Housing Rights

https://www.housingrights.org.uk/housing-advice/repairs-and-bad-housing/help-council

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Help from the council

This information is for people living in Northern Ireland.

Do not stop paying rent, even if you're not happy with how your landlord is handling things. Your landlord could evict you.

Your local council can step in if your home is unsafe. The environmental health department investigates complaints and deals with different problems, including:

- environmental issues
- noise complaints
- serious disrepair

Getting your private landlord to do repairs

Try to talk to your landlord about repairs before contacting environmental health. Contacting the council can increase the risk of retaliatory eviction. This is where a landlord takes action to end the tenancy because a tenant has tried to enforce their rights. This can include trying to get repairs done.

Periodic tenants are at a greater risk of retaliatory eviction. This is because the landlord does not need to provide a periodic tenant with a reason to evict. They only need to follow the correct legal process to end the tenancy.

Our mediation service may be able to help with this.

Speak with one of our advisers if you are worried about contacting the council.

Environmental health can help you get your private landlord to do repairs. The council will:

- ask you to complete a form to explain why the property is unfit
- decide whether to check the property
- write to you and your landlord to let you both know when they'll come
- inspect the property (called a 'fitness inspection')

The council can give your landlord:

- unofficial recommendations for the repairs they should do
- legal notices that make your landlord do repairs

Contact the council again if your landlord still does not do repairs. If the council issued your landlord with a legal notice for repairs, they may be able to carry out the work and charge the landlord.

For noise and nuisance complaints

Environmental health is also responsible for handling noise and nuisance complaints. Before you contact the council, try working things out yourself if it's safe and makes sense to do so. Depending on who is making the noise, you can also talk to:

- your local residents' association – sometimes people do not realise how noisy they are
- the contractors doing building work – find out when they're doing their work and how long it will go on for

Environmental health needs proof before acting. If you decide to talk to your council, keep in mind:

- you'll need to give your name and address, but the complaint will be kept anonymous
- if they ask you to monitor noise levels, they'll give you recording equipment

The council can:

- give a warning notice
- issue fines
- issue a Noise Abatement Order, which comes with a larger fine
- take away entertainment licenses from businesses making too much noise

It’s best to contact environmental health when the noise is at its worst. They are specifically responsible for checking any complaints about noise at night. They may even have a nighttime noise helpline for these complaints .

For neighbourhood problems

Speak to our advisers if you reached out to environmental health and they were not able to help you.

Environmental health can investigate certain environmental issues (called ‘ statutory nuisances’).

These are problems with things like:

- rubbish building up outside your home
- drainage
- fumes and smoke
- industrial and trade waste
- overcrowded housing
- smells and noises from vehicles or machines on a street

Environmental health cannot always fix the problem. But they can ask the owner to fix the problem and issue fines. If you are responsible for the issue, environmental health will hold you responsible.

Fitness and rent control

There may be times when a property is in such a bad state that the Rent Officer restricts the level of rent. This type of property is usually older and fails to meet some basic fitness standards. The Rent Officer will work with the local council in deciding if the rent should be controlled.

Check the rent register to see if your home is a rent controlled property. If it is, the Rent Officer will work out your rent based on the:

- condition of the property
- terms of the tenancy agreement
- rent the Housing Executive would charge

If your property is not on the rent register, you may be able to show the rent officer that it should be. For example, if it should have a certificate of fitness but doesn't, it should be rent controlled.

Reviewing a controlled rent

Your landlord might not agree with the rent set by the Rent Officer. They can ask the rent officer to inspect the property if they think the rent is too low. In doing so, any repairs or improvements you make will be ignored.

The Rent Officer can also carry out regular reviews of controlled rents. They will consider whether the rent should be increased. Speak to our advisers for help with a rent review.

Appealing controlled rent

If you think the rent officer did not work out the right amount of rent, you can appeal their decision.

The Department of Communities has a Rent Assessment Committee. This is the agency responsible for rent reviews. They'll look at your case and examine the property to decide if the Rent Officer's decision was correct.

More advice

- Repairs for private tenants
- Repairs for social tenants
- Paying rent for bad housing