



Submission

Notice to Quit Period

March 2026

homelessconnect.org

Notice to Quit Periods Consultation

Executive Summary

1. This consultation response sets out Homeless Connect’s concerns regarding the four proposed exceptions to the extended Notice to Quit (NTQ) periods established under the Private Tenancies (NI) Act 2022. While we fully support the move to lengthen NTQ periods across the private rented sector, we believe the detail of the proposed exceptions require amendment.
2. Across each of the four grounds—serious anti-social behaviour, relevant criminal offence, substantial rent arrears, and occupation by the landlord or their immediate family—we identify potential challenges and propose amendments. Two-week NTQ periods in cases of serious anti-social behaviour and relevant criminal offences are particularly problematic, as they significantly reduce the time available for tenants to seek advice, limit the ability of the Housing Executive to carry out statutory homelessness assessments, and heighten the likelihood of households entering crisis.
3. We highlight particular concerns about the subjectivity of anti-social behaviour assessments and the low evidential threshold required for landlords to invoke this exception. Without meaningful safeguards or accessible mechanisms to challenge decisions, tenants face a risk of unjust eviction.
4. In relation to rent arrears, we recognise the statutory requirement for an exception; however, we remain concerned that shortened notice periods, combined with repayment expectations, could incentivise tenants to take on unsafe or illegal debt as they attempt to avoid eviction. We also identify a significant weakness in the proposed occupation-by-landlord exception. Without a minimum occupation period and clear evidential requirements, this ground could be used to circumvent NTQ protections.
5. Finally, we underline the need for improved enforcement, clearer guidance, and the development of accessible Alternative Dispute Resolution mechanisms. The effectiveness of tenant rights relies not only on their existence in legislation but on their practical enforceability. We therefore recommend that the Department strengthens safeguards within the regulations, enhances clarity in the accompanying guidance, and commits to reviewing the impact of these changes 12 months after implementation to ensure they operate fairly and effectively.

Introduction

1. Homeless Connect has been working to prevent and alleviate homelessness in Northern Ireland since 1983. As an umbrella body, we represent over forty organisations working in the independent homelessness sector. We also work closely with people with lived experience of homelessness to ensure their voices inform policy and practice. We provide services that directly benefit people and communities, helping to sustain tenancies and diverting surplus nutritious food to charities and other not for profit groups.
2. At the outset, we want to thank the Department for running a consultation event on this subject which we found to be constructive and helpful. We further want to recognise the insights we gained from Renter's Voice in developing our consultation response. As an organisation, we believe it is always important to hear the voice of people with lived experience and we are grateful to them- and to Housing Rights- for taking the time to inform us of their views.

Consultation

Q3. Do you agree with each of the four shorter notice periods as set out in the Regulations?

3. Homeless Connect's primary concern in responding to this consultation relates to homelessness prevention. We welcome the proposed introduction of extended notice periods and advocated for extended NTQ periods throughout the passage of the Private Tenancies (NI) Act.
4. As the Department knows, evicting a tenant from Private Rental accommodation has significant consequences for the household impacted which can tragically include homelessness in far too many cases. Between October 2024 and September 2025, **2,330 households** presented to the Housing Executive as homeless due to the loss of rented accommodation. In the same time period, **1,370 households** were accepted as homeless on the ground of losing private rented accommodation.¹
5. It remains the case that the vast majority of those accepted as homeless following the loss of private rental accommodation were evicted due to the decision of the landlord to sell the property. Approximately 68% (928 households) were accepted as homeless because their landlord chose to sell the property. The next highest category was 'Other' at 21% (292), landlord dispute at 4% (56), affordability at 4% (55) and

fitness/repairs at 3% (39). As the Department knows, the consequences of homelessness for households can be devastating in terms of their physical and mental health. It also has wider social and economic costs.

6. **We believe that the regulations flowing from the Private Tenancies (NI) Act 2022 must reflect the inherent power imbalance between private renters and landlords and the differential consequences which flow from an eviction.** Eviction leading to homelessness has consequences not only for the household impacted but also for the Housing Executive and wider society.
7. We recognise that the Department has engaged in a careful deliberative exercise when it comes to consideration of exceptions to notice to quit periods. The detailed EQIA exercise and the research conducted on exceptions by the Chartered Institute of Housing is illustrative of the seriousness which the Department has taken with regard to these regulations. With this point acknowledged, we want to outline our view that the draft regulations should be amended to reflect the power imbalance between tenants and landlords.

Serious Anti-Social Behaviour and Relevant Criminal Offence

8. First, we would posit that the proposal to reduce the notice period from four weeks currently to two weeks in cases where serious Anti-Social Behaviour is alleged or an individual is convicted of a relevant criminal offence is **unnecessary, reduces tenant protections, and significantly limits the opportunity for the household impacted to seek support from advice agencies or the Housing Executive.** It has to be recognised that a person issued with a two-week NTQ would be at serious risk of homelessness. The Assembly during the debates on the Private Tenancy Act did not- to our knowledge- vote for a reduction in the rights of tenants which is the effect of these two week notice periods. We therefore recommend the maintenance of the current four-week period in these cases. It is our understanding that in both Scotland the equivalent notice period in these cases is four weeks. This would also align with the current 28 day period for a household which is threatened by homelessness under the provisions of the Housing (NI) Order 1988 to approach the Housing Executive.
9. It is our understanding that there is a risk that the Serious Anti-Social Behaviour ground could be abused to remove a tenant more quickly. This issue does not arise in the same way when it comes to a relevant Criminal Offence- a person has either been convicted of a criminal act or they have not. It is widely acknowledged that

greater complexity arises around Anti-Social Behaviour, especially because it can involve subjective judgments. If a landlord seeks to use this ground to issue an NTQ, they are only required to provide a written statement of evidence. If a person wants to contest an eviction on the grounds of serious anti-social behaviour, they have to use the courts which will often be prohibitive on practical grounds. This is problematic and could lead to **unjust outcomes**. As we will discuss, we believe the Department should consider Alternative Dispute Resolution mechanisms in this regard.

10. We would further add that there should be a time limit on the length of time a landlord has to issue a Notice to Quit on the grounds of a relevant Criminal Offence. For example, using a conviction from five years ago against a tenant who has done nothing further to warrant eviction. There are legitimate arguments as to how long this period should be. We would initially submit that it should be one year after the conviction has been recorded.

Rent Arrears

11. When it comes to rent arrears as a grounds for a shorter notice period being granted, we recognise that the Private Tenancies (NI) Act 2022 requires the Department to introduce a shorter notice period in cases where the tenant is substantially in arrears. We understand the rationale behind the proposed approach put forward by the Department while retaining significant concerns about the impact it may have on some of the poorest households in the Private Rental Sector (especially households negatively impacted by the five week wait for Universal Credit payments).
12. One significant concern we have about the mitigation put forward allowing the NTQ to be rescinded if the arrears are paid back is the risk of a household incurring debts to stave off the threat of eviction. Shortened NTQ periods, combined with repayment expectations, create powerful incentives for tenants to turn to unsafe or illegal lenders — a risk explicitly recognised in policing contexts. While they might avoid an eviction through borrowing money in this way, it could lead to major financial challenges further down the line. We urge the Department to consider mitigations that avoid incentivising unsafe or unregulated borrowing.

Landlord/Family Occupation

13. Turning to the fourth ground of possession; possession for occupation by the landlord or the landlord’s immediate family. We note that this ground was not expressly

included by MLAs in the primary legislation, albeit with the understanding that further exceptions could be introduced through regulations.

14. We understand that the rationale behind the inclusion of this additional ground is rooted in a concern about compliance with the jurisprudence of the European Court of Human Rights. This has a rational logic to it. However, we have some concerns about how this ground may operate in practice. It is reasonable to require that the landlord in this situation would be required to sign a notarised affidavit including the name of the person who will reside in the property (if not the landlord), their relationship to the landlord and the expected duration of occupation.
15. However, we note that there is no minimum expected duration of occupation specified. Consequently, a landlord could state an intention for a close relative to occupy the property for a very short period- for example, one day- and rely on this to justify an eviction. **In practice, this could provide a relatively straightforward means of circumventing NTQ requirements where the applicable notice period would otherwise exceed three months.**
16. We would draw attention to the fact that the CIH report outlines that in the Australian state of Victoria, where a similar system is in operation, has the following requirement in place: “that the rental provider understands that they must not re-let the premises to any person (other than the person named to be moving in to the rented premises in the statutory declaration) for use primarily as a residence before the end of six months after the date on which notice was given, unless approved by VCAT [Victorian Civil and Administrative Tribunal].”²
17. Similarly, in the Canadian state of Ontario, a landlord can issue a notice of termination at the end of period or term where “the rental unit is needed for occupation by the landlord, their immediate family or carer for a period of at least one year.”³ In this scenario, the landlord “giving notice for this reason shall compensate the tenant in an amount of one month’s rent, or offer another rental unit acceptable to the tenant.”⁴
18. Given these examples, we would suggest that the Department considers whether a legal requirement could be introduced to ensure that the landlord or their immediate family member must in fact occupy the property for a period of at least six months following the eviction. If they fail to do so, this could either (a) void the NTQ or (b) trigger a requirement for compensation to be provided to the tenant concerned.

19. We would further recommend that the Guidance provided by the Department outlines that it would be a criminal offence to provide false information in a sworn affidavit. In the draft, while it is stated that it would be a requirement to sign a sworn affidavit, it is not made clear what the consequences would be for providing false information.
20. **Without any requirement for the close relative or landlord to live in the property for a minimum amount of time or any consequences for failing to live up to the expected duration, we believe this ground could easily be used to circumvent the NTQ periods in cases where they are longer than three months duration.** We believe this is a defect which the Department should seek to remedy in the final regulations tabled.

Alternative Dispute Resolution

21. As noted above, we would highlight that the remedies for tenants when it comes to NTQ periods mainly involve the use of court proceedings. This is a high barrier for tenants. This is especially the case if an NTQ is issued for a two week period as is currently proposed. In past consultations, we have outlined our view that greater consideration needs to be given to Alternative Dispute Resolution (ADR) mechanism. **Homeless Connect believes that the current enforcement measures in place for the private rented sector are not fit for purpose.** It is widely accepted that the court system currently operating is under-resourced and slow with many tenants not knowing what their rights are. While there are other enforcement bodies beyond the courts who tenants can turn to, it can be difficult for people with vulnerabilities to navigate who they should turn to and to access the support they need.
22. We believe it is important for policymakers to consider options around the introduction of ADR. **There is considerable evidence from different jurisdictions that alternative dispute resolution mechanisms are an effective way of preventing disputes developing between landlords and tenants as well as resolving them after the fact.** However, the current legislative and regulatory framework in place sees tenants and landlords left with fewer options outside of litigation than are available in other jurisdictions.⁵

Mitigations

- Q8.** We have outlined some possible mitigation measures to address these potential adverse impacts.

Do you agree with the mitigating actions we have outlined?

Do you have any other suggestions for mitigating measures or alternative policies that could be put in place?

23. The included mitigations in and of themselves are all worthwhile. The concern we would highlight about them is that in the main they involve signposting to other services, many of which are under pressure. Nonetheless, they are reasonable mitigations to propose.

24. We would submit that the consideration of these regulations provides an opportunity to further consider the use of ADR as noted above. Other jurisdictions in the UK and beyond have introduced measures which support tenants in these situations. It may in practice prove to be the case that ADR can be a homelessness prevention measure in certain cases and we would strongly recommend the Department gives consideration to this in finalising the regulations.

25. One challenge for the Department- as well as for the housing and homelessness sector- is raising awareness of the rights that tenants will have to both tenants and landlords. There is no simple or easy way to achieve this, but we would stress the importance of ensuring that both tenants and landlords know about this change. This will require multiple means of communication over a long period.

26. Finally, **we would highlight the need to track the impact that these regulations have in practice.** It is not clear from the consultation documentation how the Department will assess the success or otherwise of these regulatory changes. A consistent concern in the area of private tenancy law has related to enforcement of the law. The fact that the Department itself acknowledged before the transfer of the management of the landlord registration scheme to Lisburn and Castlereagh Council that tens of thousands of landlords are not registered- despite it being a legal requirement to register- is illustrative of the problems here.⁶ It may be appropriate for the Department to conduct a review a year after the regulations coming into force.

27. The improved rights of tenants are only meaningful if they are enforceable. We would value further information on how the Department will assess the impact of these changes going forward.

Recommendations

1. **Serious Anti-Social Behaviour (ASB) Ground**

- Maintain the current four-week notice period; do not reduce it to two weeks.
- Introduce safeguards due to the subjective nature of ASB assessments.
- Consider Alternative Dispute Resolution (ADR) to prevent misuse and avoid reliance on court processes.

2. **Relevant Criminal Offence Ground**

- Maintain the current four-week notice period.
- Introduce a time limit on using past convictions

3. **Rent Arrears Ground**

- Ensure proposed mitigations on the rent arrears ground do not inadvertently encourage tenants to incur unsafe debt, including from illegal moneylenders.
- Consider alternative safeguards to prevent harm to households with low financial resilience.

4. **Landlord / Immediate Family Occupation Ground**

- Require a minimum occupation period of at least six months.
- Require a notarised affidavit naming the occupant, relationship, and duration of occupation.
- Outline the consequences where false affidavits are supplied in the final guidance documents.
- Consider compensation mechanisms where occupation does not occur.

5. **Cross-cutting Recommendations**

- Develop and implement ADR mechanisms to reduce reliance on courts.
- Strengthen tenant and landlord awareness campaigns about NTQ changes.
- Conduct a review 12 months after implementation to assess impact, compliance and enforcement.
- Provide detail on how the Department will measure the effectiveness of the regulations.

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References

¹ Department for Communities, “NI Homelessness Bulletin, April to September 2025”, 11 December 2025, <https://www.communities-ni.gov.uk/system/files/2025-12/ni-homelessness-bulletin-apr-sep-2025-tables.ods> Table 1.1 for presentations, Table 2.1 for acceptances and Table 2.1D for the breakdown of acceptances. 1,370 households were accepted as homeless after eviction from private rented accommodation. This figure excludes evictions from social homes.

² Sam Lister, Julie Steele, John Perry and Justin Cartwright, *Exceptions to longer ‘notice to quit’ periods in Northern Ireland*, (Belfast: Chartered Institute of Housing, 2026), 21.

³ Lister et al, *Exceptions*, 25.

⁴ Lister et al, *Exceptions*, 25.

⁵ See for example Jennifer Harris, “Alternative approaches to resolving housing disputes,” 7 February 2020, accessed 16 February 2026, https://housingevidence.ac.uk/wp-content/uploads/2024/04/200227-ADR_Report_c.pdf

⁶ Communities Committee, Meeting 6 February 2025. See the comments of Kieran Devlin, Deputy Director of Housing Supply, where he outlined that up to 40,000 private landlords may not be registered in Northern Ireland.



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