

12 March 2025

**Our Ref: FOI 681**

## **Request**

We received your request on 17 February 2025 for the following information:

- 1) *The process NIHE uses when they are informed that a property they have let is reported as being vacant or not being lived in by a tenant?*
- 2) *How many notices have been issued to homes in each housing district in the last five years following a report that a tenant was not living there. 3)*
- 3) *How many of those reported were actually deemed to be vacant.*

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

## **Our response**

- 1) The Housing Executive has two categories of tenancy fraud for unoccupied properties – abandonment and non-occupation.

A property is deemed to be abandoned when it is unoccupied, and the tenant does not intend to occupy it as their home. When a secure tenancy has been abandoned, the Housing Executive can serve a notice under Article 41 of the Housing (NI) Order 1983 and recover the property. For introductory tenancies, 19A of the Housing (Northern Ireland) Order 2003 applies.

Non-occupation is a breach of tenancy conditions in that the tenant is not occupying the dwelling as their only or principal home. In these cases, the Housing Executive must issue possession proceedings to recover the property via court action.

Please find attached Chapters 6, 6a, 7, and 8 of the General Housing Policy Guidance Manual. These contain the Housing Executive's policies in relation to abandonment and non-occupation.

The Housing Executive will investigate every report of tenancy fraud received in accordance with the policies above. Only where there are sufficient grounds to suspect abandonment/non-occupation will the appropriate notices be issued, and properties are only recovered upon expiration of the abandonment notice or where a possession order is granted by the court and vacant possession obtained.

- 2) According to our records the decision to issue an Abandonment Notice/Notice Seeking Possession (non-occupation) was taken on 2433 occasions over the last five financial years, Table 1 below shows the details broken down by Area Office.

Table 1	Count of Notices					
	20/21	21/22	22/23	23/24	24/25 (Q1-Q3)	Total
Ards & North Down	15	19	24	22	14	94
Causeway	30	35	61	62	30	218
Lisburn & Castlereagh	16	22	34	19	18	109
Mid & East Antrim	25	72	90	80	50	317
Mid Ulster	32	33	35	29	13	142
North Belfast	36	40	48	53	55	232
South	33	37	53	38	25	186
South & East Belfast	30	46	59	84	38	257
South Antrim	17	40	48	57	43	205
South Down	29	40	77	77	42	265
South West	7	16	14	16	21	74
West	14	22	32	51	41	160
West Belfast	33	36	36	41	28	174
<b>Grand Total</b>	<b>317</b>	<b>458</b>	<b>611</b>	<b>629</b>	<b>418</b>	<b>2433</b>

- 3) Table 2 below shows all properties recovered owing to abandonment or non-occupation, broken down by Area Office, over the last five financial years.

Table 2	Count of Recoveries				
	20/21	21/22	22/23	23/24	24/25 (Q1-Q3)
Ards & North Down	7	16	16	6	6
Causeway	14	23	10	21	13
Lisburn & Castlereagh	12	14	12	12	7
Mid & East Antrim	14	26	27	32	14
Mid Ulster	20	18	18	9	5
North Belfast	17	17	29	22	16
South Area	19	25	22	13	8
South & East Belfast	17	23	20	23	16
South Antrim	15	15	25	19	14
South Down	19	16	30	22	9
South West	8	11	7	6	7

West Area	7	10	7	8	9
West Belfast	12	12	10	19	7
<b>Total</b>	<b>177</b>	<b>215</b>	<b>227</b>	<b>205</b>	<b>129</b>

This concludes our response.