



Renters' Voice!

Renters' Voice Response to Consultation on notice to quit periods

February 2026

About Renters' Voice

Renters' Voice is a group for people who rent from a private landlord or through a letting agent in Northern Ireland. Our experience of renting motivates us to create change by campaigning for improvements across the private rental sector:

- we **speak out** to influence public and political discussions.
- we ask to be **involved** in relevant decision-making.
- we **empower** other renters to create change.

As well as being a strong voice for renters in NI, we want to embed a culture of tenant participation among decision makers.

Renters' Voice is supported by Housing Rights and funded by the Community Foundation Northern Ireland, but our voice is our own.

1. If you are responding on behalf of an organisation, which of the following best describes your organisation? (please select one option)

- Private Landlord
- Social Landlord
- Letting agent
- Local Government/Council
- A housing sector representative body
- Charity dealing with housing issues
- Other (please specify in space below)
- **Other (please specify): Renters' Voice tenant advocacy group, a group for people who rent from a private landlord or through a letting agent in Northern Ireland**

Please answer the following questions regarding the regulations.

The first 3 circumstances (substantial arrears of rent, serious ASB and relevant criminal offence) were already legislated for within the Private Tenancies Act (NI) 2022. The research report recommends a fourth circumstance of possession for occupation by a landlord or landlord's immediate family, with a minimum notice period of three months. The Department considers that this proposal balances the right of the landlord to retake possession, as provided by Article 1 Protocol 1 of the ECHR, with the rights of the tenant including under Article 8 of the ECHR and Schedule 1, Part 1, of the Human Rights Act 1998.

1. Do you understand why these circumstances and shorter notice periods are being introduced? Yes

Renters' Voice understands why the Department wish to consider exceptions to the new Notice to Quit periods, which will significantly increase the notice period private renters are entitled to. While Renters' Voice has welcomed the new notice periods, we want to see an end to no-fault evictions and the introduction of indefinite tenancies, like in Scotland & soon, England, where private tenancies can only be ended in certain circumstances. Nevertheless, while no-fault evictions are still possible, Renters' Voice supports the introduction of the new increased notice periods under the Private Tenancies Act (NI) 2022.

Renters' Voice believes that a shorter notice period is only appropriate when it can be thoroughly evidenced that the tenant has engaged in serious anti-social or criminal behaviour that has a direct impact either on the property or on other people living in the area. **We do not believe "substantial" arrears are sufficient grounds for an exception, and even in circumstances of serious anti-social or criminal behaviour, we believe that exceptions should only be applied where tenants have the opportunity to challenge the reduced notice period via an impartial tribunal or adjudication process.** In this consultation, it appears that courts represent such a tribunal process, but we consider this inadequate, due to a number of access barriers, including affordability, that could prevent tenants from availing of this option. Renters' Voice recommends introducing a system similar to the Scottish system's First Tier Tribunal, which is **free to access and serves as a recourse-to-justice service to resolve tenant-landlord disputes** outside the court system.

Renter's Voice has always believed landlords should be required to explain in writing why they are ending a tenancy. We therefore welcome the implementation of Special and Standard Notice Forms when issuing a notice to quit. When applying for the right to issue a reduced notice, we believe a landlord should also be required to indicate how the tenant can begin their challenge against the reduction should they choose to do so.

2. Do you agree with the four circumstances where longer notice to quit periods would not apply? Please select yes/no for each of the circumstances below.

*2a. Substantial arrears of rent: **No***

If no, provide your reasons:

-In the case of “serious” rent arrears, Renters’ Voice would oppose any reduction in a tenant’s notice period under the proposed framework, and we believe that only the longer standard notice periods set out in the Private Tenancies Act 2022 should apply. Renters’ Voice understands that tenants may choose to leave the property earlier to avoid accruing more debt, but ultimately, as a tenant may be facing affordability issues through no fault of their own, a shorter notice period would put them under further pressure and accelerate the threat of homelessness due to arrears. We therefore believe it would be inappropriate for a reduced notice to apply.

Ideally, instead of issuing a special case notice to quit, Renter’s Voice recommends procedures akin to those used by social housing providers, requiring landlords’ or estate agents to put measures in place to address arrears before a notice is ever issued. For the private rental sector, we believe there should be an obligation on landlords to signpost tenants (similar to annex 1) to independent housing or debt advice organisations, and, in conjunction with tenants and these organisations, landlords or their agents should set up reasonable, affordable repayment plans to support tenants before a notice is given.

In the absence of a resolution process similar to the social housing sector, it would be inappropriate for shorter notice periods to apply in cases of rent arrears. It is important to consider rent arrears in the context of Local Housing Allowance being frozen again, whilst the average cost of ~~R~~rentals is rising at a rate of 5.6% (ONS Private Rent and House Prices, UK -February 2026), with the average rent being £1002 per month (PropertyPal January Snapshot) creating a significant affordability crisis in the private rented sector.

Renters’ Voice’s own 2023 Cost of Living survey found that tenants are struggling to cover all their bills, yet they are prioritising rent over essentials such as food and heating (oil/gas/electricity). Private tenants are already stretched as it is, and there ought to exist some form of appreciation for that before an exception on arrears is considered.

Another concern is that sudden changes to a *tenant’s* circumstances may not be resolved with the proposed notice period. It is the experience of our own membership that even financial support, such as a new Universal Claim can only be made after an applicant's employment has ended, and that it can take 5 weeks for a new claim to be processed, which can be longer if an error is found within the UC claim, which many tenants may not have experience completing. Engaging a landlord over a UC application

can also be difficult, and in our experience, some landlords are either reluctant to confirm an application or reluctant to accept tenants who are on benefits to begin with. One member's experience of simply changing jobs created arrears issues, as their UC support was based on their previous month's income, forcing them to consider alternative financial support to avoid entering arrears and under the current proposals would have risked them receiving a special case notice to quit.

"My January award was based on December earnings, which were my normal wages. In January I wasn't on the new payroll because I started after the cut off, so I only had £700 wages from the previous job and had to apply for an advance which was outside the assessment period. In January, you get what they assess in December; in February, you get what they assess in January. So, if one month your income drops, there's no safety net, and bills still need to be paid. If you get the housing element, that means it is affected, but not until the next pay period, so essentially, in January, I couldn't pay my rent without using credit cards and my overdraft, which has a knock-on effect into February, as you're repaying debt but still needing to pay rent. My issue was that in February, I was on an emergency tax code, and they took £700 tax. Our overtime is paid the following month, so Feb was as much a financial disaster, which perpetuated the same cycle of debt to pay rent. All of which could be avoided if UC paid in real time, not arrears. So, anyone without the luxury of credit would now be 2 months in rent arrears for changing jobs, maybe even longer!"

Renters' Voice believes, given the ongoing affordability crisis, the growth of the private rental sector and the large waiting lists for access to social housing, that there has to be a greater expectation on landlords to resolve breaches in contracts, such as arrears, before termination and would oppose shorter notice periods on the grounds of rent arrears on that basis.

While Renters' Voice opposes rent arrears as an exception, if a reduction is going to be implemented, Renters' Voice recommends that it reflects provisions found within the Renters' Rights Act 2025, soon to be implemented in England. Under the Renters' Rights Act, the basis for eviction due to arrears (Ground 8) will be increased from two months' worth of arrears to three months. This means a landlord can only take eviction action on the grounds of arrears if a tenant is in arrears to the value of three months' worth of rent. The new changes will enable tenants struggling with short-term affordability issues to resolve their arrears without risking future eviction. We propose that any exception due to arrears mirrors English legislation.

Should a special case notice to quit be implemented, Renters' Voice recommends that the special notice be 3-months for all tenancies over 12 months (rather than the 1 month notice currently being proposed). For tenancies under 12 months, we

recommend the notice period remains at 8 weeks. Overall, even with these proposals, if a tenant is deliberately withholding rent or is unable to pay the rent due to ongoing affordability issues, they can still face eviction due to arrears, and a three-month notice period would still represent a reduction of notice for tenants who have been in their tenancy for longer than 12 months.

Renters' Voice is concerned about the proportionality of issuing a special case notice to quit for substantial arrears. The guidance outlines blanket definitions of substantial arrears for tenants who pay weekly, monthly, and annually. Renters' Voice would dispute defining substantial arrears in this manner and would instead prefer a calculation that considers the financial circumstances of tenants and the landlord's financial circumstances and property portfolio before a special case notice can be issued. While smaller, accidental landlords may be more affected by arrears, more professional landlords with larger portfolios would not be. Renters' Voice believes that if the exception does not consider the proportionality of arrears when issuing a notice to quit, then it is not an appropriate notice.

*2b. Serious Anti-social Behaviour: **No***

If no, provide your reasons

As a group of private renters, Renters' Voice understands that anti-social behaviour in our communities can make life difficult for other residents and for ourselves. Therefore, we accept that 'Serious antisocial behaviour affecting other tenants and neighbours', 'illegal use of the property' and 'serious damage to the property' are deeply serious issues and may warrant a reduced notice period. **However, as advocates for stronger protections within the private rented sector, we do not believe in diluting the rights that tenants in Northern Ireland enjoy under the current system, and we believe that the exception's proposed 2-week notice would reduce current minimal protections. Therefore, Renters' Voice proposes a minimum of 8 weeks' notice to quit due to serious anti-social behaviour to allow tenants to dispute landlord action, seek independent advice or source alternative accommodation. Renters' Voice believes that a reduced notice period should be used only as a last resort to resolve issues.**

Renters' Voice is concerned that the proposed 2-week notice period would not be a reasonable time for tenants to seek either a new private rented tenancy, independent advice or support from the Northern Ireland Housing Executive. Although the NIHE can carry out an assessment within 28 days of a tenancy ending, it may take several weeks to complete. If the NIHE statutory basis for a homelessness assessment and those "threatened by homelessness" is 28 days, we believe that this should be the basis on

which minimal notice periods are built from. In an October 2020 Renters' Voice survey of private tenants in Northern Ireland, the top long-term issue people told us about was difficulties with finding properties, and, in particular, finding properties which are affordable (58%), are in the right area (50%), or that meet the needs of the household (47%). In our 2024 No Fault Eviction Survey 46% of respondents said they became homeless after the no-fault eviction, with respondents noting the difficulty in securing a new private rented accommodation due to high demand and low supply, as one respondent explained, *"We were unable to find a place within the 4 weeks given to us by the landlord and we were forced to move in with my sister and her child. We had to live in a 2-bedroom flat, with 3 adults and 3 children for half a year before finding another nearby property we could rent"* demonstrating that since October 2020 the issues in securing affordable offers have continued.

Under the guidance provided, Renters Voice are concerned about a tenant's ability to challenge a landlord-issued special notice form for serious antisocial behaviour, and that 2 weeks would not be sufficient time for a tenant to gather their own evidence to dispute the special notice. If a landlord only needs to provide a statement of evidence when issuing a special case notice and does not need to provide further evidence until a Court hearing, then a tenant will be at a disadvantage during such proceedings to dispute a landlord's claim. Renters' Voice believes that a tenant should be entitled to know what evidence the landlord claims they possess before a court hearing, to prevent tenants from being intimidated by the idea of evidence that may not actually exist.

In cases involving serious antisocial behaviour affecting other tenants and neighbours, serious damage to the property, or illegal use of the property, Renters' Voice recommends that evidence from relevant statutory organisations be required for a fair process to consider reducing the tenant's notice. While the Consultation does list evidence types that are required when providing an initial notice, including a statement of evidence, a timeline of the events, repeated instances, it only suggests that organisational evidence from the PSNI or Environmental Health Offices "may" be used to demonstrate the issue. As the reduced notice is initially being issued on the basis of "serious" antisocial behaviour, we believe the landlord should be required to provide such organisational evidence prior to court action to demonstrate a real threat of antisocial behaviour and to ensure no fraudulent claims.

In general, Renters' Voice has concerns that the Courts, rather than an independent Tribunal service, would be the first to deliberate on whether serious antisocial behaviour has occurred. Therefore, Renters' Voice recommends the creation of an independent tribunal system to help resolve disputes on anti-social behaviour. An independent tribunal system could establish what is meant by "serious" in terms of damage and would be less intensive than entering a formal court process. A tribunal could also

deliberate on whether the damage was caused by the tenant or not. The First-tier Tribunal for Scotland (Housing and Property Chamber) was originally formed to deal with determinations of rent or repair issues in private sector housing and created a less formal and more flexible process to resolving issues between tenants and landlords. The Scottish tribunal system also handles eviction disputes, determining invalid notices and considering evidence from both landlords and tenants. In our view, this is essential to maintain fairness and to prevent landlords from using such exceptions to give a shorter notice period for ulterior purposes, such as selling the property without a sitting tenant to make it more attractive to buyers.

Renters' Voice believes an independent tribunal process, which can verify evidence against tenants, is important given that "serious" can be subjective, and what may "affect" another tenant in a block of flats may not actually be an issue in a semi-detached property. For example, someone living in a block of flats will have to expect to hear a certain level of noise, compared to someone living in a detached bungalow, due to the proximity of other neighbours. While a tenant may view noise as antisocial, a body such as the Noise Complaint Team may recognise that the noise levels fall within acceptable standards. In such a scenario, we believe that a statement of evidence indicating a noise complaint should not, by itself, be sufficient to issue a special case notice to quit, and that additional evidence should be required to demonstrate a level of harm before a landlord could seek to enforce a special case notice to quit in court.

Under the guidance, the exception refers not simply to the tenant as the source of anti-social behaviour but also to a member of the tenant's household. We have concerns that if a dependent is accused of anti-social behaviour or a partner is accused, then the entire household may unfairly be at risk of eviction and potentially homelessness. We are concerned that this will lead to tenants being unfairly punished for the behaviour of others. For example, if an older child has been accused by neighbours of anti-social behaviour, a landlord, without evidence beyond a statement of facts, could issue a special case notice to the entire family.

In particular, Renters' Voice is concerned about the guidance reference to "a member of the tenant's household" when considering domestic abuse. Renters' Voice is deeply concerned that, if a landlord has the power to end a tenancy early with reduced notice due to issues related to domestic abuse, then victims may be worse off. The proposed 2-week special case notice would not be sufficient time for victims of domestic abuse to seek independent advice, and due to the high demand, secure alternative accommodation within specialised accommodation. For example, access to women's refuges can be a slow process.

Renter's Voice believes it is crucial to protect victims of domestic abuse, and as such,

we believe that domestic abuse should not be treated the same as other ASB issues listed within the guidance. It is also important to consider the gendered element of domestic abuse and while both men and women can face domestic abuse a majority of victims of domestic abuse victims are women and that women are 4 times more likely than other tenants to have antisocial behaviour complaints made against them. Safe Lives' "Safe at Home" report states that this is due to domestic abuse often being misidentified as antisocial behaviour. A Renters' Voice member shared their experience on the matter, highlighting not only the impact of losing your home due to domestic violence but also how much more difficult it is to secure another property as a result.

"Once a landlord learns you have been a victim of domestic violence, they will often covertly discriminate against offering you a tenancy. If they see your address is a refuge or hostel, they start asking you questions as to why you are homeless. They will demand to know if your abuser will cause trouble at "their" (aka the property to let) door and presume their property will be damaged or fear the PSNI will be constantly at your door. There is still a stigma in this country surrounding victims of domestic violence; you have lost everything and the struggle to secure housing is exceptionally hard"

A policy that permits exceptions to notice-to-quit periods in cases of domestic abuse, with the same penalty applied to both perpetrator and victim, is potentially discriminatory. As such, we believe that the perpetrator of domestic abuse alone ought to be issued with a shorter notice to quit, but not the victim.

Under the Renters' Rights Act 2025, Ground 14a for possession of the property, it outlines that eviction can occur to a perpetrator of domestic violence if their partner or person living with them has left and is unlikely to come back, then a notice of 2 weeks can be issued. If a victim remains, then Renters' Voice recommends that there should be an obligation placed on the landlord to offer to recreate a tenancy under the victim, should they wish to stay. If the landlord still wishes to end the tenancy after this, they will have to issue a notice within the new notice-to-quit period. We believe this would be the best outcome in protecting victims who wish to remain in the property or providing them enough time to find new accommodation not privy to their abuser.

Finally, under the current proposals, both serious anti-social behaviour and conviction of a relevant criminal offence will incur the same reduced period of 2 weeks, despite conviction being a much more serious matter with clearer evidence of fault. It is on this basis as well that Renters' Voice proposes a minimum 8-week notice period when a special notice is issued in relation to serious antisocial behaviour, to allow a tenant to dispute the claims against them or to prepare to seek an alternative property. An 8-week notice would still constitute a reduced notice period compared to the new notice-to-quit period being implemented by the Private Tenancies Act for tenancies over 12 months. Furthermore, an 8-week notice would also contrast with our proposed 4-week

notice period proposed below for exceptions based on conviction of a relevant criminal offence.

2c. Relevant Criminal Offence: Yes / *No*

If no, provide your reasons

As outlined above, Renters' Voice believes that, if there is a distinction between "serious" and "minor" antisocial behaviour in the context of notice-to-quit exceptions for tenants, serious antisocial behaviour should be reserved for situations where the tenant has engaged in serious, criminal antisocial behaviour. Renters' Voice also recognises that criminal behaviour that has a **direct** impact either on the property or on other people living in the area may justify a reduced notice period. We accept that criminal damage, dealing drugs, violence/threat of violence, hate behaviour, intimidation and similar offences, if it has a direct impact either on the property or on other people living in the property and/or the area, would justify shorter notice periods provided that an adjudication process is in place to resolve disputed claims.

Renters' Voice is concerned that the guidance does not stipulate a time limit for when a conviction occurred and implies that a landlord can use the exception at any point during a tenancy, regardless of how long the tenancy has run or how long it has been since the original conviction. As such, a tenant may unfairly be issued a reduced notice to quit long after the original conviction, as long as it is relevant to the exception.

Renters' Voice is concerned that this means tenants who have served their sentence or who are attempting to reintegrate into a community may be unfairly punished. Renters' Voice opposes the dilution of private tenants' rights, and we therefore propose that a landlord be limited to issuing a special case notice to quit within 12 months of a conviction. Renters' Voice believes even within this limit however, the exception should only be relied upon by landlords of the property in which the offence took place, not new properties secured by the tenant, thereby supporting a tenant's ability to maintain new accommodation and rehabilitation.

Renters' Voice would dispute the proposed notice period of 2 weeks, as being insufficient for tenants to dispute a landlord's claims, seek independent advice or source alternative accommodation, and we propose that a minimum of 4 weeks be provided to a tenant who is found guilty of a relevant criminal offence. 4 weeks already represents the minimum a tenant can be offered under the current system, and therefore 2 weeks would represent a direct dilution of tenants' rights and would be antithetical to the spirit of the Private Tenancies Act 2022.

A 2-week notice to quit would also fall below the NIHE's current 28-day "threatened by

homelessness period”, which permits the NIHE time to complete a homelessness assessment and provide alternative temporary accommodation support. Renters’ Voice believes 2 weeks’ notice runs counter to homelessness prevention goals if statutory services are unable to complete assessments within such a reduced timeframe.

Renters’ Voice can broadly accept the definition provided within the Guidance and examples of the listed criminal conduct that may result in shorter notice periods. Further, we accept the guidance proposed evidence provisions, including a statement of evidence, with a written statement outlining the facts to a tenant and including evidence that a tenant has been convicted of a relevant criminal offence. However, we dispute that 2 weeks would be sufficient time for a tenant to dispute a notice based on these grounds and therefore recommend 4 weeks’ notice to enable tenants to dispute the notice should they wish to.

As outlined in our response to the anti-social behaviour exception, Renters’ Voice would dispute the inclusion of offences committed by “a member of a tenant’s household” as justification for a reduced exception, as it may place families or those harmed by domestic abuse at risk of homelessness. Renters’ Voice again proposes that landlords be obligated to recreate tenancies for members who are not convicted of a relevant criminal offence after the exception has ended, should they wish to remain within the property. If the landlord still wishes to end the tenancy in the future, they would then need to provide a new standard notice based on the new notice-to-quit periods.

Overall, Renters’ Voice believes shorter notice periods should only be considered where the above offences have a direct impact either on the property or on other people living in the area. We do not believe that criminal offences that do not have a direct impact on others should be considered within the exception. For example, drug offences may be presented as singular issues when they could cover offences which are not necessarily an offence in relation to the property and where there is no obvious victim outside of the user, such as personal possession & use. Given how drug-related offences often overlap with systemic issues such as class, mental health and poverty in a society that has high rates of post-traumatic stress or can have purely medicinal purposes, we believe that such exceptions, without a proper distinction between largely victimless crimes and crimes where there may be a victim, would again create a harshly punitive legal framework for private renters that does not exist for social tenants or homeowners.

***2d. Possession for occupation by the landlord or landlords’ immediate family: No
If no, provide your reasons:***

As a tenant’s advocacy group, Renters’ Voice does not believe it is appropriate to apply a shorter notice period should the landlord or their family wish to occupy the property, as in our members’ experience landlords can claim they wish to return to a property

only to re-market it at a higher price after the tenancy has ended. Renters' Voice is concerned landlord's may use this exception to subvert new notice to quit entitlements under the Private Tenancy Act for tenancies over 12 months. While Renters' Voice may be reluctant for a landlord's housing situation to detrimentally impact renters, we respect that under Article 1, Protocol 1 of the Human Rights Act 1998, a landlord has rights to the control and use of the property. Therefore, in very limited circumstances, Renters' Voice recognises it may be appropriate to apply a shorter notice period if the landlord or their family are at risk of homelessness if they do not move into the property within a certain time frame.

While we oppose this exception as it currently stands, should it be implemented, Renters' Voice recommends provisions similar to those in the Renters' Rights Act 2025, which states that a landlord must provide 4 months' notice before going to court to apply for a possession action on these grounds. We believe 4 months better aligns with the new minimum notice to quit period set out by the Private Tenancies Act 2025 for tenancies of 12 months or more.

Renters' Voice has further concerns about the proposed approach in the Guidance for verifying landlords' claims that they intend to live in the property, and the potential for landlords to exploit the exception to expedite a tenant's tenancy ending. While we appreciate that this would be the only exception in which a signed affidavit must be provided before notice can be issued, we have concerns that this would not be a high bar for landlords to meet and could be exploitable by larger landlords. Further, an affidavit is only witnessed by a legal representative; it is not guaranteed that the landlord's reasoning for seeking one is genuine.

The guidance stipulates that a tenant can dispute the notice if they believe the landlord or their family do not intend to live in a property, and while not stated, we presume a tenant would have to dispute this in court with their landlord. Renters' Voice believes this is a high bar and that it would be difficult for most tenants to prove whether a landlord or a landlord's family member will occupy the property after the end of the tenancy.

As noted above, Renters' Voice recommends that, should this exception be implemented, it should be limited to circumstances where the landlord or their family is at risk of homelessness if they do not move into the property. Therefore, Renters' Voice recommends that the landlord be required to evidence that they or their family member is at risk of homelessness and that other options have been exhausted via a statement of evidence.

Without such evidence, there would be no proof, outside of the affidavit itself, that a landlord is at risk of homelessness or whether the landlord has exhausted all other options, including assisting the tenant in securing other accommodation or directing

them to alternative advice. Renters' Voice believes a landlord should be required to present additional evidence beyond an affidavit before issuing a notice based on the exception.

As with the other exceptions, Renters' Voice believes that in disputed claims, an independent tribunal should be required. This tribunal could be modelled on the Scottish First-tier Tribunal system and would determine the veracity of the landlord's claim, requiring a high evidential standard to show that the landlord or their family intend to occupy the property as their principal home and are at risk of homelessness.

If the proposed exception is enacted, we believe it will be important to determine the risk of homelessness via such a mechanism to prevent landlords from seeking to avoid the new Notice to Quit periods by falsely claiming they must move into the property. Though an affidavit is a legal document with legal consequences if it is broken, a tenant will likely only be able to act against a false claim AFTER leaving their tenancy. It would be difficult for most tenants to determine whether a landlord or a family member is occupying the property after the end of the tenancy, as they may no longer live in the area or have never met the landlord's family member. Again, a landlord only needs to state in the affidavit that they 'intend' to move into the property. Therefore, even if the tenant can prove that they did not move in, it would be very difficult to prove that the landlord had not intended to do so at the time (even in a circumstance where there was no intention from the landlord to do so).

Renters' Voice further recommends if a landlord secures alternative accommodation during the three-month notice period, and therefore is no longer at risk of homelessness, the basis for the exception no longer exists; and the notice should become void. If the landlord would still like to retain the home in the future, a typical notice could then be issued. Such a provision would prevent a landlord from fraudulently claiming an affidavit was originally sought with good intentions, but "things changed".

To avoid fraudulent scenarios, Renters' Voice recommends that if a landlord has issued a special notice for themselves or a family member to move back into the home due to the risk of homelessness, there should be a limitation on when the property can be re-advertised, similar to the provision found under the Renters' Rights Act 2025, which will restrict landlords from reletting properties for 12 months. The Renters Rights Act restricts re-advertising when a landlord is seeking to end a tenancy to move in, in general, not only when they are seeking to avoid homelessness. Renters' Voice recommends implementing readvertising limits in both scenarios to ensure landlords do not end functioning tenancies simply to remove their tenants. The 2025 Act further provides that a landlord who breaches the new rules may be subject to a rent

repayment order or possible prosecution. The Act empowers local authorities to impose financial penalties for breaches, and we believe that if the exception is to be implemented, local councils must be able to take similar action to their English counterparts.

Consultation questions page 2

The CIH report proposed the definition for ‘substantial arrears of rent’ should be where two months’ rent is unpaid. The report did not consider any other frequency of rental payment, and so the Department has added to the definition to cover alternative frequencies of rental payments. The notice period for this circumstance is one month.

To help safeguard tenants, the regulations will include the stipulation that if a tenant pays the outstanding arrears in full before the end of the notice period contained in the notice to quit, the notice will become invalid, and the tenancy sustained.

Two week notice periods are confined to serious anti-social behaviour (ASB) and relevant criminal offences. The Department believes that these notice periods are warranted in these circumstances because they will help ensure that the landlord can promptly take action to minimise the impact of such behaviours and activities on neighbours and the wider community and protect their property from potential damage or disruption.

The CIH report also proposes a 3 month notice period for possession for occupation by the landlord or landlord's immediate family. The Department agrees that this notice period balances the rights of landlords and tenants.

3. Do you agree with each of the four shorter notice periods as set out in the Regulations?

	Yes	No
Substantial arrears of rent - Notice Period 1 month		No
Serious Anti-social Behaviour Notice Period 2 weeks		No
Relevant Criminal Offence - Notice Period 2 weeks		No
Possession for occupation by the landlord or landlords' immediate family - Notice Period 3 months		No

If no please provide your reasoning:

3a. Substantial arrears of rent

No. Renters' Voice would oppose any reduction in a tenant's notice period under the proposed framework, and we believe that only the longer standard notice periods set out in the Private Tenancies Act 2022 should apply for the reasons outlined previously. If our proposed safeguards are in place, Renters' voices would recommend a 3-month notice period for all tenancy lengths except for tenancies lasting **more** than 12 months, with 8 weeks' notice remaining in place for tenancies under 12 months. =

3b. Serious Anti-social Behaviour

No. Renters' Voice proposes at least an 8-week notice period when a special notice is issued in relation to serious antisocial behaviour, to allow a tenant to dispute the claims against them or prepare to seek an alternative property. As advocates for stronger protections within the private rented sector, we do not believe in diluting the rights that tenants in Northern Ireland enjoy under the current system, and we believe that the exception's proposed 2-week notice would reduce current minimal protections. The current proposal would not allow for the 4-week assessment period required for a homelessness assessment to be completed. An 8-week notice would still constitute a reduced notice period compared to the new notice-to-quit period being implemented by the Private Tenancies Act. Furthermore, an 8-week notice would also contrast with our proposed 4-week notice period for exceptions based on more serious and easier evidenced conviction of a relevant criminal offence.

3c. Relevant Criminal Offence

No. Renters' Voice is concerned that a 2-week notice period would not be a reasonable time for a tenant to dispute the notice or source alternative accommodation. For example, an NIHE homelessness assessment may take several weeks to complete, and the statutory "threatened by homelessness" period alone is 4 weeks. Therefore, Renters' Voice is recommending a minimum of 4 weeks' notice.

3d. Possession for occupation by the landlord or landlords' immediate family

No. Renters' Voice accepts that, in very limited circumstances, it may be appropriate to apply a shorter notice period if the landlord or their family need to occupy the property, e.g., they are at risk of homelessness if they do not move into the property within a

certain time frame. However, Renters' Voice does not agree with the 3-month notice period and instead recommends provisions similar to those in the Renters' Rights Act 2025, which states that a landlord must provide 4 months' notice before going to court to apply for a possession action on these grounds. We believe 4 months better aligns with the new minimum notice to quit period set out by the Private Tenancies Act 2025 for tenancies of 12 months or more.

4. Did you find the guidance notes which explain your responsibilities as a tenant/landlord, under the Regulations easy to follow?

Yes

If no, please provide reasons for your answer.

Consultation questions page 3

The Department agrees with the commonsense types of evidence listed in the CIH report for the first 3 circumstances (substantial arrears of rent, serious ASB and relevant criminal offence), and decided not to list this in legislation as it is more practical for the courts to follow standard practice. The Department has provided examples of types of evidence in guidance.

With regards to the fourth circumstance of the landlord seeking possession of the property for themselves or family members, providing evidence for this is much more limited and the CIH report proposed it should be accompanied with a legal assurance. Given the evidence that this circumstance is more open to abuse in eviction cases and as a safeguard for vulnerable tenants, we have decided to include the requirement for a detailed affidavit in our legislation.

5. In each circumstance, what types of evidence do you suggest could be required in order to validate a shorter notice to quit.

1. Substantial arrears of rent - please provide examples of evidence

As outlined above, Renters' Voice is strongly opposed to this exemption, and we do not agree that evidence of arrears is sufficient to trigger a shorter notice period. However should this exemption be introduced, Renter's Voice believes that a high standard of evidence should be required to successfully reduce the notice period, and we accept the evidence required as outlined within the guidance. We believe a landlord should be expected to provide a written statement of facts, the total arrears (3 months, as outlined above), the associated dates, and how rent was intended to be paid. We further believe

that landlords should be expected to demonstrate they have signposted clients to advice services to help resolve their arrears, and demonstrate whether a repayment plan has been agreed to or failed to be upheld.

2. Serious Anti-social Behaviour - please provide examples of evidence

Renter's Voice believes that a high standard of evidence should be required to successfully reduce the notice period. Renters' Voice believes that more evidence beyond a statement of facts should be required before a special case notice to quit form can be issued. Renters' Voice recommends that statutory evidence from statutory bodies must be provided to demonstrate anti-social behaviour. Statutory bodies may include the PSNI or local council bodies. Renters' Voice further believes that additional evidence should not only be required, but that all evidence must be provided to tenants so they understand the evidence against them before any escalation to court action.

3. Relevant Criminal Offence - please provide examples of evidence

Renter's Voice believes that a high standard of evidence should be required to successfully reduce the notice period. We support the evidence requirement outlined by the guidance, such as a statement of evidence demonstrating a conviction against the tenant but only if it is within the last 12 months. We do not believe conviction beyond the last 12 months should be considered as relevant evidence.

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4. Possession for occupation by the landlord or landlords' immediate family - please provide examples of evidence

Renters' Voice believes that an affidavit alone would not be sufficient evidence to permit the use of a special case notice to quit form for this exception. Instead, we believe landlords should demonstrate, via a statement of facts, that they are at risk of homelessness and have no alternative options. If the landlord's circumstances change following the notice being issued, we believe it should become void.