



Northern Ireland  
Assembly

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**COMMITTEE FOR  
SOCIAL DEVELOPMENT**

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**OFFICIAL REPORT  
(Hansard)**

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**Housing (Amendment) (No.2) Bill:  
Clause-by-Clause Scrutiny**

16 December 2010

**NORTHERN IRELAND ASSEMBLY**

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**Members present for all or part of the proceedings:**

Mr Simon Hamilton (Chairperson)  
Ms Carál Ní Chuilín (Deputy Chairperson)  
Mr Sydney Anderson  
Mrs Mary Bradley  
Mr Mickey Brady  
Mr Alex Easton  
Mr John McCallister

**Witnesses:**

Mr Stephen Baird            )  
Mr Alastair Campbell    )        Department for Social Development  
Ms Angela Clarke         )

**The Chairperson (Mr Hamilton):**

The Committee concluded its informal review of the clauses and proposed amendments to the Housing (Amendment) (No.2) Bill on 9 December 2010. At that meeting, the Committee also agreed that it was content to begin formal clause-by-clause scrutiny of the Bill.

Joining us are Alastair Campbell, Stephen Baird and Angela Clarke from the Department's housing division. You are all very welcome back.

Included in members' papers is a revised copy of the clause-by-clause scrutiny table for the Bill and a copy of the report from the Examiner of Statutory Rules on the associated subordinate legislation. Is the Committee content to note the Examiner's report?

*Members indicated assent.*

**The Chairperson:**

The Department has tabled a response to some of the queries that were raised by the Committee during its informal review of the clauses. Members should refer to their Bill folder, which has been updated with all the submissions received during Committee Stage.

During this session, the Committee will step through the clause-by-clause table, and members will be asked to give their final views on the clauses and proposed amendments. If consensus cannot be reached on a clause or an amendment, the Committee will divide. In some cases, we may have to park it in order to get clarification and to come back to it. We all have everything that we need. Therefore, we shall begin.

***Clause 1 (Abolition of statement of tenancy terms)***

**The Chairperson:**

Clause 1 abolishes the requirement for landlords to provide tenants with a statement of tenancy terms. Stakeholders who commented on the clause generally welcomed it, but they wanted assurances in respect of the level of information that would be supplied to tenants in their rent books. Thus, the only amendment that was proposed would add additional Assembly scrutiny to the regulations relating to the provision of rent books. The Committee agreed informally that it did not support the amendment, which would change the level of Assembly scrutiny associated with the provision of information in rent books from negative to affirmative resolution.

Does the Department have any further comment to make on the clause? Do members wish to raise any matter or query? No.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 1 agreed to.*

***Clause 2 (Tenancy deposit schemes)***

**The Chairperson:**

Clause 2 allows the Department to make regulations to establish a tenancy deposit scheme that will safeguard the deposits of tenants in the private-rented sector. Members will recall that a private landlords group opposed the provisions and its representatives indicated that they felt that such measures were unnecessary and may be expensive and bureaucratic. Other stakeholders welcomed the clause but suggested some amendments. Those include proposed amendments B and C. The Committee agreed informally that it supported amendments that would make the establishment of a tenancy deposit scheme a duty, not just a power, and would include a time frame for the establishment of the scheme. The Department has not provided the wording of the amendment, which replaces “may” with “shall” and incorporates a time frame. Does the Department have any further comment to make?

**Ms Angela Clarke (Department for Social Development):**

No, Chairperson. It has been agreed in principle. We will submit the draft clause as soon as possible.

**The Chairperson:**

OK. We cannot formally consider the amendment at this stage. If members are content, we will move on and come back to it when we get the wording.

*Members indicated assent.*

**The Chairperson:**

The Committee agreed informally that it would not support a number of other suggested amendments. Members did not support proposed amendment D, as a change to the time period for the provision of information to tenants on deposits schemes would lead to a mismatch with other tenancy legislation. Members also rejected proposed amendments E, F, J and K, as the Department advised that those proposals, which include dispute resolution and the use of secure accounts, were already included in the Bill. Members also noted the Department’s assurances

that it will regulate the scheme and that district councils will enforce it. Consequently, the Committee agreed informally not to support proposed amendments G and H. The Committee informally expressed its support for the scheme and, thus, rejected proposed amendment I, which was to throw out the entire tenancy deposit scheme.

Does the Department have any further comment to make?

**Ms A Clarke:**

As regards regulation, I clarify that the Department will not regulate but will approve scheme providers.

**The Chairperson:**

OK. Therefore, perhaps “regulation” is the wrong term. What about “monitoring”?

**Ms A Clarke:**

We will certainly be monitoring; absolutely. However, because the companies are private companies, they will be regulated separately. The Department will approve and, certainly, monitor them.

**The Chairperson:**

Fair enough. Is there a need for formal regulation?

**Ms A Clarke:**

I suppose that, because they are handling money, they will be subject to the normal regulation of any company or body that handles money. Certainly, the Department will set down its requirements. Companies will have to demonstrate that they can meet those requirements. We will then monitor how they are meeting them. Companies can operate only when they have our approval.

**The Chairperson:**

Do members wish to raise any queries or issues? No.

Is the Committee content to state formally that it does not support amendments D, E, F, K, G, H, I and J?

*Members indicated assent.*

**The Chairperson:**

The Department has tabled a response on proposed amendment L that sets out information on the SmartMove bond scheme for vulnerable tenants who find it difficult to pay a deposit. Will the officials give us some information on that for the record?

**Ms A Clarke:**

SmartMove currently provides a number of schemes across Northern Ireland, working with landlords and providing bond or rent guarantee schemes. It also provides practical tenancy support for vulnerable or low income tenants. It is funded through the Housing Executive. At the moment, we are seeking to formalise that a bit more, to be clear about the services that we want for those vulnerable people, and to make those services more widely available. That was indicated as part of our strategy for the private-rented sector as well.

**The Chairperson:**

Are members happy enough with that explanation?

*Members indicated assent.*

**The Chairperson:**

Do members wish to raise any further points? No. We are content with that assurance about SmartMove and what it does. Therefore, is the Committee content not to support an amendment?

*Members indicated assent.*

**The Chairperson:**

The Department has not tabled the wording of proposed amendment UUU, which would allow tenants to recoup their deposit where a landlord breaches tenancy legislation. Is the Committee

content to defer consideration of that amendment until the wording is available?

*Members indicated assent.*

**The Chairperson:**

Is the Committee content to defer consideration of clause 2, pending responses on amendments B and C, which is the “may” to “shall” amendment, and amendment UUU, which we have just spoken about?

*Members indicated assent.*

***Clause 3 (Power of entry to inspect dwelling-house)***

**The Chairperson:**

Clause 3 confers powers of entry on persons authorised by district councils to carry out fitness inspections. Stakeholders welcomed this clause but suggested some amendments. Those are proposed amendments M, N, O and P.

The Committee agreed informally that it did not support proposed amendment M, which would extend powers of entry to Part IV of the Private Tenancies (Northern Ireland) Order 2006, as the Department advised that that was already included in the Bill. The Committee also agreed informally that it would not support proposed amendments N and O, which would change or give legal force to certain housing fitness standards. The Committee noted the Department’s assurances that consultation on fitness standards for private housing is ongoing and that legislation could well be expected in the next mandate. Furthermore, the Committee agreed informally that it would not support proposed amendment P, as the Department is consulting with district councils on the cost of specialist reports.

Does the Department have any further comment to make? Is that a fair summary?

**Ms A Clarke:**

That is fine.

**The Chairperson:**

Do members wish to raise any points about the proposed amendments or the clause? No.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 3 agreed to.*

**Clause 4 (Power to modify Articles 42 to 45)**

**The Chairperson:**

Clause 4 allows the Department to modify provisions relating to the determination of private sector rents. There was little comment on this clause. The Landlords Association of Northern Ireland (LANI) expressed opposition to the principle of any private rent controls by Government. The Department advised that the rent controls apply to a very few private properties in Northern Ireland. The Department has tabled information, which we asked for, on the number and type of private tenancies subject to rent control. The Committee agreed informally that it would not support an amendment suggested by LANI that would remove all rent controls in the private sector.

The Department has already given a response. Does it wish to comment further?

**Ms A Clarke:**

No.

**The Chairperson:**

Does any member wish to comment? No.

Is the Committee content not to support the suggested amendment to the clause?

*Members indicated assent.*

**The Chairperson:**

Do members wish to express any other views on clause 4? No.



*Question, That the Committee is content with the clause, put and agreed to.*  
*Clause 4 agreed to.*

**Clause 5 (Registration of landlords)**

**The Chairperson:**

Clause 5 allows the Department to make regulations to provide for the registration of private landlords. The regulations create new offences in relation to the provision of false information, failure to provide evidence of registration and the letting of houses by unregistered persons.

There were some suggested amendments. The Committee agreed informally to support proposed amendment R, which is a technical amendment that ensures that landlord registration is compulsory. Does the Department wish to comment?

**Ms A Clarke:**

No.

**The Chairperson:**

Is the Committee content to support amendment R?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendments S and T. The Department has not tabled the wording of an amendment that would make the establishment of a landlord registration scheme a duty, not just a power, and would set out a related time frame. Is the Committee content to defer consideration of those proposed amendments, pending receipt of the wording of the amendment?

*Members indicated assent.*

**The Chairperson:**

On proposed amendments U and AA, the Committee asked the Department to explore an alternative fines structure and a possible mechanism whereby district councils can recover court

costs associated with tenancy prosecutions. Does the Department have any comment to make?

**Ms A Clarke:**

Unfortunately, Chairperson, we are still discussing that with the Department of Justice. We have not been able to resolve it completely yet, but we hope to do so very shortly.

**The Chairperson:**

OK. Are members content to defer consideration of those proposed amendments until we get that information?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendments V, DD, EE, FF, GG and HH. The Committee informally rejected a number of proposed amendments that would have stipulated the information to be recorded in the register and set out the degree to which the register would be in the public domain and which authority would manage it. The Committee noted departmental assurances that those matters would be dealt with in regulations. Does the Department have any further comment to make?

**Ms A Clarke:**

No.

**The Chairperson:**

If there are no comments from members, is the Committee content not to support those amendments?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment W. The Committee informally rejected an amendment that would link the register to a dispute resolution mechanism. The Committee noted that such a

mechanism is to be in place for the tenancy deposit scheme.

On proposed amendment X, the Committee informally rejected an amendment to link the register to a housing fitness standard. The Committee noted departmental assurances that work is ongoing in respect of the development of a revised private dwelling fitness standard.

On proposed amendment Y, the Committee informally rejected an amendment to require councils to provide training and advice for landlords, as the Department advised that that already occurs.

On proposed amendment Z, the Committee informally rejected an amendment relating to the sharing of tenancy information, as that is the subject of a separate departmental amendment, TTT, which we will come to later.

On proposed amendments BB and CC, the Committee informally rejected amendments from LANI that would lead to the removal of the landlord register or the elimination of registration costs for landlords.

Does the Department wish to comment on any of those proposed amendments?

**Ms A Clarke:**

No.

**The Chairperson:**

As members do not have any comments, I take it that we are not supportive of any of those proposed amendments.

*Members indicated assent.*

**The Chairperson:**

Is the Committee content to defer consideration of clause 5, pending responses on amendments S, T, U and AA?

*Members indicated assent.*

***Clause 6 (Fixed penalty for certain offences)***

**The Chairperson:**

Clause 6 would allow landlords who have breached registration regulations or the tenancy deposit scheme to avoid prosecution by paying a fixed penalty. Stakeholders suggested a number of amendments.

We will address proposed amendments II and KK first. The Committee agreed informally that it would defer consideration of changes to the level of fixed penalties associated with tenancy offences, pending a detailed response from the Department on that issue. As a detailed response is awaited, are members content to defer consideration of those proposed amendments until we get that information?

*Members indicated assent.*

**The Chairperson:**

On proposed amendment JJ, the Committee agreed informally that it would not pursue an amendment to introduce rent penalty notices, as that was the subject of consultation by the Department with stakeholders. Is there anything further on that from the Department?

**Ms A Clarke:**

That work is ongoing.

**The Chairperson:**

If there are no comments from members, is the Committee content to confirm that it will not support that amendment?

*Members indicated assent.*

**The Chairperson:**

On proposed amendment LL, the Committee also informally accepted departmental assurances that penalties would be the subject of ongoing review and that an amendment to introduce a statutory review was unnecessary. If there are no further comments from the Department, are members content not to support that amendment?

*Members indicated assent.*

**The Chairperson:**

Is the Committee content to defer consideration of clause 6, pending a response on amendments II and KK, which relate to the fines and costs issue?

*Members indicated assent.*

**Clause 7 (Regulations)**

**The Chairperson:**

Clause 7 requires that regulations relating to tenancy deposit schemes, determination of rents and landlord registration be subject to draft affirmative resolution. A stakeholder suggested an amendment, which is duplicated in clause 1, that rent book regulations should be subject to draft affirmative resolution rather than negative resolution. Does the Department have any further comment to make?

**Mr Alastair Campbell (Department for Social Development):**

We might have to make a minor amendment consequential to that, to ensure the inclusion of the duty and power mentioned, but it will be a technical change.

**The Chairperson:**

I understand. If there are no comments from members, I suggest that we defer consideration of clause 7, pending receipt of any consequential amendment.

*Members indicated assent.*

***Clause 8 (Houses in multiple occupation: evidence of family relationship)***

**The Chairperson:**

Clause 8 allows the Housing Executive to require residents of a house that is believed to be an HMO to provide evidence of family relationships. Where evidence is not supplied, the Housing Executive is empowered to treat the house as an HMO. Stakeholders suggested some amendments.

The Committee agreed informally not to support proposed amendment NN, which would require HMOs to comply with fitness standards and other standards. The Committee felt that, pending a revision to the private housing fitness standard, the current HMO standard was sufficient.

The Committee informally accepted assurances from the Department that guidance would be provided in respect of the type of evidence that can be accepted to establish family relationships. Thus, the Committee agreed informally not to pursue proposed amendments OO and PP.

Does the Department have any further comment to make?

**Ms A Clarke:**

No.

**The Chairperson:**

If there are no comments from members, is the Committee content not to support those amendments?

*Members indicated assent.*

**The Chairperson:**

Therefore, I seek the Committee's agreement that it is content with clause 8.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 8 agreed to.*

***Clause 9 (Withholding of consent to mutual exchange of secure tenancies)***

**The Chairperson:**

Clause 9 inserts a new ground on which social landlords can withhold consent to the exchange of tenancies. The Committee has asked the Department to consider amendments that might allow the use of a wide range of non-antisocial behaviour information to be used in decision-making. The Department has made a response to the Committee's suggestion in which it indicates that the Bill is to be amended to allow convictions for offences that relate to the use of a home for immoral or illegal purposes to be considered in the evaluation of requests for the mutual exchange of social secure tenancies.

Having looked at the Department's response, I welcome the fact that the scope has been widened. I presume that the phrase "immoral or illegal" comes from somewhere. We have discussed lots of weird and wonderful things in the Committee, and I do not want a discussion about what is moral and what is not moral, because we could be here for a long time. However, where does that phraseology come from?

**Mr Stephen Baird (Department for Social Development):**

It is lifted straight from the existing grounds for the possession of a secure tenancy. That phraseology is used in existing legislation.

**The Chairperson:**

What does it mean in practice if the clause is amended?

**Mr Baird:**

Essentially, we are talking about convictions for certain offences, namely any offence that involves using the accommodation for illegal or immoral purposes, and convictions for any indictable offence. Those will be additional grounds on which a landlord can withhold consent to a mutual exchange of tenancies.

**The Chairperson:**

We talked last week about records of behaviour. Is that included in the Department's proposal?

**Mr Baird:**

That type of thing probably lies outside the parameters of what we are looking at. We need to be in a position to demonstrate that there has been antisocial behaviour. The best way to do that is through a conviction or some kind of judicial order of the court, because such behaviour will have been proven beyond any argument.

**Ms Ní Chuilín:**

There was an acceptance at one stage that complaints that have been upheld or recognised by, for example, the Housing Executive that are pending court proceedings may also be acceptable. In my experience, such court cases can take over two years and are constantly put back.

**Mr Baird:**

Those situations should be catered for by the existing legislation, which states that the landlord can withhold permission to an exchange of tenancies where an order for possession is in force or is pending.

**Ms Ní Chuilín:**

So, those that are pending come under the existing legislation.

**Mr Baird:**

Yes, they do. We should be all right there.

**The Chairperson:**

I am going back to this, because it is too tempting. What is an immoral offence?

**Ms Ní Chuilín:**

You should be delighted that Fra McCann is not here, because he could give you examples — for the Hansard report: I am not saying that Fra is immoral.

**The Chairperson:**

I am not someone who has come up the Lagan in a bubble this morning. I am just curious.



**Mr Baird:**

I suspect that the legislators had in mind the running of a disorderly house or brothel, or possibly the trafficking of illegal drugs.

**Ms Ní Chuilín:**

Steady on, Chairperson.

**The Chairperson:**

I was going to ask whether those properties would have to be registered separately, but we will move swiftly on.

Do members wish to raise any further points? We recognise that the Department is moving in the direction that the Committee asked it to. We appreciate what has been done and that it is not a simple or straightforward issue with which to deal. Nevertheless, that has assuaged some of the concerns that I and others had. We await the drafting of an amendment.

Are members content to defer consideration of clause 9 until we are in receipt of the wording of the Department's amendment?

*Members indicated assent.*

**The Chairperson:**

We are happy enough with where that amendment is going.

***Clause 10 (Disclosure of information as to orders, etc. in respect of anti-social behaviour)***

**The Chairperson:**

Clause 10 provides for the disclosure of certain information about antisocial behaviour, which may then be used in connection with an application to buy a social home; an application to exchange a tenancy; the allocation of accommodation; or homelessness assistance. As I said when we discussed clause 9, the Committee has asked the Department to consider amendments that might allow the disclosure of a wide range of non-antisocial behaviour information to be

used in decision-making. As with clause 9, we need to defer consideration of the amendment, pending receipt of the wording of the Department's amendment. Are members content to do that?

**Mr A Campbell:**

I do not think that we need to change clause 10. Clause 9 is the driver, and, as we discovered, the information mentioned in clause 10 is already available, so we do not need to legislate in order to make it available. We can already access it via the changes to clause 9.

**The Chairperson:**

Oh yes, I understand.

The Committee also asked the Department to consider amendments that would permit the sharing of information on antisocial tenants with private landlords. The Department responded citing data protection issues and offering assurances that that would be considered for the next housing Bill. Do officials want to explain that a bit more?

**Mr Baird:**

Simply to say that the Department does not object to that in principle and that it is happy to pursue it.

**The Chairperson:**

Are you saying that it needs more work?

**Mr Baird:**

It may need a considerable amount of work.

**The Chairperson:**

Nevertheless, having sought assurance, we can safely say that the Department is travelling in that direction.

**Mr Baird:**

Yes.

**The Chairperson:**

OK. So, can we agree clause 10 because it does not need to be amended?

**Mr A Campbell:**

It is clause 9 that needs to be amended.

**The Chairperson:**

I suggest that, to be on the safe side, we park this one and defer consideration. We can tidy it up when we have the wording.

*Members indicated assent.*

**The Committee Clerk:**

Other issues were raised, such as a suggestion about prescribed officers. If the Committee is content with information about injunctions and such like being shared, although there will probably be no need to do so, it might take the view that prescribed persons should have such information, which is in the public domain anyway. However, if the Committee decides that it wants other sorts of information to be shared, it might not want that information to be available to prescribed persons. The amendment to clause 9 is a paving amendment for the others.

**The Chairperson:**

We will just park it anyway.

*Clause 11 (Duty to persons found to be homeless)*

**The Chairperson:**

Clause 11 allows the Housing Executive's duty to homeless people to come to an end where applicants cease to be eligible for assistance. Stakeholders commented that they wanted to see clear referral procedures in place whereby ineligible applicants would be referred to a health trust. Stakeholders also sought a review of the impact of the clause.

On proposed amendment YY, members noted assurances from the Department in respect of referral procedures for homeless people with mental illnesses. Consequently, the Committee agreed informally that it would not support an amendment setting out that the Housing Executive was to have a continuous duty to provide homelessness support to people with fluctuating mental illness. Is that still the Committee's position, and are we content to confirm that we do not support that amendment?

*Members indicated assent.*

**The Chairperson:**

If members do not wish to comment further, I will seek the Committee's agreement that it is content with clause 11.

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 11 agreed to.*

**Clause 12 (Functions of Executive in relation to energy brokering)**

**The Chairperson:**

Clause 12 allows the Housing Executive to develop a scheme for the provision of electricity, gas or oil to its tenants, subject to departmental approval. Stakeholders suggested some amendments, which are listed as proposed amendments ZZ, AAA and BBB. The Committee noted that housing associations are already undertaking limited energy brokering for the benefit of their tenants and that there was not unanimous support among councils for a national home-heating oil saving stamp scheme. Therefore, the Committee agreed informally that it would not support amendments relating to those issues. Are members still happy with that position, and are we content to affirm that we do not support those amendments?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment CCC. The Committee agreed informally that it would support

a technical departmental amendment to ensure that all types of energy could be part of a brokering arrangement by the Housing Executive. Are members content to support proposed amendment CCC?

*Members indicated assent.*

**The Chairperson:**

Do members wish to express any other views on the clause? No.

*Question, That the Committee is content with the clause, subject to the Department's proposed amendment, put and agreed to.*

*Clause 12, subject to the Department's proposed amendment, agreed to.*

**Clause 13 (Functions of district councils in relation to energy efficiency)**

**The Chairperson:**

Clause 13 allows district councils to promote energy efficiency in residential accommodation within their own districts. Stakeholders suggested amendments, including DDD, FFF and GGG. The Committee noted departmental assurances that the Department is continuing to consult on energy efficiency measures with councils. Therefore, the Committee agreed informally that it would not support amendments to alter councils' vires in that regard. On proposed amendment EEE, the Committee agreed informally that, pending departmental consultations on fitness standards and anticipated legislation in the next mandate, it would not support an amendment to revise the fitness standard to incorporate energy efficiency measures. If the Department or members do not wish to comment further, are members content to affirm the position that we do not support those amendments?

*Members indicated assent.*

*Question, That the Committee is content with the clause, put and agreed to.*

*Clause 13 agreed to.*

*Clauses 14 to 17 agreed to.*

***Schedule***

**The Chairperson:**

As with clauses 14 to 17, no stakeholder comments were received on the schedule to the Bill, which is also largely technical in nature. The Department proposed amendment NNN, which would repeal the provisions relating to the rent surplus fund for housing associations. The Committee agreed informally to support that amendment. The Department said that that was an obsolete fund, and that is fair to say. The amendment was also supported by the Federation of Housing Associations. Are members content to support the amendment, in line with the wording in the clause-by-clause scrutiny table?

*Members indicated assent.*

*Question,* That the Committee is content with the schedule, subject to the Department's proposed amendment, *put and agreed to.*

*Schedule, subject to the Department's proposed amendment, agreed to.*

**The Chairperson:**

There are a slew of other proposed amendments, which we will now go through. There are nearly as many other amendments as those that are attached to the clauses in the Bill.

On proposed amendment HHH, the Committee noted that the tenancy deposit scheme is to include a dispute resolution mechanism. Therefore, it agreed informally that it would not support an amendment that would introduce a redress/ombudsman scheme for private tenancies. Are members content to reaffirm the position that we will not pursue that amendment?

*Members indicated assent.*

**The Chairperson:**

On proposed amendment III, the Committee noted that a statutory rule has been drafted to ensure that all vulnerable 16- and 17-year-olds have access to homelessness support. That is currently being considered by the Executive. Therefore, the Committee agreed informally that it would not

support a related amendment to the Bill. Are members content to affirm that the Committee is not supportive of that amendment?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment JJJ. The Committee agreed informally that it would defer consideration of amendments that would alter the resources available to district councils to enforce tenancy legislation, pending a response from the Department to related queries on fines, legal costs and the recovery of those. There is nothing further on that at this stage. Are members content to defer consideration until we get the response?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment KKK. The Committee agreed informally, with some reservations, to support a departmental amendment that would allow the Housing Executive to serve tenancy documents by ordinary post. Are members content to reaffirm that position and to support that amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment LLL. The Committee agreed informally to support an amendment that would allow the Housing Executive to indemnify its officers involved in the governance of other institutions and bodies. A response from the Department on the costs of that proposal has been tabled. The costs are estimated to be around £10,000 to £15,000 per annum.

**Mr A Campbell:**

It is a very rough estimate, based on an estimated number of people involved in the organisations and their estimated costs.

**The Chairperson:**

Are members content to support that amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment MMM. The Committee agreed informally to support an amendment that would allow the Housing Executive to repossess abandoned tenancies without first gaining entry. Are members content to support that amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

The Committee considered proposed amendment NNN as part of its consideration of the schedule to the Bill, which we have just completed.

We move to proposed amendment OOO. The Committee agreed informally to support an amendment that would allow the Housing Executive to work in legal partnership with other organisations. The wording of that amendment has yet to be received. I suggest that we defer consideration of that amendment, pending receipt of the wording from the Department. Do members agree?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment PPP. The Committee agreed informally to support an amendment that would allow the Housing Executive to promote community safety. Are members content to affirm their support for the amendment, in line with the wording in the table?

*Members indicated assent.*



**The Chairperson:**

We move to proposed amendment QQQ. The Committee agreed informally to support an amendment that would allow the Department to develop further guidance for the courts on antisocial behaviour. Are members content to support the amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment RRR. The Committee agreed informally to support an amendment that would allow the Department to extend the notice to quit period for certain private tenancies. Are members content to support the amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment SSS. The Committee agreed informally to support an amendment that would allow the Department to increase the maximum fine for failure to register a house of multiple occupation to £20,000 for each property.

**Ms Ní Chuilín:**

Was an element of that being referred to the Justice Committee?

**The Chairperson:**

That was in respect of the failure to register, whereas this is for failure to register a property as an HMO. We dealt with that clause earlier, and we are awaiting a response from the Department, which is awaiting confirmation from the Department of Justice.

**Ms Ní Chuilín:**

OK; no worries.

**The Chairperson:**

We talked about £20,000 being the figure.

**The Committee Clerk:**

The Department clarified that the fine of £20,000 for HMOs is £20,000 for each property that is not registered. The fixed penalties that might be associated with non-registration would be for each landlord, not for each property.

**The Chairperson:**

Are members content to support that amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment TTT. The Committee agreed informally to support an amendment that would permit information on domestic rates and housing benefit to be shared by Land and Property Services and the Housing Executive with district councils to facilitate the enforcement of tenancy legislation. Are members content to support the amendment, in line with the wording in the table?

*Members indicated assent.*

**The Chairperson:**

We move to proposed amendment UUU. The Committee agreed informally, subject to further departmental advice, to support an amendment that would require landlords to repay deposits to tenants where the landlord is in breach of tenancy legislation. We discussed that briefly earlier. It was agreed to defer consideration of that amendment, pending receipt of the wording from the Department.

Does the Department have any further comment on the Bill as drafted or on the proposed amendments or any further amendments? I am as surprised as everybody else that we raced through that. We have to catch our breath.

**Ms A Clarke:**

We will need to bring forward the amendments that were agreed. We will pursue those quickly.

**The Chairperson:**

Are there any other amendments that anybody wishes to introduce? No.

Are members content to continue the formal clause-by-clause scrutiny of the Bill at our next meeting?

*Members indicated assent.*

**The Chairperson:**

Perhaps some colleagues could ensure that Fra is not here then, either. *[Laughter.]*

Alastair, Angela and Stephen, thank you for your assistance today. You have been with us nearly throughout the festive season. I wish you and all of your colleagues in the division all the very best for Christmas and the new year. We will see you in the new year.