

From the Minister of Finance

Mrs Sara Steele

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Your reference: SS.CLL.01.03.2021
Our reference: *Corr 0600/2021*

Date: 19 March 2021

Dear Sara

APPLICATION FEES IN THE PRIVATE RENTED SECTOR

Thank you for your letter of 10th March 2021 on behalf of Belfast City Council in which you have set out details relating to a motion passed by the Council relating to application fees in the private rented sector.

My Department has responsibility for substantive land law matters and in the absence of specific legislation relating to letting agent fees, tenants have been able to rely on the provisions of the Commission on Disposals of Land (NI) Order 1986. Those provisions highlight a general rule of land law that the buyer (or tenant) is not liable to fees that should be paid for by the seller (or landlord). With this in my mind I, along with the Communities Minister, issued the communique to which you refer to remind such agents of the law in relation to such fees. I am disappointed that there is evidence of continuing practice by agents in charging fees that have been ruled unlawful by the courts.

I note the content of the motion of the Council and further note that you have forwarded same to the Communities Minister who has responsibility for the regulation of the private rented sector. It appears to me that further targeted action may be required, including steps to regulate letting agents, and my officials will liaise further with officials in the Communities Department in the context of that department's remit over the private rented sector.

Is mise le meas

A handwritten signature in black ink that reads "Conor Murphy." The signature is written in a cursive style with a period at the end.

**CONOR MURPHY MLA
MINISTER OF FINANCE**