
STATUTORY INSTRUMENTS

1981 No. 156

Housing (Northern Ireland) Order 1981

PART III

DEVELOPMENT FUNCTIONS OF THE EXECUTIVE

[^{F1}CHAPTER II

CLEARANCE AREAS AND CLEARANCE, DEMOLITION AND CLOSING ORDERS

[^{F1}Repair notices

41.—(1) Subject to paragraph (2), where the Executive is satisfied that, having regard to Article 46A, any house or part of a house is unfit for human habitation and that serving a notice under this paragraph is the most satisfactory course of action, it shall serve upon the owner of the house a notice requiring him, within such reasonable time, not being less than 21 days, as may be specified in the notice, to execute the works specified in the notice and stating that, in the opinion of the Executive, those works will render the house or, as the case may be, that part thereof, fit for human habitation.

(2) Where the Executive is satisfied that, having regard to Article 46A, a house which is a flat is unfit for human habitation by reason of the defective condition of a part of the building outside the flat, it shall serve a repair notice upon the owner of the building, if it is satisfied that serving such a notice is the most satisfactory course of action.

(3) In addition to serving a notice on the owner of the house, the Executive [^{F2}shall serve a copy on the rent officer (within the meaning of Article 2 of the Private Tenancies (Northern Ireland) Order 2006) and] may also serve a copy of the notice upon any other person having an estate in the house.

(4) In this Article “house” includes a house in multiple occupation, and in the case of such a house a repair notice may be served upon [^{F3}the managing agent of the house (within the meaning of the Houses in Multiple Occupation Act (Northern Ireland) 2016)] instead of upon the owner.]

F1 1992 NI 15

F2 Words in art. 41(3) inserted (1.4.2007) by [Private Tenancies \(Northern Ireland\) Order 2006 \(S.I. 2006/1459 \(N.I. 10\)\)](#), arts. 1(3), 74, **Sch. 4 para. 8**; S.R. 2006/428, **art. 3**

F3 Words in art. 41(4) substituted (1.4.2019) by [Houses in Multiple Occupation Act \(Northern Ireland\) 2016 \(c. 22\)](#), s. 90(2), **Sch. 7 para. 3(2)**; S.R. 2019/39, art. 2 (with art. 3)

Changes to legislation:

Housing (Northern Ireland) Order 1981, Section 41 is up to date with all changes known to be in force on or before 27 May 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art.155 revoked by [1997 c. 32 s.46\(2\)Sch.9](#)
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