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Ms Eleanor Murphy  
Assembly Researcher  
RaiSe  
Parliament Buildings  
Ballymiscaw  
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Dear Eleanor

#### **PRIVATE TENANCIES BILL - INFORMATION REQUEST**

This response provides the further information requested regarding clarification sought on the read-across or tie-up between this proposed legislation and existing HMO regulations.

If you require any further clarification, please feel free to contact me.

Yours sincerely

**Diane Mulligan**

Departmental Assembly Liaison Officer, Private Office

### Query

**The fire and electrical safety requirements for HMOs are currently higher than the current requirements for non-HMO private rented properties. Are these requirements for HMOs likely to change in any way due to the provisions in the Bill and/or subsequent regulations?**

### **Departmental Response**

The standards for HMOs will not be reduced in any way by this Bill.

Clause 8 of the Bill sets out new requirements on private landlords in relation to the provision of fire, smoke and carbon monoxide in private tenancies which will be enforced by district councils. It is the Department's intention to engage with stakeholders before the appropriate standards are set.

The higher risks of living in an HMO mean that they are subjected to a higher level of regulation than other rented housing. The Houses in Multiple Occupation (Northern Ireland) Act 2016 makes provision for a regulated licensing scheme for HMOs in Northern Ireland which is the responsibility of local councils. All HMO properties are inspected before a licence is granted. Compliance with these requirements are key components of standard conditions already in place for consideration of any HMO license's granted or renewed. This will not change.

### Query

**Are there any mandatory energy performance requirements currently placed on HMOs? How will the Bill and subsequent regulations in respect of energy efficiency standards impact on HMOs?**

### **Departmental Response**

Energy Performance Certificates are needed whenever a property is built or marketed for sale or rent. You will be aware unlike other jurisdictions in the UK there is currently no set minimum standard EPC rating in Northern Ireland.

The HMO Act 2016 does not include specific energy efficiency obligations, however given that most (if not all) occupants in HMOs are in residential tenancies, the provisions of this Bill will improve energy efficiency in this sector.

### Query

**Would it be correct to assume that the other provisions in the Bill e.g. protections relating to tenancy terms, limit of tenancy deposit amount, restrictions on rent increases, notice to quit etc. will also apply to the vast majority of HMO tenants?**

### **Departmental Response**

Yes, where it is established a residential tenancy exists all provisions in the proposed Private Tenancies Bill are applicable that relate to the law on private tenancies.

The Private Tenancies (Northern Ireland) Order 2006 provides the legislation and sets out the law which enables the regulation of the private rented sector which provides protection for all tenants including those that live in HMOs.