: special cases

Form of notice to quit

4. A notice to quit in a special case must be in the form set out in Schedule 2.

Length of notice to quit

5.—(1) The relevant period for the purposes of Article 14(1) of the 2006 Order (length of notice to quit) is—

- (a) 1 month, in a case falling within Article 14(6)(a) (substantial arrears of rent),
- (b) 2 weeks, in a case falling within Article 14(6)(b) (serious anti-social behaviour),
- (c) 2 weeks, in a case falling within Article 14(6)(c) (conviction for a relevant criminal offence),
- (d) 3 months, in a case falling within Article 14(6)(d) (occupation by landlord or landlord’s family).

(2) In accordance with Article 14(1A) of the 2006 Order, where a case falls within paragraph (1) of this regulation, then the relevant period is that set out in paragraph (1), and not that set out in Article 14(1A).

Special case: substantial arrears of rent

6.—(1) In Article 14(6)(a) of the 2006 Order “substantial arrears of rent” means—

(a) See section 1(7) of the Departments Act (Northern Ireland) 2016 (c. 5 (N.I.)) and S.R. 2016 No. 76

(b) S.I. 2006 No. 1459 (N.I. 10) as amended by the Private Tenancies Act (Northern Ireland) 2022 (c. 20)

- (a) where rent is payable weekly, fortnightly, or every 4 weeks, 8 weeks' worth of rent is in arrears,
- (b) where rent is payable monthly, 2 months' worth of rent is in arrears,
- (c) where rent is payable quarterly or annually, the rent has not been paid within 2 months of the date it was due.

(2) Where a notice to quit has been issued in the case of a tenant being in substantial arrears of rent, but the tenant pays all outstanding arrears by the date that notice is to take effect, that notice does not take effect.

Special case: serious anti-social behaviour

7. In Article 14(6)(b) of the 2006 Order “engaged in serious anti-social behaviour in, or in the locality of, the dwelling-house” means—

- (a) used the dwelling-house, or allowed it to be used, for illegal purposes,
- (b) harassed or caused alarm or distress to a person, in, or in the locality of, the dwelling-house,
- (c) caused serious annoyance or nuisance to a person, or repeatedly caused annoyance or nuisance to a person, in, or in the locality of, the dwelling-house,
- (d) deliberately caused substantial damage to the dwelling-house, or to the landlord’s property within the dwelling-house.

Special case: relevant criminal offence

8. In Article 14(6)(c) of the 2006 Order “relevant criminal offence” means—

- (a) an indictable offence—
 - (i) committed wholly or partly in, or in the locality of, the dwelling-house,
 - (ii) committed elsewhere against a person with a right to reside in, or occupy housing accommodation in the locality of the dwelling-house, or
 - (iii) committed elsewhere against—
 - (aa) the landlord, or
 - (bb) a person employed (whether or not by the landlord) in connection with the exercise of the landlord’s housing functions, and directly or indirectly related to or affecting those functions,
- (b) an offence involving using the dwelling-house, or allowing it to be used, for illegal purposes.

Special case: occupation by landlord or landlord’s family

9.—(1) After Article 14(6)(c) of the 2006 Order insert—

“(d) the landlord seeks possession of the dwelling-house for occupation, by the landlord or by the landlord’s immediate family, as a dwelling-house.”

(2) In Article 14(6)(d) of the 2006 Order “immediate family” means—

- (a) where the landlord is a member of a couple, the other member of the couple,
- (b) the landlord’s parent, grandparent, child, grandchild, brother or sister.

(3) For the purposes of paragraph (2)(a) “couple” means—

- (a) two people who are married to, or civil partners of, each other and are members of the same household;
- (b) two people who are not married to, or civil partners of, each other but are living together as if spouses or civil partners of each other.

(4) For the purposes of paragraph (2)(b)—

- (a) a relationship by marriage or civil partnership is to be treated as a relationship by blood,

- (b) a relationship of the half-blood is to be treated as a relationship of the whole blood,
- (c) the stepchild of a person is to be treated as the child of the person.

Statement of evidence to be included in the notice to quit

10.—(1) A notice to quit in a special case must include a statement of evidence.

(2) A statement of evidence must set out evidence showing that the notice to quit falls within one of the cases set out in Article 14(6) of the 2006 Order.

(3) In a case falling within Article 14(6)(a) (substantial arrears of rent), the statement of evidence must—

- (a) state the total arrears due on the date of the notice to quit,
- (b) state, in respect of each period for which rent was payable but not paid in full—
 - (i) the date the rent was due,
 - (ii) the amount of rent that was due,
 - (iii) the amount of rent that was not paid,
- (c) state the manner in which the rent was meant to be paid, including, for example, the bank details of the account into which the rent was to be paid.

(4) In a case falling within Article 14(6)(b) (serious anti-social behaviour), the statement of evidence must set out the nature of the serious anti-social behaviour and the date or dates upon which it occurred.

(5) In a case falling within Article 14(6)(c) (relevant criminal offence) the statement of evidence must set out, to the best knowledge of the landlord, details of the conviction.

(6) But a statement of evidence is not required in a case falling within Article 14(6)(d) of the 2006 Order (occupation by landlord or landlord's immediate family).

Affidavit to be included in notice to quit: occupation by landlord or landlord's immediate family

11.—(1) A notice to quit in a case falling within Article 14(6)(d) (occupation by landlord or landlord's immediate family) must be accompanied by an affidavit.

(2) The affidavit must state that the landlord seeks possession of the dwelling-house for occupation, by the landlord or by the landlord's immediate family, as a dwelling-house, and specify—

- (a) the intended occupant's identity,
- (b) if the intended occupant is not the landlord, their relationship to the landlord,
- (c) the expected duration of the occupancy.

Statement of evidence and affidavit: general

12.—(1) Evidence may be adduced in court proceedings relating to the notice to quit despite not being included in the statement of evidence or affidavit.

(2) A notice to quit is not invalidated by a defect in the statement of evidence or affidavit unless—

- (a) the defect is so serious that it unfairly prejudices the tenant, or
- (b) if the defect were rectified, the notice to quit would not fall within one of the cases set out in Article 14(6) of the 2006 Order.

Sealed with the Official Seal of the Department for Communities on XXxx XXX 2025.



Name of officer
A senior officer of the Department for Communities

SCHEDULE 1

NOTICE TO QUIT: STANDARD CASE

Regulation 3

NOTICE BY A LANDLORD TO QUIT A DWELLING-HOUSE LET UNDER A PRIVATE TENANCY (STANDARD CASE)

This notice must be given to the tenant not less than the relevant period before the date on which the notice period ends.

This Notice applies in a standard case falling under Article 14(1A) of the Private Tenancies (Northern Ireland) Order 2006.

TO: NAME OF TENANT(S).....

Address of the dwelling-house:.....

Name and contact details of landlord(s):

Name and contact details of agent (where applicable):

Notice to quit period:

Date notice to quit period ends:

Signed (Landlord/Agent of landlord) *delete as applicable

Signature:

Date:

Additional information

1. If the tenant does not leave the dwelling-house, the landlord must get an order for possession from the Court before the tenant can be lawfully evicted. The landlord cannot apply for this order until the notice to quit period ends.
2. A tenant who does not know if they have any right to remain in possession after a notice to quit period ends, or is otherwise unsure of their legal rights, can obtain advice from a solicitor. Help with

all or part of the cost of legal advice and assistance may be available under the Legal Aid scheme. They should also be able to obtain information from Housing Rights, or the Law Centre (NI).

3. In accordance with Article 14(1A) of the Private Tenancies (Northern Ireland) Order 2006, the minimum relevant period for a notice to quit in this standard case is

- (a) 8 weeks, if the tenancy has not been in existence for more than 12 months;
- (b) 4 months, if the tenancy has been in existence for more than 12 months but not for more than 3 years;
- (c) 6 months, if the tenancy has been in existence for more than 3 years but not for more than 8 years; and
- (d) 7 months, if the tenancy has been in existence for more than 8 years.

SCHEDULE 2

NOTICE TO QUIT: SPECIAL CASE

Regulation 4

NOTICE BY A LANDLORD TO QUIT A DWELLING-HOUSE LET UNDER A PRIVATE TENANCY (SPECIAL CASE)

This notice must be given to the tenant not less than the relevant period before the date on which the notice period ends.

This Notice applies in a special case falling under Article 14(6) of the Private Tenancies (Northern Ireland) Order 2006.

TO: NAME OF TENANT(S).....

Address of the dwelling-house:.....

Name and contact details of landlord(s):

Name and contact details of agent (where applicable):

Notice to quit period and reason for notice to quit (select as applicable)

- (a) 1 month, due to substantial arrears of rent.
- (b) 2 weeks, due to serious anti-social behaviour in, or in the locality of, the dwelling-house.
- (c) 2 weeks, due to a relevant criminal conviction.
- (d) 3 months, due to occupation by landlord or landlord's immediate family.

(If reason is substantial arrears of rent, the tenant has the option to prevent termination by settling all outstanding rent, including any additional amount that has become due before the notice to quit period ends)

Date notice to quit period ends:

Statement of evidence – evidence showing that the notice to quit falls within the reason outlined above (Continue on additional sheets if required)

If the reason is occupation by landlord or landlord's immediate family, then instead of a statement of evidence, there needs to be an affidavit attached to this notice

Signed (Landlord/Agent of landlord) *delete as applicable

Signature:

Date:

Additional information

1. If the tenant does not leave the dwelling-house, the landlord must get an order for possession from the Court before the tenant can be lawfully evicted. The landlord cannot apply for this order until the notice to quit period ends.
2. A tenant who does not know if they have any right to remain in possession after a notice to quit period ends, or is otherwise unsure of their legal rights, can obtain advice from a solicitor. Help with all or part of the cost of legal advice and assistance may be available under the Legal Aid scheme. They should also be able to obtain information from Housing Rights, or the Law Centre (NI).
3. The minimum relevant period for a notice to quit is—
 - (a) 1 month, in a case falling within Article 14(6)(a) of the Private Tenancies (Northern Ireland) Order 2006 (substantial arrears of rent),
 - (b) 2 weeks, in a case falling within Article 14(6)(b) (serious anti-social behaviour),
 - (c) 2 weeks, in a case falling within Article 14(6)(c) (conviction for a relevant criminal offence),
 - (d) 3 months, in a case falling within Article 14(6)(d) (occupation by landlord or landlord's family). If the tenancy has not been in existence for more than 12 months, then the landlord may decide to use the standard case notice to quit, where the relevant period is 8 weeks.
4. The statement of evidence must set out evidence showing that the notice to quit falls within one of the cases set out in Article 14(6) of the 2006 Order.
5. In a case falling within Article 14(6)(a) (substantial arrears of rent), the statement of evidence must—
 - (a) state the total arrears due on the date of the notice to quit,
 - (b) state, in respect of each period for which rent was payable but not paid in full—
 - (i) the date the rent was due,
 - (ii) the amount of rent that was due,

(iii) the amount of rent that was not paid,

(c) state the manner in which the rent was meant to be paid, including, for example, the bank details of the account into which the rent was to be paid.

6. In a case falling within Article 14(6)(b) (serious anti-social behaviour), the statement of evidence must set out the nature of the serious anti-social behaviour and the date or dates upon which it occurred.

7. In a case falling within Article 14(6)(c) (relevant criminal offence) the statement of evidence must set out, to the best knowledge of the landlord, details of the conviction.

8. A notice to quit in a case falling within Article 14(6)(d) (occupation by landlord or landlord's immediate family) must be accompanied by an affidavit.

9. The affidavit must state that the landlord seeks possession of the dwelling-house for occupation, by the landlord or by the landlord's immediate family, as a dwelling-house, and specify—

- the intended occupant's identity,
- if the intended occupant is not the landlord, their relationship to the landlord,
- the expected duration of the occupancy.

10. Evidence may be adduced in court proceedings relating to the notice to quit despite not being included in the statement of evidence or affidavit.

11. A notice to quit is not invalidated by a defect in the statement of evidence or affidavit unless—

- the defect is so serious that it unfairly prejudices the tenant, or
- if the defect were rectified, the notice to quit would not fall within one of the cases set out in Article 14(6) of the 2006 Order.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make additional rules on notices to quit for private tenancies.

A notice to quit is a notice from the landlord requiring a tenant to leave their dwelling-house.

Regulation 3 and Schedule 1 set out the form a notice to quit must take in a standard case. Article 14(1A) of the Private Tenancies (Northern Ireland) Order 2006 sets out the length of notice to quit required in a standard case.

Regulations 4 to 12 deal with special cases. The four special cases are:

- Substantial arrears of rent (defined in regulation 6)
- Serious anti-social behaviour (defined in regulation 7)
- Relevant criminal offence (defined in regulation 8)
- Landlord requires the dwelling-house for occupation for the landlord or the landlord's family (defined in regulation 9)

Regulation 4 and Schedule 2 set out the form a notice to quit must take in a special case.

Regulation 5 sets out the length of notice to quit in these special cases.

Under regulation 10, for the first three of these special cases, the notice to quit must include a statement of evidence. This statement sets out the details on which the landlord relies to show that the conditions for a special case have been met. Under regulation 11, in the fourth special case, instead of a statement of evidence, the landlord must provide an affidavit (a sworn statement).

Regulation 12 allows evidence to be brought in a court case even if it wasn't included in the statement of evidence or affidavit. It also sets out circumstances where a notice to quit is valid even if there is an error in the statement of evidence or affidavit.

An impact assessment has been produced for this Statutory Rule.