Housing Rights

Briefing Paper
www.housingrights.org.uk
@HousingRightsNI

Proposals for reform of the Private Rented Sector in Northern Ireland

July 2026

Acknowledgements

At Housing Rights, a quick glance at our Policy Library will show we produce no shortage of policy recommendations on the Private Rented Sector in Northern Ireland. Private tenants are overrepresented among our client base relative to their share of the housing market. Often living in expensive, poor-quality, and insecure housing, we see their challenges firsthand. We provide them with support through advice and advocacy. The experiences of our PRS client inform our policy recommendations and highlight the need for urgent reform of the PRS sector in Northern Ireland.

Through this work, we seek to develop proposals to create a private rented sector that provides people with safe, secure, and affordable homes.

This policy briefing, though, is a little bit different. Not in its goals, they remain the same, but because of how and why it came about.

In May 2026, Renters' Voice[1] collaborated with Arts & Homelessness International[2] on a Legislative Theatre process aimed at preventing homelessness among private renters in Northern Ireland. The event brought together a group of private renters who co-created and performed a short play reflecting their first-hand experiences, including being made homeless or being in danger of homelessness.

After watching the performance, audience members were asked to identify issues highlighted in the play. They were then invited to suggest and test potential solutions by participating in interactive scenes on stage with the actors.

We believe that everyone is a creative policy maker, so following these improvisations, the actors and audience members collaborated with a panel of policymakers to co-create proposals to address the key issues raised in the play. This involved actors and audience members working in small groups to put forward policy proposals. These were then summarised into 3 key proposals by a panel of policymakers, based on which were most popular, innovative, and feasible.

Housing Rights were delighted to sit on that policy panel, and work in collaboration with experts by experience and audience members to develop these proposals. As part of process Housing Rights' made a commitment to produce this briefing paper outlining policy proposals for private rented sector reform based on the issues raised in the play.

We would like to extend our sincere thanks to all those involved, whose expertise was powerfully demonstrated throughout the play. Through their innovation, collaboration with both the audience and the policy panel, and their thoughtful engagement with the challenges faced by private renters, they played a vital role in shaping policy solutions to some of the sector's most pressing issues. We are grateful for their contribution, collaboration and analysis in the development of this briefing paper.

The meaningful participation of people with lived experience in policy development from the earliest stage is essential to creating effective, solution-focused and deliverable policy proposals that respond to real-world challenges and improve outcomes for all.

[1] Renters' Voice | Housing Rights
[2] Homepage | Arts & Homelessness International

1.0. Introduction

1.1. About Housing Rights

Housing Rights is Northern Ireland's leading independent provider of specialist housing advice. For over 60 years, we have been helping people to find and keep a home. We believe that prevention is better than the cure. Our work seeks to ensure that individuals and families living in Northern Ireland do not reach this crisis point. We recognise, however, that this is not always possible, and we also provide advice and assistance to help ensure that the experience of homelessness is rare, brief and non-recurrent. Housing Rights passionately believes that no one should be without a home and work towards the goal that every citizen in Northern Ireland has a good quality, affordable and sustainable home that meets their needs. In particular, the organisation's services are targeted at people who need help to:

- Prevent them from becoming homeless;
- Find suitable rented accommodation;
- Sustain their tenancies;
- Explore their housing options;
- Avoid repossession and eviction;
- Tackle disrepair or poor conditions in their homes; and
- Meet their housing costs;
- Repay mortgage and/or rent arrears;
- Resolve disputes with their landlord and/or lenders.

In the year ending March 2026, our advice services dealt with queries from over 13,000 households ion over 53,000 housing issues. We provide a specialist housing helpline open Monday to Friday complemented by a digital Live Chat service accessed through a comprehensive user-led advice website www.housingrights.org.uk. Our busy frontline advice service is supported by an advocacy and representation service staffed by dedicated caseworkers and a small legal team who prevent and alleviate homelessness by liaising with landlords, lenders, and other agencies, as well as provide representation for County and High Court.

In addition to preventing homelessness, our services also assist in promoting access to justice by providing an emergency court representation service (Housing Possession Court Duty Scheme) which assists households at risk of homelessness due to mortgage or rent arrears who are unrepresented in court proceedings. Since December 2019, we have also administered a Housing Mediation Service to address and avoid the escalation of disputes to prevent homelessness.

The reach and expertise of our advisers also extends to Northern Ireland's prisons to assist those entering or leaving custody to safeguard tenancies and/or to access appropriate support to prevent homelessness on release.

We work to support communities and other frontline advisers across Northern Ireland by providing a well-established practitioner support programme, through our Community

Housing Advice Partnership and through a comprehensive training and legal information service.

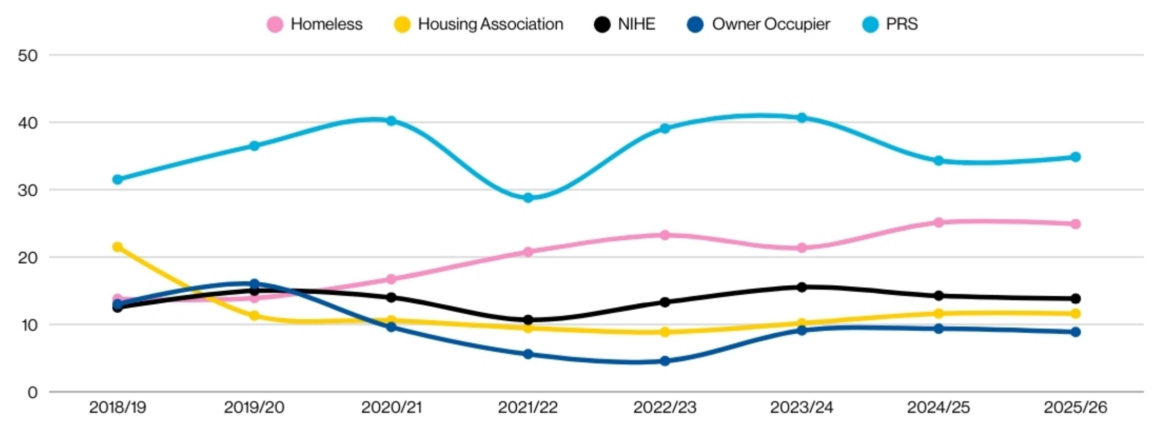
In addition to frontline specialist advice, representation and support services, Housing Rights has a policy and participation service that influences government policy decisions to improve housing and homelessness in Northern Ireland. Our policy work is framed by the views and experiences of the people who contact us for advice and aims to support the identification of evidence-based, informed solutions.

1.2. The nature of this briefing paper

As a member of the policy panel at the Legislative Theatre Event hosted by Renters' Voice in partnership with Arts and Homelessness International, Housing Rights was able to co-develop policy proposals alongside experts by experience, fellow panellists, and audience members. During the event made a commitment to advocate for the improvement of renters' rights. Many of the proposals discussed on the day were familiar to Housing Rights and are consistent with our client experience.

Over the past number of years, the experience of Housing Rights' advice services has been one of imbalance. The private rented sector (PRS) is overrepresented among our services compared with its share of the market. The PRS accounts for approximately 17% of Northern Ireland's total housing stock. Of the total number of calls to Housing Rights for help, advice, and support, 33% come from private tenants, indicating disproportionate pressures on tenants in this sector.

Figure 1: Proportion of Public Helpline Contacts by Tenure 2018/19 – 2025/26



Many of the issues explored during the legislative theatre performance are among the most common concerns raised by private renters who contact our helpline for advice and assistance every day. Challenges related to affordability, difficulty accessing tenancies, poor conditions and standards, alongside difficulties having repairs carried out, receiving a no-fault notice to quit and poor experiences with landlords and letting agents, are recurring themes in both the performance and in Housing Rights' caseload.

It was for this reason that Housing Rights' specific commitment was to produce a detailed policy paper outlining proposals for private rented sector reform based on the issues raised in the play. This policy paper is informed by the legislative theatre itself, the experiences of our private-rented tenant client base, and our engagement with Renters' Voice.

The paper is structured around a series of key themes, providing readers with an overview of the current state of the private rented sector in Northern Ireland while exploring the issues raised through the *Renters' Voice* legislative theatre production. Each theme will present the current policy context in Northern Ireland and outline its impact on private renters. Each section will conclude with a set of recommendations for legislative reform, aimed at advancing the rights of private renters and ensuring that the private rented sector becomes a safe, secure, and affordable tenure in which to make a home.

2.0. The policy context of the private rented sector

In Northern Ireland, a lack of investment in social and affordable housing has led to increased reliance on the private rented sector (PRS). For many households that, in previous years, might have accessed social housing or achieved homeownership, these options have become increasingly out of reach.

As access to the tenures best suited to long-term, sustainable housing has dwindled, many have had to fall back onto the PRS. The sector has traditionally been home to short-term tenants, intended as a stepping stone between moving out of the family home and entering home ownership.

The PRS has grown in size and now represents a 17% share of the housing stock, marginally exceeding that of the social sector.[3] This means that private landlords now have responsibility for housing a similar number of households as the State. This is a stark change from as recently as 1991, when social housing accounted for 31% of the market share and the PRS for 7%. The PRS is not carrying out the same functions as it once did. Although the private rented sector (PRS) and social housing house a broadly similar number of households, and tenants across both tenures face comparable risks of poverty[4], there remains a marked disparity in the policy framework and legislative protections afforded to each. The rights, safeguards and regulatory structures that underpin social housing are, in many cases, absent from the private rented sector, resulting in weaker protections for private tenants.

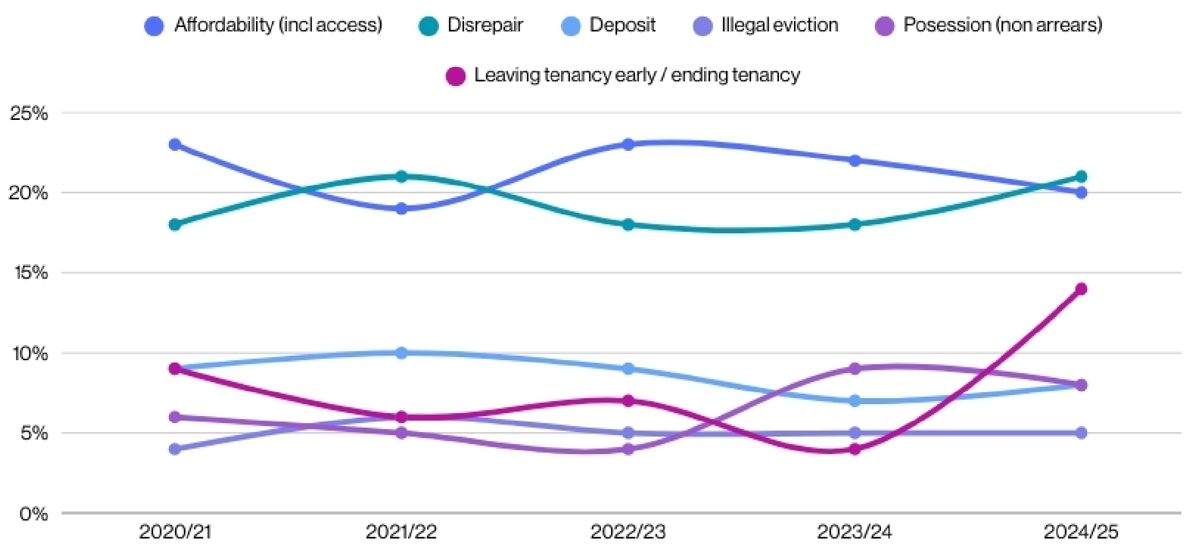
The shift to an overreliance on the PRS has been problematic for several reasons. Firstly, supply has not kept pace with demand, leading to rapid, unprecedented rent price inflation,[5] severely impacting the affordability of low-income renters and, as recent research suggests, middle-income renters.[6] Secondly, the pace of this shift has meant that the legislation and regulation governing private tenancies have not kept pace with demand and the associated emerging challenges.

While the Private Tenancies (Northern Ireland) Act 2022[7] was a welcome step forward for renters' rights in Northern Ireland, it did not address affordability issues in their totality, limiting its measures to regulating deposits and the frequency of rent increases. The Act's introduction of Electrical and Carbon Monoxide Safety measures was similarly welcome, but it did not seek to raise minimum standards or strengthen landlord accountability for repairs and maintenance.

[3] 2021 Northern Ireland census: census-2021-ms-e15.xlsx, accessed 20 July 2026
[4] Poverty in Northern Ireland 2025 | Joseph Rowntree Foundation
[5] Private rent and house prices, UK - Office for National Statistics
[6] Northern Ireland Rental Index | Ulster University Research and Innovation
[7] Private Tenancies Act (Northern Ireland) 2022

Indeed, affordability and standards are consistently the most prevalent issues reported by private renters to Housing Rights' helpline.

Figure 2: % Proportion of Primary Issue for PRS clients 2020/21 – 2024/35



These challenges are present in the experience of Housing Rights' client base and were key themes in the Renters' Voice legislative theatre performance.

Raymond, pictured for the Centre for Homelessness Impact's Photo Library

3.0. Affordability in the Northern Ireland private rented sector

The private rented sector in Northern Ireland is becoming unaffordable to those who have no other option but to rely on it to sustain a home. For the growing cohort of people in Northern Ireland who cannot afford to buy a home but cannot access social housing, rent price inflation is challenging affordability thresholds.

This reality is reflected both in the experiences of clients who contact Housing Rights' helpline and in the legislative theatre performance, where a substantial rent increase left the tenants unable to afford their home. According to research by Ulster University and the Northern Ireland Housing Executive (NIHE), average rents in Northern Ireland rose by 10% in the year leading up to Q2 2025, to an average of £974 per month. In Belfast, the average rent reached £1,130 per month.[8]

More recent analysis carried out by PropertyPal places the average rent price in Northern Ireland at £1,004 per month. These rises are especially stark considering that, in 2020, PropertyPal reported the average monthly rent in Northern Ireland to be £664 per month.[9] This means that the average household is spending over £4,000 more per year on private rent than they were in 2020.

The most commonly used measure of affordability in housing by relevant organisations and policymakers is the income-to-rent ratio, in which housing is deemed 'affordable' if a household spends no more than 30% of its income on rent.[10] There are alternative measures that use slightly different methodologies to assess affordability, but since the income-to-rent ratio is used by both the Office for National Statistics (ONS) and the UK Government, we will use it to demonstrate the affordability challenges faced by private renters in Northern Ireland.

The research by Ulster University and NIHE examines this and reports that '*the affordability of rental properties continues to be a significant issue.'* The numbers reported are alarming and highlight the scale of the affordability crisis in the PRS. For those on median and average incomes, affordability is presenting a challenge. Median rent currently represents 39.2% of median income in Northern Ireland, and average rent amounts to 33.4% of average income.[11]

The situation among low-income private renters, who are already at more risk of poverty, destitution and homelessness, is even more dire. In 2022, the Joseph Rowntree Foundation (JRF) published research on poverty in Northern Ireland, acknowledging that '*the housing market in Northern Ireland is at a fragile point. The overreliance on a poorly regulated private rental sector market means that people often have insecure tenure, poor-quality housing and are more likely to see rises in their rents'*[12] a reading compounded by JRF's more recent publication in December 2025. In the updated report, in reference to rent price increases, JRF note that '*private renters in Northern Ireland pay rents that are 41% higher than those in*

[8] Northern Ireland Rental Index, H1 2025
[9] housing-market-trends-2020-Q4.pdf
[10] Private rental affordability, England and Wales - Office for National Statistics
[11] Performance of the Private Rental Market in Northern Ireland, H1 2024
[12] Poverty in Northern Ireland 2022 | Joseph Rowntree Foundation

the social rented sector…for families already on low incomes, these steep increases are impossible to absorb.'[13]

If we circle back to the Ulster University and NIHE research, we can see just how unaffordable rents are becoming for low-income households. For those in the bottom income quartile and the cheapest quartile of private rental accommodation, rent payments make up 43.1% of their total income. In Belfast, this rises to 49.8%.[14] **This means that the poorest quarter of private renters spend almost half their monthly income on the poorest-quality housing**, which is likely to suffer from poor insulation, dampness, and mould. Such a significant outlay to keep a roof over a household's head inevitably eats into spending capabilities elsewhere in a household budget. Spending on heating, food, hygiene, and children's essentials will all inevitably be impacted.

It is essential to recognise the connection between housing costs and poverty in Northern Ireland. Compared with the other constituent nations of the UK, Northern Ireland has historically had lower income levels, yet it has had lower poverty rates than England, Scotland and Wales. This position is precarious, and primarily due to lower housing costs, which reflect a lower-income economy. If housing costs continue to rise at an accelerated rate, the number of renters in poverty in Northern Ireland will quickly increase. Indeed, this has already begun,[15] and will inevitably lead to more households struggling with their housing costs. **Persistent and rapid rent inflation in Northern Ireland, therefore, is increasing the risk of poverty, destitution and homelessness for households on lower incomes.**

Given this combination of factors, which is driving vulnerable tenants into poverty and increasing their risk of homelessness, it is unsurprising that affordability emerged as a key issue in both the *Renters' Voice* legislative theatre project and the experiences of Housing Rights' clients. These challenges are compounded by inadequate regulation, which allows landlords to implement substantial rent increases with limited constraint.

3.1. Affordability proposals

Local Housing Allowance

Local Housing Allowance (LHA), the rate at which Universal Credit Housing Cost/Housing Benefit is paid to private renters, has been frozen numerous times since 2016, leaving many private renters facing significant shortfalls between their housing support and their rent.[16] A particularly damaging freeze was in place from 2020 to 2024, the height of the inflation spike in Northern Ireland, and it has been frozen again since 2024. In theory, LHA is set at the 30th percentile of market rates, so the cheapest 30% of rents in an area should be covered in full by LHA. In reality, as can be demonstrated in the above-referenced Assembly Question, this is not the case in Northern Ireland.

[13] Poverty in Northern Ireland 2025 | Joseph Rowntree Foundation
[14] Performance of the Private Rental Market in Northern Ireland, H2 2024
[15] Northern Ireland Poverty and Income Inequality Report, 2022/23
[16] AQW 25820/22-27 – The median gap between UC Housing Cost received through LHA and rent price is £82 per month

The current Labour Government have announced that the current freeze will last through 2027 at the very least.[17] Housing Rights believes that this is an unsustainable position to hold.

In late 2024, the Joseph Rowntree Foundation published research on the impact of LHA freezes on private renters across the UK. It found that, if LHA remains frozen over the course of this parliament, private renters on housing benefits will be around £700 worse off per year. In addition, 50,000 renters will be pulled into poverty, 60,000 into deep poverty, and 80,000 (including 30,000 children) will be pushed into deep poverty.

Being in poverty vastly increases the danger of becoming homeless, and these findings are particularly worrying in Northern Ireland, given the context of high rent inflation and spiralling costs that were outlined in the context setting section above.

It is therefore essential that politicians in Northern Ireland, Executive Ministers, MLAs and MPs alike, lobby the new British Prime Minister to unfreeze LHA and permanently re-link it to private rents, at the 50th percentile as originally intended,[18] staving off poverty and homelessness risk for tens of thousands of renters across the UK and Northern Ireland.

Policy Proposal: Unfreeze the Local Housing Allowance and permanently relink it to the 50th percentile of private rents. This will protect affordability, allow more people to sustain their tenancies, and stave off poverty for tens of thousands of renters across the UK and Northern Ireland.

Rent Regulation

When discussing rent regulation, it is important to distinguish the different forms it can take. Although rent regulations are common worldwide, and indeed in Europe, they are not uniform and vary greatly from jurisdiction to jurisdiction. Accounting for this variation, we can place them into three distinct categories.

‘First-generation’ rent controls became popular in Europe during the World Wars and were retained for some years following the Second World War. They are often categorised as ‘hard’ regulations, with rents frozen at a certain level. These regulations were generally phased out toward the latter part of the 20th Century, and there are no examples of active first-generation rent controls in Europe today.[19] While effective at improving the initial affordability of rents, their introduction can also have related impacts. In their paper, *‘Rent Regulation in the Private Rented Sector in Northern Ireland’* the Chartered Institute of Housing (CIH) identified that it can develop incentives for landlords to sell properties and leave the sector, especially at times of high house prices.[20] The paper acknowledges that a sizeable number of these sales might be to other landlords and the house will remain in the sector, but given the rise of the short-term let market in Northern Ireland, landlords could be incentivised to relist properties on sites like Airbnb, which would have no regulation on how much can be charged for a short-term stay. CIH further points to reduced incentives for landlords to repair and renovate properties, and the potential to incentivise ‘shadow’ or illegal rental markets outside the regulated system.

[17] UK Government continues freeze on housing benefit. This will drive homelessness | Crisis UK | Together we will end homelessness
[18] Local Housing Allowance (LHA): Help with rent for private tenants - House of Commons Library
[19] Rent regulation in 21st century Europe. Comparative perspectives
[20] Rent Regulation in the Private Sector in Northern Ireland

'Second-generation' rent controls took prominence in the 1970s and are a milder form of rent control than their first-generation predecessor. Second-generation rent regulations usually govern rents and rent increases, but allow for a reasonable profit for the landlord. This could include setting the first rent at market rate, with subsequent increases being controlled.

'Third-generation' rent controls became more popular across Europe in the 1990s. Employed to protect the tenant, third-generation controls usually involve a system where rents are controlled within a tenancy but are unrestricted between tenancies.[21]

Recent research by the Joseph Rowntree Foundation has examined how rent controls could be made feasible to deliver.[22] Their research has found that the current tax system applied to landlords exerts disproportionate downward pressure on small, highly leveraged landlords compared to corporate landlords. Their modelling shows that this could be rectified by reinstating mortgage interest relief and applying National Insurance Contributions to rental income. The changes would see would see fewer landlords making a negative return on their rental income by 2030 than is projected to be the case under current tax arrangements. Under their proposed model of rent control, then, landlords would still be able to expect profit from their private rentals.

On the tenant side, alongside adopting their proposed tax reforms, the JRF analysis shows that if rent regulations of capping rent increased at the Consumer Price Index (CPI) +1% during tenancies, and CPI +2% between tenancies, private tenant households would be on average £1,200 per year better off by 2030/31.

This proposed model, then, while saving tenants upwards of £1,000 per year, would also allay landlord fears of damaging impacts on their profits and their ability to maintain accommodation, thereby mitigating the possibility of forcing smaller landlords to sell up and leave the market.

Policy Proposal: Implement rent reform as proposed in JRF's latest research. This will protect both landlord and tenant affordability, allowing landlords to sustain reasonable profits while increasing the affordability and sustainability of tenancies across the UK. The Northern Ireland Executive should then implement rent regulation which caps rent increased during tenancies to CPI + 1% and CPI +2% between tenancies.

Discretionary Housing Payments

Discretionary Housing Payments (DHPs) are top-up payments, which can be paid to renters in addition to Universal Credit or Housing Benefit to help cover shortfalls in rent payments. Responsibility for administering DHPs in Northern Ireland rests with the Housing Executive.

DHPs have historically been Housing Rights' most successful solution to retaining the tenancy of private renters who are threatened with homelessness because of affordability reasons. Following the restrictions placed on DHPs by the Northern Ireland Housing Executive in August 2023 to prevent overspend, Housing Rights has found that, increasingly, DHPs are ineffective at retaining tenancies. This is, of course, partly explained by the inflation of rent and growing shortfalls, but a simultaneous change in DHP policy meant that many people who had been in receipt of DHPs for two years or more had their awards immediately stopped. Similarly, it has been the experience of Housing Rights that while it is not difficult to access DHPs, it is difficult to access awards that are sufficient to have a

[21] Ibid. 16
[22] How tax reform would make rent controls feasible to deliver | Joseph Rowntree Foundation

meaningful impact on addressing shortfalls and retaining tenancies. This can be seen in published data, in the Minister for Communities' response to a written question from Mark H Durkan MLA.[23] Here, we can see that a greater number of smaller awards are being made, which, although they cover a large number of people, are not enough to cover ever-increasing shortfalls and so fail to prevent homelessness due to affordability struggles. These restrictions have remained NIHE policy in the years since.

More recently, pressure on the DHP Budget appears to have been lifted. In the financial year 2024/25, the NIHE reported an easement of almost £4.5 million.[24] According to NIHE, this was due to the uplifting of Local Housing Allowance in April 2024.

Housing Rights believes the uplift of LHA could have been an opportunity to assess the expected spend for a year, with a view to restoring the policy objective of DHPs to 'Sustaining Tenancies and Preventing Homelessness.' This would have opened up the possibility to make significant homelessness prevention interventions for private renters who were struggling with affordability, and prevented a significant easement.

Housing Rights believes this could have been achieved through the re-establishment of the DHP Working Group, which included the NIHE, and various homelessness and housing voluntary and community sector organisations.

The fundamental policy issue which forces the NIHE to put restrictions on the award of the DHP budget, rather than increase the budget to meet need, is that the fund is a ringfenced pot allocated by the Department for Work and Pensions. In other words, although the administration of DHPs is devolved, funding of the pot is not.

In Scotland, where DHPs are fully devolved, they are able to pull a lot more policy levers to meet need and use DHPs to aid affordability across a wider range of affordability issues. For example, while in Northern Ireland they are restricted solely for use on rent payments, in Scotland they can be used to aid with deposits, rent in advance, or removal costs.[25]

To return DHPs to the effective homelessness prevention tool they once were, the Northern Ireland Executive must lobby the British Government for their full devolution, allowing autonomy to meet need and broadening the policy intent of DHPs to address a wider range of affordability challenges.

Proposal: Re-establish the DHP Working Group, with a view to monitoring DHP spend and maximise opportunity to sustain tenancies and prevent homelessness.

Proposal: Lobby for the ability to 'top-up' DHPs to be devolved to Northern Ireland, widen the pool of affordability challenges that DHPs can be used to alleviate, and fund to meet need with the policy intent of sustaining tenancies and preventing homelessness.

[23] AQW 23364/22-27
[24] AQW 37326/22-27
[25] Section 2: About Discretionary Housing Payments - Scottish Discretionary Housing Payments: guidance manual 2025 - gov.scot

Jackie, pictured for the Centre for Homelessness Impact's Photo Library

Housing Rights

4.0. Standards and Repairs in the Northern Ireland private rented sector

The NIHE's House Condition Survey 2016 found that the PRS had the highest proportion of non-decent homes (10.7%, equating to 14,300 properties), compared to 3.1% of social rented sector properties.[26] The publication of an updated House Condition Survey has begun, but as of the time of writing, the statistics on unfitness have yet to be released, with full publication expected this year. Additionally, the Department for Communities' (the Department) Fuel Poverty Strategy explicitly recognises this and acknowledges that the PRS is home to the highest rates of fuel poverty across all tenures in Northern Ireland.[27]

While it is welcome that there has been some progress in raising standards in the sector through Section 8 and 10 of the Private Tenancies Act, which established new standards for electrical safety and heat, fire and carbon monoxide alarms, much more must be done to progress significant change.

Given our client experience and the experiences enacted through legislative theatre, Housing Rights expects that the current House Condition Survey being rolled out will tell much the same story: that private renters must endure the poorest-quality housing, while paying the most to sustain it.

The current Minimum Standard

The current statutory minimum fitness standard in Northern Ireland is applicable across all tenures of housing and is set out in Article 46 of the Housing (Northern Ireland) Order 1981[28] and underwent minor updates through Article 97 of the Housing (Northern Ireland) Order 1992.[29] The standard states that for a dwelling to be fit for human habitation, it must:

- Be structurally stable
- Free from serious disrepair
- Free from dampness prejudicial to the health of occupants
- Have adequate provision for heating, lighting and ventilation
- Have an adequate piped supply of wholesome water
- Have satisfactory facilities in the house for the preparation and cooking of food, including a sink with a satisfactory supply of hot water and cold water, for the exclusive use of occupants
- Have a system for the draining of foul, waste, and surface water

The standard is a physical standard, primarily concerned with the internal and external fabric of the building and the provision of heat, lighting, ventilation and sanitation. The advantage of this pass/fail model is that it is easy to understand and has undoubtedly driven an improvement in housing standards in Northern Ireland. The first House Condition Survey, carried out in 1974, found that 20% of all homes in Northern Ireland were unfit for human habitation.[30] By 2016, this number had fallen to 2.1%.

---

[26] House Condition Survey Main Report 2016
[27] Warm Healthy Homes 2026-2036: A new Fuel Poverty Strategy for Northern Ireland | Department for Communities
[28] Housing (Northern Ireland) Order 1981
[29] The Housing (Northern Ireland) Order 1992
[30] The Housing Executive - News

However, a report published by the Department's predecessor, the Department for Social Development, alongside Queen's University Belfast, identified key weaknesses with the current model of fitness standards in Northern Ireland. While acknowledging the past success as a key driver for improvement, it recognised that '*its value falls short as a means of dealing with modern housing challenges and contemplating the Northern Ireland Executive's wider policy agenda.'*[31] Additionally, as previously mentioned, the Fuel Poverty Strategy explicitly commits to raising the minimum standard. It is our opinion that this should be prioritised and progressed quickly.

Local Councils and Environmental Health

Local Councils and, by extension, their Environmental Health departments are responsible for enforcing regulations on standards and repairs in the PRS. The powers are derived from the Private Tenancies (Northern Ireland) Order 2006 and allow a council to:

- Issue a landlord with a statutory notice requiring that repairs be carried out
- Recommend that the property have its rent controlled if it is not a prescribed dwelling[32]

From a tenant's perspective, they can apply to their local Environmental Health team for a fitness inspection if:

- Their tenancy started after the 31st March 2007
- The property is not a prescribed dwelling
- The property was built before 1st January 1945

The qualifiers are not exclusive, and the legislation grants councils the power to inspect properties outside these parameters to assess fitness and disrepair. To request an inspection, a tenant must complete a form. The Council are then legally required to inform the landlord of the inspection.

It is this notification, which, in Housing Rights' experience, is the source for reluctance for private rented tenants to report standards and repair issues to Environmental Health. In the context of the wider housing crisis, concerns about accessing another tenancy, and 'no fault' evictions being legal, many tenants do not want to risk a retaliatory eviction for making a formal report to the local council.

This was a theme which was touched upon during the legislative theatre performance and, again, an issue which consistently appears among the experiences of Housing Rights' clients.

4.1. Standards and Repairs Proposals

A New Minimum Fitness and Energy Efficiency Standard

Housing Rights view the current minimum fitness standard as unsatisfactory and calls for its replacement. It is insufficient to make amendments to the standard which do not directly link to health.

We recommend that the Minimum Fitness Standard is replaced with a Housing, Health and Safety Rating System (HHSRS). A HHSRS would link housing standards directly with health,

[31] Review of the Housing Fitness Standards

[32] A prescribed dwelling is a property constructed pre-1945, has not had a NIHE renovation grant in the last 10 years, is not a HMO, or has not had a regulated rent certificate issued in the last 10 years

which is essential given the long-recognised body of evidence on the impact of housing on health.[33][34] It is not only a more holistic system for assessing housing conditions, but has also been used effectively in England and Wales and has been given international recognition by being adopted in the USA.

Policy Proposal: The Department for Communities should liaise with the Department of Health on a number of areas where health and housing are linked to work together to tackle poor housing, and reduce risk to health from poor housing. The establishment of a HHSRS to replace the Minimum Fitness Standard, as well as implementing Minimum Energy Efficiency Standards (MEES) of EPC C in the PRS, should be prioritised.

Enforcement

However, replacing the minimum fitness standards with a HHSRS and MEES is only one aspect of driving improvement in standards in Northern Ireland. There also needs to be adequate enforcement.

There is therefore a need for local councils to be equipped with adequate resources to properly enforce the new standards, thereby protecting tenants and tackling landlords who provide poor housing standards. Housing Rights therefore believes that the introduction of landlord licensing, with compliance with the new standards a requirement to obtain a licence, would go some way to enabling councils to adequately enforce.

Landlord licensing could complement HHSRS and MEES, leading to improved policy and practice in the sector. Licencing would enable Government to collect much more relevant data on the PRS than can currently be collected, enabling informed policy and enforcement. Critically, however, it could also generate a small financial resource, allowing Councils to effectively target properties in poor condition, thereby improving the overall housing stock.

Evidence from England, which operates a selective licensing scheme, shows that in areas where licensing is implemented, it can lead to greater professionalism within the sector. Research has also shown an increase in Council satisfaction with the quality of housing under their jurisdiction, and an increase in tenant satisfaction with their landlord and with the standard of their home. In addition to these tangible benefits, charging a small licensing fee would lead to a self-funding enforcement regime.

Proposal: Implement a landlord licencing scheme to create a self-funding enforcement model, improve data collection, and drive improvement in standards of housing across Northern Ireland, thereby increasing tenant satisfaction with the standard of their homes, and driving down disputes on standards and repairs.

[33] Housing impacts health: new WHO guidelines on housing and health
[34] Health Equity in England: The Marmot Review 10 Years On | The Health Foundation

Paul, pictured for the Centre for Homelessness Impact's Photo Library

5.0. Security of Tenure in the Northern Ireland private rented sector

In Northern Ireland, it remains legal for a landlord to issue a notice to quit to a periodic[35] tenant for any reason. Currently, for a notice to quit to be valid, it must be in writing and give the correct notice period. These notice periods depend on how long the tenant has lived in the property and are as follows:

- Four weeks if they have rented the home for less that a year
- Eight weeks if they rented your home for 1 to 10 years
- Twelve weeks if they have rented the home for 10 years or more

The current state of affairs represents the poorest security of tenure for private tenants across the UK's constituent nations.

While forthcoming regulations extending these notice periods under the Private Tenancies Act are welcome, **Housing Rights remains concerned about the introduction of exceptions to the longer notice periods, particularly an exception for two-week notice periods in cases of antisocial behaviour.** Our full response to this matter can be read in detail in Housing Rights' consultation response.[36] In short, it is our view that under no circumstances is it appropriate to reduce a notice period to two weeks. **Two weeks is significantly shorter than the NIHE's current 28-day 'threatened by homelessness' period, and therefore runs counter to the policy intent of both the Homelessness Strategy and the Housing Supply Strategy, both of which are geared towards supporting homelessness prevention and intervention.**

It is important to note, however, that even with the implementation of longer notice periods, private tenants in Northern Ireland would remain worse off than their peers in England, Scotland and Wales. In both England[37] and Scotland[38], no fault evictions are illegal unless given under specified grounds. In Wales, meanwhile, no-fault evictions are legal but require a 6-month notice period.[39]

It is not only the existence of the no-fault eviction in Northern Ireland and the resulting poor security of tenure that requires legislation to address. It also causes a major imbalance of power in the landlord/tenant relationship, with deeply negative consequences for a tenant's ability to assert the rights they do, in theory, have.

As a landlord can evict a periodic tenant at any time, for any reason or none, many tenants feel unable to challenge their landlord or make complaints to relevant authorities around the standard of the property or repairs for fear of a retaliatory eviction. A recent Renters' Voice survey found that 49% of respondents had decided not to report their landlord to Environmental Health for fear of being evicted as a result.[40] In England, a study by Citizens'

[35] A tenant who does not have a fixed-term contract, in Housing Rights' experience, most tenants outside the first year of their tenancy
[36] HR Response to the Consultation on Notice to Quit Periods 1.pdf
[37] Renters Rights Act: private tenants - Shelter England
[38] Eviction if you have a private residential tenancy - Shelter Scotland
[39] If you get a 'no fault' eviction notice - Citizens Advice
[40] Renters' Voice no fault eviction survey report.pdf

Advice found that 46% of tenants who complained about disrepair or maintenance issues were served a notice to quit within six months.[41]

Similarly, Housing Rights' clients have experienced invalid rent increases where they have not been given the required notice period. Upon challenging this, they have received their notice to quit. Under current legislation and the existence of no-fault evictions, this is a completely legal practice for a landlord.

This practice is a major restriction on private tenants exercising the little rights they do have, exacerbates an already imbalanced power dynamic, and results in poor practice. This is undoubtedly not the government's policy intent, yet the current policy framework enables and embeds poor security of tenure and undermines tenants' ability to challenge poor standards and practices in their homes.

5.1. Security of Tenure Proposals

It is important to note that all of the proposals advocated for in this paper, aimed at increasing the rights of private renters and delivering safe, sustainable, affordable homes of fair quality, are reliant upon adequate security of tenure to be effective in reducing homelessness.

New measures to increase affordability would be welcomed, and upgrading our out-of-date minimum fitness standards is necessary. However, for tenants to reap the benefits of those advances, should they be implemented, they must have the confidence and security to assert those rights safely without fear of eviction. It would undermine progress if new standards are implemented, but should a landlord fail to comply, and a tenant wishes to complain, they could legally be given a retaliatory notice to quit in response. This is unfortunately the case in Northern Ireland now, and we have fallen behind our neighbours in this respect.

To rectify this, it is essential that no-fault evictions are banned in Northern Ireland. Alongside this, a prescribed list of exceptions should be published, which would allow for legitimate notices to quit to be issued.

Proposal: A legislative package should be brought forward to ban no-fault evictions, and establish indefinite tenancies with a prescribed list of exceptions to allow for legitimate notices to quit to be issued where necessary.

[41] Getting the house in order: How to improve standards in the private rented sector - Citizens Advice

6.0. Letting Fees in Northern Ireland

Letting Fees are payments charged by Letting Agents. They include application and administrative fees for conducting credit and employment checks. These fees are usually charged at the start or renewal of a tenancy. Letting fees also include inspection charges and change-of-tenancy fees. These charges are usually levied during a tenancy.

In Northern Ireland, the law on letting fees was clarified in 2017 following the judgement of the County Court in *Loughran.*[42] The case confirmed that letting fees charged at the start or renewal of a tenancy, where the tenant is being charged for services that they have carried out on behalf the landlord, are illegal and can be claimed back by the tenant.

On 5th March 2020, a joint statement on letting fees was issued by the Department of Finance and the Department for Communities. Both Departments stated that the '*the court rulings reaffirm the guidance to all those involved with the granting of a lease or letting of land, and that a landlord, or an agent of the landlord, cannot oblige a tenant to pay for the professional services provided by their agent.*'[43]

Despite the reinforcement of the 2017 judgement, it appears agents continue to charge such fees. In contributing to the Chartered Institute of Housing's (CIH NI) research into the regulation of letting fees in Northern Ireland,[44] Renters' Voice carried out a mystery shopping exercise which aimed to assess the prevalence of letting fees in Northern Ireland and their compliance with current legislation. Of the 120 letting agents contacted, 43% indicated they charge fees through their websites and/or phone conversations. 28% of agents overall confirmed over the phone they charge fees. Fees included:

- Application fees
- Credit check fees
- Referencing fees
- Administration fees
- Holding fees
- Missed viewing fees
- Deposit protection fees
- Booking fees

The ruling in the Loughran case was definitive in prohibiting letting agents from charging tenants fees for services that benefit the landlord. This research from CIH NI and Renters' Voice suggests that a sizeable minority of letting agents in Northern Ireland continue to charge such fees.

Letting fees are a financial burden for tenants and prospective tenants alike. CIH NI identify this in the aforementioned research, where a survey evidences that 66% of tenants who had been charge pre-tenancy letting fees found them to be either 'very unaffordable' or 'somewhat unaffordable.'[45]

In 2020, Housing Rights published research which examined preventing homelessness and sustaining tenancies in the PRS. The research identified letting fees as a significant barrier

[42] Paul Loughran v Piney Rentals Limited & F5 Property Limited [2017]
[43] Joint DfC and DoF Communiqué on Letting Agency Fees
[44] Regulation of letting agents and letting agent fees in Northern Ireland
[45] Ibid. Section 2.3

to accessing accommodation. Housing Rights advisers reported that their tenants, even in circumstances where they had been informed that the tenancy fees fell under criteria deemed unlawful, felt they had to pay the fees regardless or risk losing the accommodation. This was particularly the case in high-demand areas.[46]

In addition, the mystery shopping exercise in CIH's research highlighted issues with the transparency of the fees charged for letting. There is evidence of fee explanations and justifications varying across letting agents, and some agencies backtracking when questioned. Evidence of a lack of transparency is compounded by tenant feedback to the survey, which, aside from reporting fees as a financial burden, indicated a lack of consistency and clarity in how fees were explained.

In the context of the current housing crisis, with rapidly rising rents and extremely high accommodation demand, the legislative framework on letting fees lacks clarity, transparency, and enforcement mechanisms. This creates conditions in which tenants feel compelled to pay illegal letting fees just to secure a tenancy, leaving them vulnerable to illegal and/or exploitative practices.

6.1. Proposals to address Letting Fees

Letting fees should be banned in all but prescribed circumstances, such circumstances should only be for actions carried out which are of service to the tenant.

Letting agents should be required by law to be transparent about their fee arrangements and charges. This should be clearly displayed in all information and communications regarding a prospective tenancy and on organisational websites or other information services. Tenants should also not be required to use third-party services for services, including, but not limited to, credit and reference checks.

Appropriate penalties should be introduced to deter letting agents from charging unlawful tenancy fees, displaying inaccurate information, or omitting important information regarding tenancy fees.

Enforcement of the legislation should be carried out by local councils across Northern Ireland. This could be aided by extending Landlord Registration, responsibility for which is being passed from the Department for Communities to local councils, to include letting agents. Enforcement could be self-funded by the charging of a fee for letting agents to register. Letting agents should be mandated to register with the database. Non-registration should result in a fixed penalty.

Proposal: Formalise the banning of unfair letting fees in legislation, and published a prescribed list of the fees that letting agents are legally allowed to charge.

[46] Preventing Homelessness and Sustaining Tenancies in the PRS

Zanda, pictured for the Centre for Homelessness Impact's Photo Library

7.0. Accessibility in the Northern Ireland private rented sector

The nature of the housing crisis and the high demand for homes have created conditions for intense competition for advertised tenancies. In PropertyPal's latest Housing Market Trend update, CEO Jordan Buchanan describes the current environment in the rental market, saying '*demand remains elevated, although there are signs the intensity has stabilised in recent months, partly reflecting a pickup in mortgage activity in the sales market. In the opening three months of this year (2026), there were 56 enquiries per rental listing, up 14% on last year, and still well above long-term norms.'*[47]

This situation creates an environment in which tenants are often expected to compete against one another, financially as well as in demonstrating that they can afford to pay the rent.

In previous years, this was most clearly demonstrated by the common practice of charging multiple months' rent as a deposit. In Housing Rights' client experience, the practice effectively acted as a barrier to low-income households' access to private tenancies. The Private Tenancies Act brought a welcome change to this law, limiting the deposit a landlord could request to one month's rent. Housing Rights supported the change in law but recommended that the amount of rent in advance that a landlord could request also be limited to one month.

Housing Rights has noted, through our client experience, the practice of landlords asking for an excessive amount of rent in advance as a way of mitigating what they perceive to be risks in renting to certain groups, for example, those on low income, or those with no access to a guarantor. Indeed, the aforementioned research by Housing Rights found that migrants were often required to pay several months' rent in advance in lieu of providing a guarantor.[48]

In fact, a theme which plainly emerged during the legislative theatre performance was that of guarantors. The widespread insistence by landlords and letting agents that prospective tenants provide a guarantor, even when they have demonstrated they can pay rent, was highlighted as a barrier for people without access to a guarantor. This includes younger renters, older renters, people from low-income families without property owners, migrants, and people from the UK or Ireland whose families reside outside Northern Ireland.

There is evidence, aside from that provided by the experiences of Renters' Voice and Housing Rights own client base, that insistence on a guarantor is becoming widespread practice in Northern Ireland. In 2025, Housing Rights and Threshold completed comparative research into the experiences of private renters across the island of Ireland. The research found that while just 11% of tenants in the Republic of Ireland had been asked to provide a guarantor, 35% of tenants in Northern Ireland had been asked to provide one.[49]

The requirement for a guarantor reduces tenants' agency and accessibility, especially for those who cannot easily provide one, removing access to a tenancy from what they can demonstrably afford to being fortunate enough to have eligible and willing friends or family. Younger tenants are more likely to be asked, but for those who were raised in families that were not homeowners, it is unlikely they will be able to find an acceptable one. Older tenants will likely have less access to a guarantor, unless they have property-owning children.

---

[47] Housing_Market_Trends_Q1_2026_6034289562.pdf
[48] Ibid. 32
[49] Renting-on-the-Island-of-Ireland.pdf

Migrants, or people from Great Britain or Ireland, with families outside Northern Ireland, will likewise, by virtue of their situation, be less likely to find an eligible and willing guarantor.

7.1. Accessibility proposals

As outlined above, the Private Tenancies Act introduced a limit on the amount of the deposit a landlord could charge, set at one month's rent in advance. This was a welcome change, but Housing Rights client experience is one of rent in advance being demanded of clients, remaining commonplace. This greatly reduces accessibility for low-income aspiring tenants who can afford the rent and have a deposit, but who cannot afford extra months' rent in advance in a single block payment.

The practice effectively gatekeeps out less well-off households, squeezing them into the cheapest, lowest-quality housing and reducing their chances of securing a tenancy.

There have already been steps taken to address this issue in England, where the Renters' Rights Act capped the amount of rent in advance that a landlord could ask for to one month.[50]

Proposal: Introduce legislation to limit the amount of rent in advance that can be charged to one month.

Similarly, landlord insistence on the tenant securing a guarantor presents challenges to more vulnerable demographics as outlined above. To remedy this, an independent Guarantor Scheme should be established. The Scheme could charge a small fee to tenants, thereby generating income, and act as the guarantor for prospective tenants who are unable to secure one through family or friends.

Proposal: Establish an independent guarantor scheme to aid accessibility for prospective tenants who cannot access a guarantor through their own friends or family.

8.0. Access to Justice in the Private Rented Sector in Northern Ireland

Northern Ireland is currently the only jurisdiction in the UK and Ireland without either some form of free-at-point-of-access adjudication and dispute-resolution service for private tenant/landlord disputes, or to be in the process of putting concrete plans to implement a new service or improve existing ones.

Scotland currently operates a First-Tier Tribunal, which assumed the role of the Sheriff Court in relation to civil cases arising from private rented sector tenancies, while a dispute mechanism for issues arising within Private Residential Tenancies was introduced.[51] The use of the Tribunal for housing cases was intended to offer '*a new, more accessible and effective route to justice for both landlords and tenants in the sector.'*[52]

While intended to be more informal, the Tribunal operates much like a court. It has the power to make enforceable orders and the discretion to consider any evidence it deems relevant. It also has the power to make enquiries for further evidence or to require witnesses to attend a

[50] Renters' Rights Act 2025

[51] The First-tier Tribunal for Scotland Housing and Property Chamber (Procedure) Regulations 2017

[52] Shelter_Scotland_Data_Analysis_of_First-tier_Tribunal_Housing_and_Property_Chamber.pdf

hearing. In addition, if the Tribunal identifies that a case may be appropriate for mediation, it will bring this to both parties' attention and request their consent to adjourn the case for mediation. If both parties agree, mediation will take place. This potentially presents an additional avenue to justice and may prevent a number of cases from proceeding to a hearing if a reasonable settlement is reached.

In England, the Renters' Rights Act established a First-Tier Tribunal, which has jurisdiction over private tenant challenges to rent increases above market value.[53] The Act also established a mandatory PRS Landlord Ombudsman, which will investigate private tenants' complaints about landlord actions or behaviours, including complaints about standards and repairs.[54] The Ombudsman Service is due to go live in 2028.

In Wales, the Government has issued white papers proposing to establish a First-Tier Tribunal of their own, which would replace the Residential Property Tribunal, which handles complaints from tenants around the fair setting of rent, and minimum standards in their private rental accommodation.[55]

In the Republic of Ireland, the function of oversight in the PRS is carried out by the Residential Tenancies Board. The Board maintains a registration of tenancies and provides a confidential dispute resolution service. Any tenant can access the service, but a landlord must be registered with the Board to access its services. In addition, the Board can investigate and sanction landlords if they do not meet their obligations as a landlord or comply with legislation.[56]

Northern Ireland, meanwhile, has no such dedicated adjudication or dispute-resolution service available to tenants and instead must rely on the court system. In Housing Rights' experience, private tenants often do not feel they can, or do not want to, pursue a dispute through the courts. Reasons for this include concerns about the time a challenge would take and about being able to afford representation. It is Housing Rights experience that it is extremely difficult to access Legal Aid for a private tenancy dispute, and that legal representation is extremely difficult to secure. Effectively, without a dedicated, free-at-point-of-access service, in tandem with the existing policy context elsewhere within the sector, a power imbalance is created that inhibits tenants in Northern Ireland from challenging poor standards, illegal evictions, unlawful landlord behaviour, and unfair rent increases.

[53] The Renters' Rights Act Information Sheet 2026
[54] Voluntary membership | Housing Ombudsman Service
[55] Welcome to the | Residential Property Tribunal
[56] Residential Tenancies Board

8.1. Access to justice proposals

As we have outlined, Northern Ireland is far behind neighbouring jurisdictions in providing access to justice for private rented tenants. This is made even more damaging by the fact that the PRS in Northern Ireland is also less well regulated than in England, Scotland and Wales. With lower standards across the board, it is essential that private tenants have a safe, accessible means of asserting what rights they do have. It is equally important that poor and exploitative landlords are held to account, to avoid their poor practices impacting on the a succession of different tenants.

Proposal: Establish a free-at-point-of-access dispute resolution and adjudication service which can deal with landlord/tenant disputes. The services should include mediation options, have powers to investigate and request evidence, and make binding decisions which must be followed under law.

Housing Rights

www.housingrights.org.uk

@HousingRights

@HousingRightsNI

@Housing_Rights

@HousingRightsNI