Housing Rights

https://www.housingrights.org.uk/landlords/repairs/carrying-out-repairs

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Carrying out repairs

This information is for private landlords of properties in Northern Ireland.

If you are a tenant, you can find advice here.

If you are a landlord or letting agent in Northern Ireland seeking advice, you can:

- send a message to Landlord Advice, or
- call 028 90 245 640 (Option 1)

Your tenants should tell you if repairs are needed. Make sure they have up-to-date contact details to inform you if this happens. Let them know what actions you are taking to ensure the repairs are carried out.

You may wish to inspect the property from time to time to check the condition. Make sure you follow the rules about when you can access the property.

Be aware that tenants might find frequent inspections intrusive.

Our housing mediation service can help resolve issues over accessing the property.

How quickly you should carry out repairs

If your property is a house in multiple occupation (HMO), you should aim to deal with:

- emergency repairs in 24 hours
- urgent repairs in four working days
- routine repairs in four weeks

For other landlords, there are no set times for carrying out repairs. However, you may wish to use the above HMO times as guidance on best practice.

Remember that tenants can contact the council if repairs are not carried out. The council can take enforcement action.

Keep in contact with your tenants and let them know if there are delays.

What if tenants need to move out while repairs are done?

It might be necessary for tenants to move out if a lot of work is needed.

Check your tenancy agreement. If it says that you need to provide alternative accommodation, then you should do so.

If it does not say anything, then you do not have to provide alternative accommodation. However, you might chose to do so as a goodwill gesture.

Tenants stop paying rent because of repairs

Sometimes, tenants can become annoyed about repairs. This is more likely if you do not do repairs quickly, or you do not say what is happening.

You might find that tenants stop paying rent because repairs have not been done.

Not paying rent is still a breach of the tenancy agreement. You can let the tenants know this, and at the same time, communicate what is happening about the repairs.

Our housing mediation service can help resolve issues with rent arrears and repairs.

Accessing the property

You have the right to go to the property to inspect and deal with repairs. However, you must:

- give tenants 24 hours' notice before calling or sending a tradesperson, and

- get your tenant's explicit consent to enter

If your tenant does not allow access, you cannot go into the property. Read more about your rights to access the property.

Involving the local council

Tenants can ask the council to inspect the property if there is ongoing disrepair. The council can force you to carry out repairs by a set deadline if:

- the property does not meet minimum fitness standards
- you refuse to carry out a repair that is your legal responsibility

The Housing Mediation Service may be able to help you reach an agreement with your tenant.

Damage caused by tenants

If your tenants (or their guests) have caused damage, you'll need to consider if the damage was:

- deliberate
- due to misuse or negligence
- due to normal wear and tear

Tenants are responsible for fixing damage caused deliberately or through neglect.

If the tenant refuses to fix the damage, it is your responsibility to ensure the property is safe to live in.

If you repair anything your tenant has damaged, you might recover the cost through either:

- the tenancy deposit
- small claims court, or
- by reaching an agreement with your tenant. Our mediation service might be able to help with this.

Take photos and keep receipts as evidence of the repairs you carry out.

If your tenant has caused serious damage, this could be a breach of tenancy terms and may lead to eviction.

Contact the police if you think your tenant has caused criminal damage. You might need to do this for an insurance claim.

Using your tenant's deposit

Inspect your property for damage, disrepair or missing items at the end of the tenancy. You should also update your inventory. You can also:

- take photos of any damage, and
- keep receipts for repairs you carry out that may be the tenant’s responsibility

You can deduct the cost of repairs from the tenancy deposit but you’ll need to inform your tenant.

You and your tenant might be able to agree deductions from the deposit. If you can't, you should raise a dispute through the deposit protection scheme.

You will have to give a give a reason for this. You will also need to submit evidence to support the deductions you propose. Providing photos and receipts can help you to make your case.

If your tenant paid the deposit before 1 April 2013 and it’s not protected, you’ll need to write to your tenant and:

- list the repairs needed and costs for each repair
- explain how much money you have deducted from the deposit
- include receipts for any replacement purchases or payments to contractors
- say how and when you will return the rest of the deposit

You can make a claim to small claims court if the cost of repairs exceeds the deposit amount.

More advice

- Disputes over tenancy deposits
- Responsibility for repairs