
STATUTORY INSTRUMENTS

1983 No. 1118

The Housing (Northern Ireland) Order 1983

PART V

PRIVATE SECTOR TENANTS

Protected shorthold tenancies

Protected shorthold tenancies

92.—(1) A protected shorthold tenancy is a protected tenancy granted after the coming into operation of this Order [^{F1}and before the coming into operation of Article 57 of the Private Tenancies (Northern Ireland) Order 2006] which is granted for a term certain of not less than one year nor more than five years and satisfies the following conditions, that is to say,—

- (a) it cannot be brought to an end by the landlord before the expiry of the term, except in pursuance of a provision for re-entry for forfeiture for non-payment of rent or breach of any other obligation of the tenancy; and
- (b) before the grant the landlord has given the tenant a valid notice stating that the tenancy is to be a protected shorthold tenancy; and
- (c) either—
 - (i) a rent for the dwelling-house is registered by [^{F2}the Executive] under Article 26 of the 1978 Order at the time the tenancy is granted, or
 - (ii) an application for the registration of a rent for the dwelling-house is made under Article 26 of the 1978 Order not later than 28 days after the beginning of the term and is not withdrawn.

(2) A tenancy of a dwelling-house is not a protected shorthold tenancy if it is granted to a person who, immediately before it was granted, was a protected or statutory tenant of that dwelling-house.

(3) A notice is not valid for the purposes of paragraph (1)(b) unless it complies with the requirements of regulations made by the Department.

(4) The Department may by order direct that paragraph (1) shall have effect, either generally or in relation to any area specified in the order, as if sub-paragraph (c) were omitted.

(5) If a protected tenancy is granted after the coming into operation of this Order—

- (a) for such a term certain as is mentioned in paragraph (1), to be followed, at the option of the tenant, by a further term; or
- (b) for such a term certain and thereafter from year to year or some other period;

and satisfies the conditions stated in that paragraph, the tenancy is a protected shorthold tenancy until the end of the term certain.

F1 Words in art. 92(1) 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. 9](#); S.R. 2006/428, [art. 3](#)

Changes to legislation: There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 1983, Section 92. (See end of Document for details)

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