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**MEMORANDUM E (20) 50 (C)**

**FROM: DEIRDRE HARGEY MLA  
MINISTER FOR COMMUNITIES**

**DATE: 8 APRIL 2020**

**TO: EXECUTIVE COLLEAGUES**

**FINAL EXECUTIVE PAPER: PROPOSED PRIVATE TENANCIES (CORONAVIRUS MODIFICATIONS) BILL**

**Introduction**

1. The purpose of this paper is to seek the Executive's agreement to introduce and progress by way of Accelerated Passage a Private Tenancies (Coronavirus Modifications) Bill in the Assembly which will extend the 'notice to quit' period and prevent evictions in the face of the COVID 19 emergency. The Bill has now been drafted and is attached with the accompanying Explanatory and Financial Memorandum.

**Background**

2. Private renters continue to be a group facing significant concerns and anxiety during this period due to insecurity of their tenure in a period when public health advice is that they stay home to shield, self-isolate or socially distance. Loss of employment and worries about arrears of rent are exacerbating this anxiety. A significant number of tenants will struggle to pay their rent (even in the short term while economic support measures come into place) due to the associated

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economic dislocation. Some tenants are reporting that their landlords have already moved to evict them now they have lost their jobs.

3. The emergency measures announced by the UK Government, including mortgage holidays for buy to let landlords, will go some way to alleviate the concerns of landlords who might be worried about meeting mortgage payments, and should therefore mean no unnecessary pressure is put on their tenants. The significant number of additional interventions made recently to support businesses and improve benefit provision will also ensure that considerably less tenants will have difficulty paying their rent.
4. Existing legislation in Northern Ireland does not contain grounds for eviction but merely instructs landlords to give appropriate notice to quit periods.
5. The Westminster Coronavirus Act 2020, Schedule 29 sets out in statute that the notice to quit period in England and Wales could be no less than 3 months. It is a public health requirement that people stay in their homes during this period for as long as possible. For some vulnerable people it is a health requirement that they do not leave their homes at all. Due to the current uncertainty surrounding the coronavirus pandemic the Department wishes to protect tenants from eviction for a reasonable and specified period of time. The length of the proposed protection period recognises that landlords may in cases of rental arrears be deprived of an income stream for the period, and will be delayed in gaining possession of the property to sell or put to alternative use. The 12 week period is aimed at being a proportionate response to both parties.
6. The Bill proposes to temporarily increase the length of period of notice to quit for all tenancies to a 12 week period with the intent to reduce unnecessary pressures on the health care, social care and NIHE systems that is caused by homelessness. We want to ensure that tenants are protected, particularly at a time when their income streams may be vulnerable, and they will be worried about the health and well-being of themselves and their loved ones.

7. This new provision is only intended to be for a limited period after which the position will revert to the current legislative provisions. Initially the period will be up to 30 September 2020 but with an option to review and extend (up to two years). Any cases that are in train i.e. where a notice to quit has been served before the passing of this Act, will continue as usual.

### **Cross-cutting issues**

8. This Bill has no cross-cutting issues.

### **Committee for Communities**

9. The Committee for Communities has been consulted, has agreed the need for Accelerated Passage and indicated its support for the Bill.

10.

**LPP/LAP**

### **Recommendation**

11. Given the urgency of this fast developing public health emergency the Executive is asked to agree to:
- (i) The Private Tenancies (Coronavirus Modifications) Bill as attached at Annex A;
  - (ii) the Bill's introduction in the Assembly; and
  - (iii) progress the Bill by an expedited accelerated passage procedure.
12. The Explanatory and Financial Memorandum for the Bill is attached.

**DEIRDRE HARGEY MLA**

**Minister for Communities**