NIFHA Response to Consultation on Notice to Quit Periods

29 March 2026

NIFHA welcomes DfC's intent to introduce longer notice to quit (NTQ) periods to increase security of tenure in the private rental sector, with proportionate exceptions in clearly defined "special cases."

We support a balanced approach that protects tenants while recognising property rights and community safety.

About NIFHA

The Northern Ireland Federation of Housing Associations (NIFHA), established in 1977, is the representative body for Northern Ireland's 19 registered housing associations.

Our members are not-for-profit organisations that collectively provide nearly 63,000 social and affordable homes across Northern Ireland. Supported by the Department for Communities and the Northern Ireland Housing Executive, housing associations play a critical role in meeting housing need and maintaining high standards of tenant safety and regulatory compliance.

By leveraging private finance alongside public grant funding, housing associations are able to significantly increase the number of new homes delivered beyond what could be achieved through grant funding alone.

In addition to housing provision, our members deliver high-quality care and support services that enable people to live independently for longer. Working in partnership with statutory, voluntary and community organisations, housing associations also invest millions of pounds each year in community services, facilities, and regeneration initiatives.

The housing association sector employs over 3,400 people and manages housing assets valued at approximately £5.4 billion. NIFHA therefore welcomes the opportunity to respond, on behalf of its members, to the **Consultation on Notice to Quit Periods.**

Housing Associations note that although this consultation is directed at the private rented sector (PRS), changes to notice-to-quit periods will have significant implications for the wider housing system, including homelessness services, allocations management, and tenancy sustainment pressures faced by social landlords.

Longer standard notice periods are strongly supported because they enhance security of tenure for private tenants, many of whom are vulnerable and often later require Housing Association intervention. Providing tenants with more time before a tenancy end reduces crisis-driven homelessness, allows for planned moves rather than emergency presentations, and eases the pressure on already overstretched allocations and support teams.

At the same time, extending notice periods reshapes the timing and volume of households flowing from the PRS into temporary accommodation and social housing. While this improves stability for tenants, it may also delay the point at which they seek assistance, requiring coordinated planning across the sector to manage shifts in demand effectively.

1. **Understanding why these circumstances and shorter notice periods are being introduced**

From a Housing Association perspective, we understand why these exceptions are needed: situations like serious ASB, criminal behaviour, or persistent arrears can cause immediate harm to neighbours, destabilise communities, and require landlords (PRS or HA) to act quickly. Housing Associations also regularly encounter tenants who have left the PRS due to these issues, so setting clear, fair, and evidence-based criteria for shorter notice helps ensure that households entering social housing systems are doing so through a process that is transparent, proportionate, and consistent.

2. **Agreement with the Four Exception Categories**

We agree with the four proposed exception categories, substantial rent arrears, serious antisocial behaviour, relevant criminal offences, and landlord or immediate family occupation, on the basis that they are clearly defined, consistently applied, and rooted in strong evidence. From a Housing Association perspective, these exceptions reflect legitimate circumstances where a shorter notice period may be appropriate, provided vulnerable households are not disproportionately affected.

3. **Agreement with Proposed Shorter Notice Periods**

Housing Associations support the proposed shorter notice periods in principle but believe they must be accompanied by clear safeguards to ensure fairness and protect vulnerable tenants. While the Regulations set out circumstances where longer notice periods would not apply, such as substantial rent arrears, serious antisocial behaviour, and relevant criminal offences, it is essential that landlords demonstrate reasonable engagement before relying on these shorter periods, including offering repayment plans in arrears cases and providing independent corroboration and clear thresholds in cases of serious ASB, especially where behaviour may be linked to health conditions.

The proposed notice lengths, such as one month for substantial arrears and two weeks for serious ASB or criminal offences, are only appropriate when tightly defined, evidence-based criteria are met, and when the three-month notice period for landlord or immediate family occupation is supported by a genuine declaration.

These measures matter because many tenants affected by arrears, ASB, or crisis-driven tenancy breakdowns in the PRS later present to Housing Associations seeking social housing, often with high-support needs and requiring rapid placement.

As a result, changes to shorter notice provisions have direct implications for tenancy management, safeguarding responsibilities, and neighbourhood stability within HA schemes, reinforcing the need for strong procedural protections and consistent application across the sector.

4. Guidance notes to explain your responsibilities as a tenant/landlord, under the Regulations

Overall, the guidance notes are broadly clear and easy to follow because they set out tenant and landlord responsibilities in a structured way, using prescribed forms, definitions, and practical examples of the evidence required for both standard and special-case notice to quit periods. This clarity is reinforced by the detailed explanations of when longer or shorter notice periods apply and the types of proof landlords must provide.

From a Housing Association perspective, the guidance is well-organised, but some tenants, particularly those with lower literacy or experiencing crisis, may still find the content technical, indicating a need for additional simplification or visual aids. While the material is accessible overall, many vulnerable households will continue to require support from councils, advice agencies, and HAs to fully understand their rights and obligations.

For landlords, especially smaller or non-professional ones, the guidance is readable, though the more complex evidential requirements (such as demonstrating substantial arrears, proving serious antisocial behaviour, or completing affidavits for landlord occupation) may benefit from clearer templates or checklists.

Although the guidance provides useful examples, improved usability tools would reduce the risk of incorrectly issued notices. In summary, the guidance is well-structured and comprehensive, but making it more user-friendly would help ensure all groups, particularly vulnerable tenants, can interpret and apply it confidently

5. Adequacy of Evidence Requirements

The consultation introduces a more prescriptive and structured framework for notices to quit, including new prescribed forms, clearer definitions, evidence requirements, and the use of affidavits in some scenarios. This shift aims to standardise PRS practice and ensure that shorter-notice exceptions are only used where fully justified.

For Housing Associations, these changes have direct operational implications: they affect the timing and volume of homelessness referrals, influence how quickly high-risk or high-support applicants may arrive, and shape the documentation tenants present when seeking assistance, which in turn impacts verification processes.

While the new framework may offer benefits, such as more consistent paperwork, fewer invalid notices, clearer grounds for evictions, and stronger safeguards for vulnerable households through sworn evidence, it also brings pressures.

HAs are likely to face more sudden and complex homelessness presentations where shorter notice has been applied, increased demands on tenancy support and community safety teams, higher need for specialist

accommodation, and a greater administrative burden in checking compliance with prescribed notices and evidential standards.

To ensure fairness and prevent misuse of shortened notice powers, evidence requirements must be robust: landlords should demonstrate clear arrears histories, document all engagement and repayment attempts, and provide independent verification in cases involving antisocial behaviour or criminal offences, while affidavits for landlord occupation remain essential to prevent false declarations. These measures mirror good practice in the social housing sector and help ensure that all tenants, particularly the most vulnerable, experience a transparent, consistent, and equitable process.

6. Equality and Human Rights Considerations Relevant to Tenants

The Department for Communities has carried out an Equality Impact Assessment (EQIA) due to the complex equality issues arising from the proposed changes, particularly the risks for Section 75 groups such as people experiencing domestic violence or tenants whose antisocial behaviour may be linked to mental health conditions.

This is directly relevant to Housing Associations, which house significant numbers of older people, disabled tenants, ethnic minorities, and vulnerable families, groups that are disproportionately affected by changes in the private rented sector and by the ways shorter notice periods might be applied. Any shift in how tenants exit the PRS and enter social housing therefore has direct implications for Housing Associations' equality duties, including how they manage allocations, safeguarding, tenancy support, and community safety.

While the EQIA identifies many of the key equality risks, Housing Associations believe that further protections are needed to prevent unintended harm. In particular, domestic abuse survivors, disabled tenants, and people with mental health needs require additional safeguards to ensure that shorter-notice exceptions, especially those related to antisocial behaviour or rent arrears, are not applied in ways that exacerbate vulnerability or lead to inappropriate homelessness presentations.

More explicit guidance and stronger mitigation duties would support fair and consistent decision-making across the sector, ensuring that social landlords can align their policies and practice with the new regulatory framework while upholding their statutory equality responsibilities.

Ensuring Housing Associations' Voice is Reflected in Final Regulations

This consultation forms the next stage of wider private rented sector reform and continues the implementation of the Private Tenancies Act (Northern Ireland) 2022, which aims to modernise and strengthen protections within the PRS. This matters to Housing Associations because any changes in the PRS, such as shifts in tenancy security, eviction processes, and notice periods, have direct consequences for the broader housing system.

These changes can either ease or intensify pressure on social housing, affecting forward planning, development strategies, and partnership working as well at the Department for Communities. As key stakeholders in the housing system, HAs have a strong interest in shaping regulations that influence homelessness demand, the timing and nature of referrals, equality impacts, and community stability. The consultation explicitly invites views from representative bodies, including sector organisations such as NIFHA, noting that responses are welcomed from "tenants, landlords and their representatives... and anyone else

with an interest in the private rented sector." Given Housing Associations' central role in social housing provision and homelessness prevention, it is essential that they provide evidence on how PRS reforms affect housing pressures, safeguarding responsibilities, equality considerations, and the interconnected flow of demand between the PRS and social housing.

Summary

Housing Associations broadly support the move toward greater security of tenure and improved fairness within the private rented sector, recognising that stronger safeguards, clearer definitions, and enhanced mitigation measures will help protect tenants, strengthen communities, and reduce the homelessness pressures that social landlords manage every day.

The proposed Notice to Quit Regulations are strategically important for Northern Ireland's housing associations because they will influence homelessness demand and pressure on social housing, affect tenancy management for high-risk or vulnerable applicants, shape operational planning around allocations and void management, impact equality duties and support arrangements for vulnerable groups, and contribute to wider housing system reforms.

The consultation also provides an essential opportunity for the sector to ensure the final regulations reflect real operational impacts and the interconnected nature of PRS and social housing demand.

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