

## **Application fees in the private rented sector**

“This council notes that tenants in the private rented sector are still being charged illegal letting fees by letting agents despite the June [2018](#) legal case of Loughran v Piney Rentals Limited and F5 Property Limited having determined the illegality of these fees under The Commission on Disposals of Land Order [1986](#).

Council further notes that the “Joint Ministerial Communiqué on Letting Agency Fees” published by the Ministers for Communities and Finance in March [2020](#) has been helpful, but ineffective in stopping the illegal practice of letting agents charging tenants for professional services that would normally be carried out by them.

This council believes:

- The charging of illegal letting fees by letting agents restricts access to the private rented sector while placing a heavy financial burden on low income households, particularly in the context of a global pandemic and looming economic/housing crisis’.
- There is a need to strengthen regulation of the private rented sector, including legislation regarding the charging of illegal application fees where adequate penalties and enforcement arrangements are put in place to deter those who seek to continue to charge these fees.
- Enforcement of any new legislation regarding the charging of illegal application fees should be carried out by local councils across Northern Ireland with adequate resources provided for by government.

Council agrees to write to the Minister for Communities and the Minister of Finance, outlining concerns above and pledging council’s support for the regulation of the private rented sector.”

Proposer: Councillor Flynn

Seconder: Councillor Kyle

(To be debated by the Council)