



**Northern Ireland
Assembly**

COMMITTEE FOR SOCIAL DEVELOPMENT

Please use this form to submit written submissions in relation to the Housing (Amendment) Bill. Return to committee.socialdevelopment@niassembly.gov.uk by Friday 4th September 2015.

Name: _____

Organisation: (if applicable) MID ULSTER DISTRICT COUNCIL

Date: 14th September 2015

Clause 1 – Sharing of information in relation to empty properties.

This clause provides for the transfer of data from the Department of Finance (DFP) and Personnel about empty homes to both The Department of Social Development (DSD) and the Northern Ireland Housing Executive (NIHE). This clause also allows The DSD and the NIHE to transfer data to DFP for rating functions.

Comment

Mid Ulster District Council supports the purpose of the Bill in that it allows greater sharing of information with regard to empty homes. The Council recognises that there is lack of reliable data about the location and ownership of empty homes and a lack of mechanism for exchanging data. However given the existing statutory powers available (dilapidated Properties) and those recently transferred via local government reform the inclusion of local district councils to access DFP data should be considered.

Further transfer of regulatory powers in relation to Houses in Multiple Occupation and Unfitness from the NIHE to district councils will result in closer working between statutory agencies. The ability to share data of this nature would ensure a better effective delivery of the council's regulatory functions.

Clause 2 – Disclosure of information relating to anti-social behaviour

This clause provides that a person may disclose relevant information about anti-social behaviour to NIHE or a registered housing association where such information is disclosed for a relevant purpose. The Council currently has an information sharing protocol with NIHE; however registered Housing Associations were not signatories of the protocol.

Relevant information is classed in the Bill as any person residing in or visiting a dwelling has (or has allowed, incited or encouraged any other person)

- engaged in or is likely to engage in conduct likely to cause nuisance or annoyance**
- used the dwelling for illegal purposes**
- Or the condition of the dwelling has deteriorated by act of waste or neglect**

A relevant purpose is classed as:

- An injunction under the Housing (NI) Order 2003 (against anti-social behaviour)**
- An injunction under breach of tenancy agreement**
- An anti-social behaviour order under the Anti-Social Behaviour (NI) Order 2004**
- An order for possession on the grounds of behaviour causing annoyance or nuisance**
- An order for possession of a dwelling house let under an introductory tenancy**
- Conducting criminal proceedings**
- Deciding whether to withhold consent to a mutual exchange of tenancies**
- Deciding whether a secure tenant can exercise a right to buy**
- To treat an applicant for housing accommodation of applicant for special assistance as ineligible**

Comment

Mid Ulster District Council encourage the introduction of legislation to allow the sharing of information between Housing providers and in particular registered housing associations. Existing sharing arrangements under the Anti-social behaviour Order should also be revisited allowing the exchange of information between NIHE and relevant housing associations, which would facilitate greater partnership working.

As the legislation provides a statutory basis for the sharing of information, it is recommended that the necessary protocols are in place prior to the transfer of data. The committee may also wish to consider the potential for data transfer relating to tenants in the private rented sector and those relevant statutory authorities.

Clause 3 – Registration as statutory charge of certain loans

This clause provides that so long as any part of the principal of, or any interest on, a loan made by NIHE under Article 9 of the Housing (NI) Order 1981 (for certain purposes including make repairs or improvements to a house) remains outstanding, the loan is to be a charge on the house or building (s) in question, and that such charges shall be registered in the Statutory Charges Register.

Comment

The Council has no comment to offer in respect of this clause.

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