



Vlaanderen
is wonen

Wonen over de grenzen heen

Met:

- Jeroen Van Pottelberge (Wonen-Vlaanderen)
- Sharon Allen (Rent officer, Noord-Ierland)

Sessieronde 1 – 10u15-11u45

Sessieronde 2 – 13u05-14u45

Dag van het Lokale Woonbeleid

Bouwen aan wonen



Dagprogramma



- 9u15  Onthaal met koffie en thee
- 9u45  Welkom door Helmer Rooze, administrateur-generaal Wonen-Vlaanderen
- 10u15  Start sessieronde 1 (90 min)
- 11u45  Broodjeslunch
- 12u45  Startschot voor de namiddag met minister van wonen Matthias Diependaele
- 13u05  Start sessieronde 2 (90 min)
- 14u45  Start sessieronde 3 (60 min)
- 15u45  Einde



Vlaanderen
is wonen



Zeer korte samenvatting

Zeer korte samenvatting

- ▶ Noord-Ierland is een regio met eigen bevoegdheden, waaronder huisvesting
- ▶ Rent control (huurprijnsbeperking) gebeurt door de Rent Officer van de regio (bijv. de gastspreekster)
- ▶ De regio werkt samen met 11 districtsbesturen voor woningkwaliteit (niet met gemeenten), met woningonderzoeken door Environmental Health Officers (milieugezondheidsambtenaren)

Zeer korte samenvatting

- ▶ Er is huurprijsccontrole in 3 gevallen:
 - Beschermde huurcontracten van voor 1978
 - Woningen van voor 1945 die privé verhuurd worden en waarvoor de eigenaar een Certificate of Fitness moet aanvragen, maar waarbij de woning niet voldoet.
 - Woningen van alle bouwjaren waar de bewoner een onderzoek aanvraagt bij het district (Environmental Health Officer), maar waar de woning niet voldoet en er is een Notice of Unfitness opgelegd.



Department for
Communities

An Roinn
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**THE ROLE OF
THE
NORTHERN
IRELAND
RENT OFFICE**



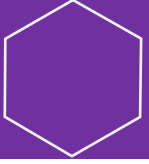
Department for
Communities

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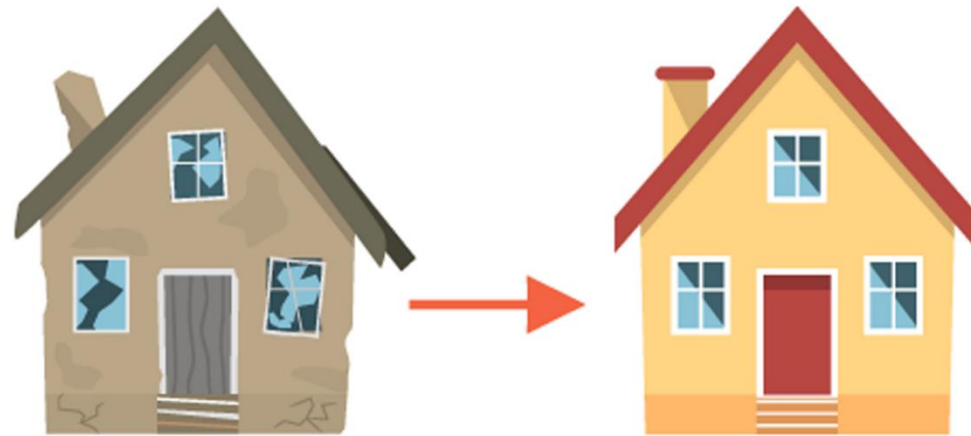
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Communities

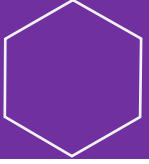
www.communities-ni.gov.uk

DE ROL
van het
HUURKANTOOR
in
NOORD-IERLAND

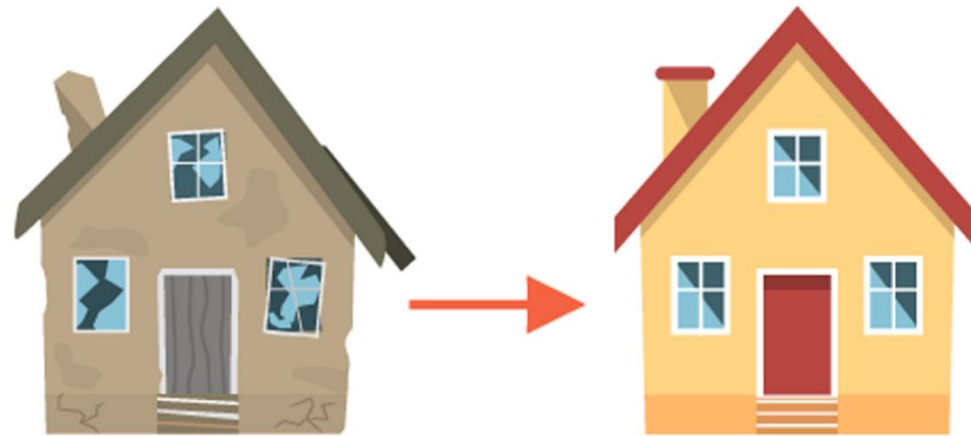


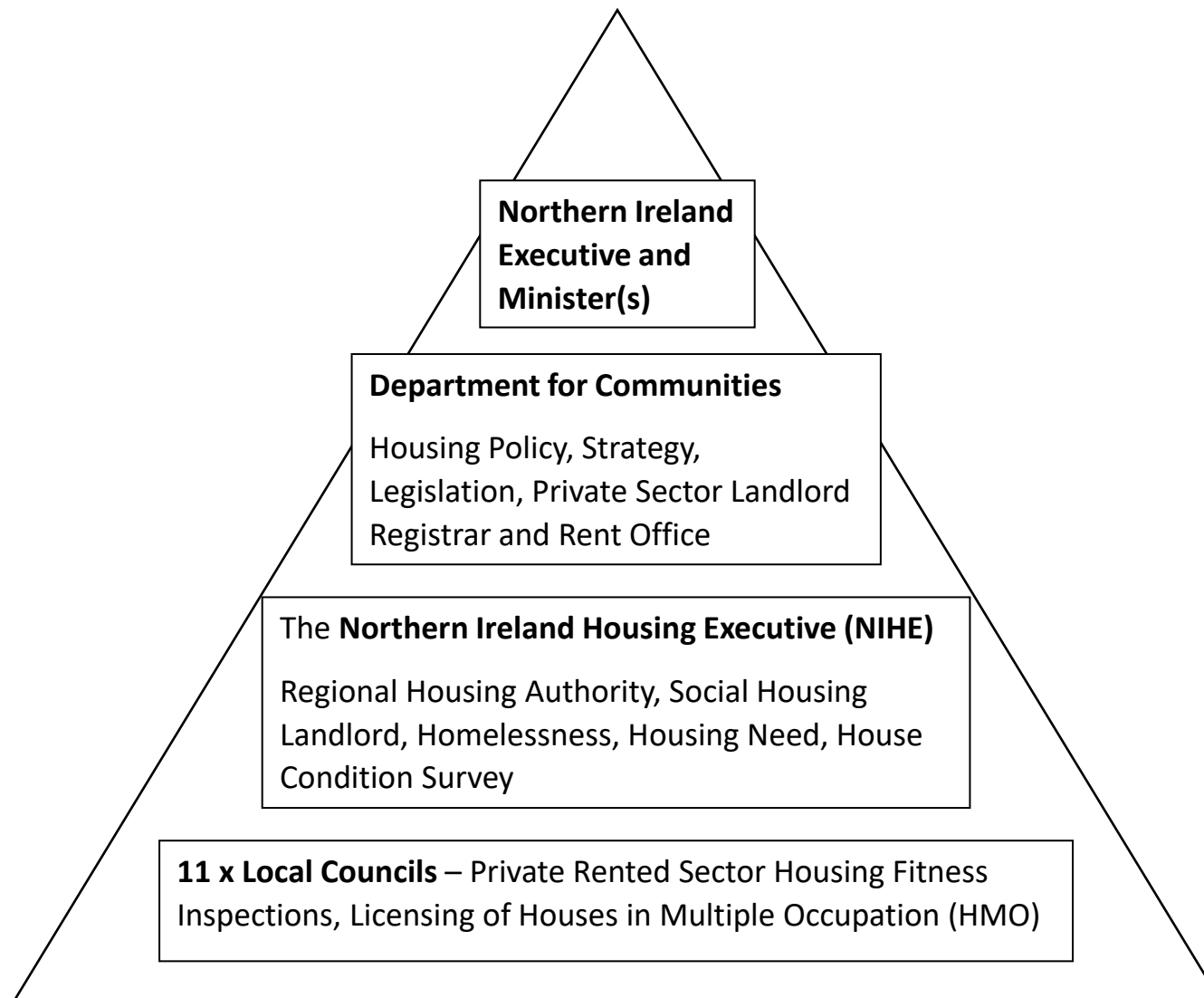
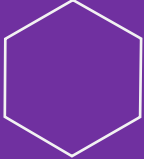
HISTORY AND BACKGROUND

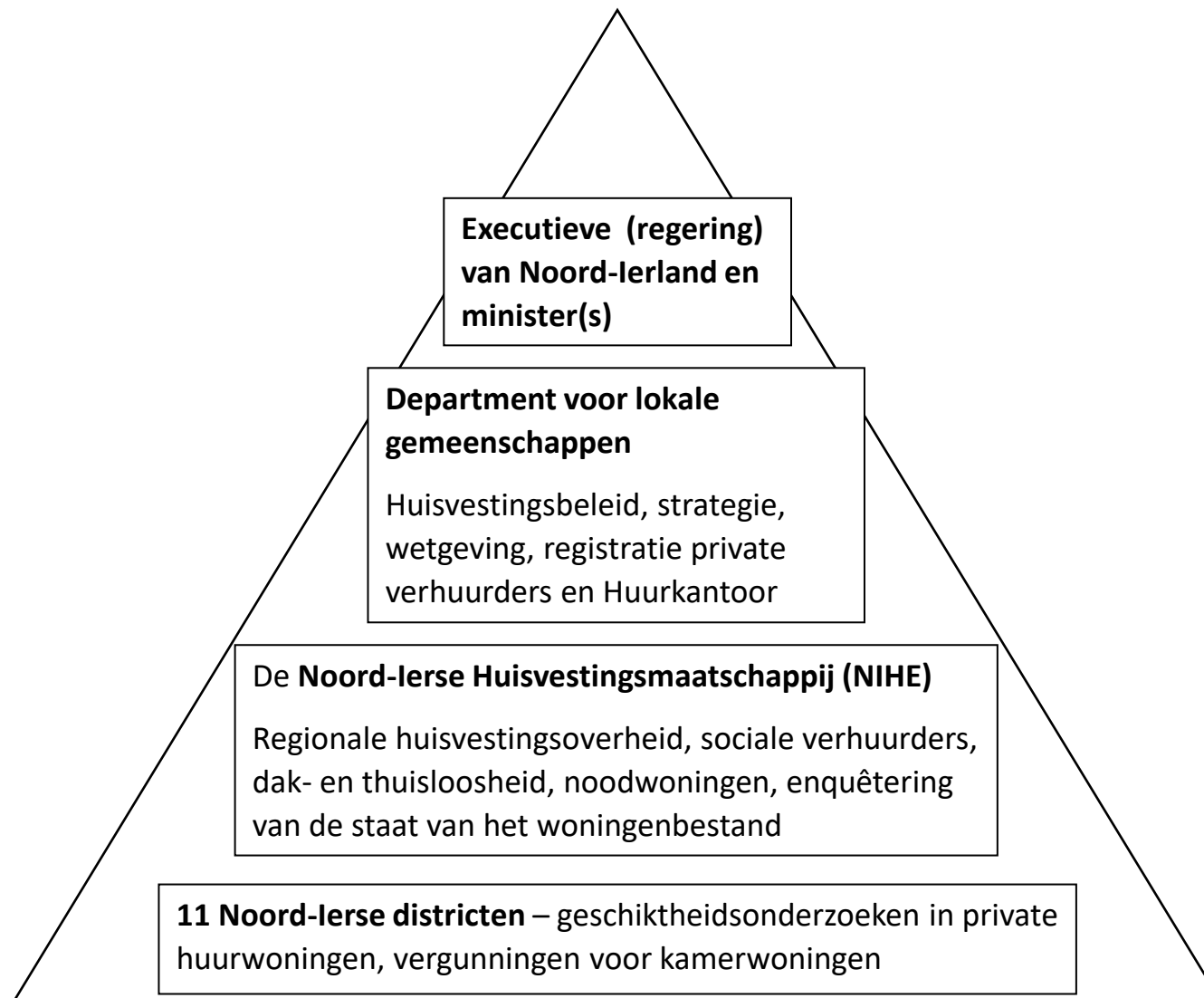


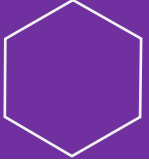


GESCHIEDENIS EN ACHTERGROND









The Rent (Northern Ireland)

Order 1978

This Order focused on protected tenancies which have their rents controlled by the Rent Office

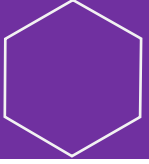




De Noord-Ierse Huurverordening van 1978 (Noord-Ierland)

Regelde beschermde huurovereenkomsten, waarvan de huurprijs onder toezicht staat van de huurambtenaar (Rent Officer)

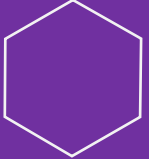




What is a protected tenancy?

- A tenancy which commenced before October 1978;
- The tenant has the right to remain in the property for life, and can only be evicted for limited reasons;
 - and the rent is set by the Rent Officer

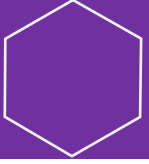
Protected tenancies continue to be subject to rent control under new legislation, but **since 1978 no new protected tenancies can be made**



Wat is een beschermde huurovereenkomst?

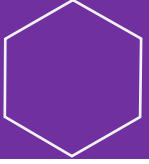
- Een overeenkomst die ingegaan is voor oktober 1978;
- De huurder heeft het recht levenslang het goed te bewonen en kan alleen opgezegd worden wegens een beperkt aantal redenen;
 - en de huurprijs is vastgelegd door de Rent Officer

Beschermde huurovereenkomsten hebben ook onder de nieuwe wetgeving een vastgelegde huurprijs, maar **sinds 1978 kunnen geen nieuwe beschermde huurovereenkomsten meer worden afgesloten**



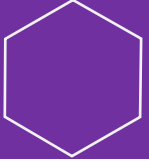
The introduction of the Private Tenancies (Northern Ireland) Order 2006 gave councils new powers regarding unfitness and disrepair of properties





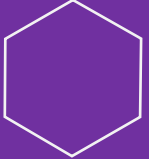
De Noord-Ierse Private Huurverordening van 2006 gaf gemeentebesturen nieuwe bevoegdheden inzake ongeschikte en verwaarloosde woningen





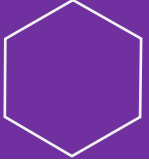
Emphasis moved from age and letting history to age and condition of property





De nadruk verschoof van ouderdom en verhuurgeschiedenis naar ouderdom en toestand van de





FITNESS STANDARD
set out in
The Housing (Northern Ireland) Order 1981



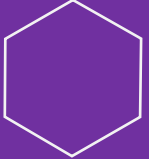
GESCHIKTHEIDSNORMEN

bepaald in

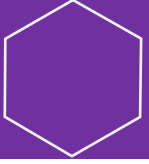
De Noord-Ierse Huisvestingsverordening van 1981



- ❖ Be structurally stable
 - ❖ Be free from serious disrepair
 - ❖ Be free from dampness which could affect the health of occupants
 - ❖ Have adequate provision for lighting, heating and ventilation
 - ❖ Have an adequate piped supply of wholesome water
 - ❖ Have satisfactory facilities in the house for the preparation and cooking of food, including a sink with a good supply of hot and cold water
 - ❖ Have a suitably located toilet for exclusive use of occupants
 - ❖ Have a suitably located bath or shower and wash-hand basin with good supplies of hot and cold water for the exclusive use of occupants
 - ❖ Have an effective system for the draining of foul, waste and surface water
-



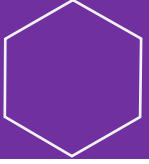
- ❖ Bouwfysisch stabiel
 - ❖ Geen ernstige verwaarlozing
 - ❖ Geen vocht dat de gezondheid van de bewoners kan aantasten
 - ❖ Gepaste verlichting, verwarming en verluchting
 - ❖ Voorzien van drinkbaar leidingwater
 - ❖ Gepaste voorziening om voedsel te bereiden, inclusief een gootsteen voorzien van toevoer van koud en warm water
 - ❖ Een apart toilet dat uitsluitend toegankelijk is voor de bewoners
 - ❖ Een apart bad of aparte douche en wastafel voorzien van toevoer van koud en warm water, dat uitsluitend toegankelijk is voor de bewoners
 - ❖ Een correcte afvoer van afvalwater en regenwater
-



Certificate of Fitness

Notice of Refusal

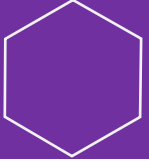
Notice of Unfitness



Geschiktheidsattest

Weigeringsbeslissing

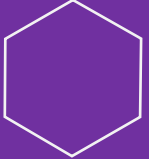
Waarschuwing van ongeschiktheid



CERTIFICATE OF FITNESS

Required for any property built before 1945
which is to be privately rented

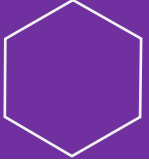




GESCHIKTHEIDSATTEST

Vereist voor elke woning gebouwd voor 1945
die privé verhuurd wordt





If a landlord wants to rent a property which was built before 1945, he must –

- Within 28 days of a tenancy commencing apply to the council for a certificate of fitness;
- Pay £50 to the council for the inspection; and
- Allow an environmental health officer to visit and inspect the house



Als een eigenaar een woning wil verhuren die
gebouwd is voor 1945 moet hij:

Uiterlijk 28 dagen na de start van de huurovereenkomst
een geschiktheidsattest aanvragen bij het district;

£50 (58€) betalen aan het district voor de
woningcontrole; en

De milieugezondheidsambtenaar toestemming geven
de woning te betreden en te onderzoeken



**City and Neighbourhood
Services Department**



**Belfast
City Council**

[Redacted] 8

Form 4

Belfast City Council
Environmental Health Service

[Redacted]

Certificate of Fitness

The Private Tenancies (Northern Ireland) Order 2006 Article 36(4)

Dwelling House at: [Redacted]

Belfast City Council in accordance with Article 36(4) of the Private Tenancies (Northern Ireland) Order 2006 having caused the above dwelling-house to be inspected hereby certifies that it is satisfied that it is fit for human habitation.

Dated **28 April 2022**

Address of Council **Belfast City Council
Environmental Health Service
The Cecil Ward Building
4-10 Linenhall Street
Belfast
BT2 8BP**

[Redacted]

(For and on behalf of the Council)

NOTES

Rent

(1) Where a certificate of fitness is issued in respect of a protected or statutory tenancy the rent officer will determine an appropriate rent.

Appeal

(2) A tenant on whom a copy of a certificate of fitness is served under Article 36(6) may appeal to the county court within 21 days after the date of service of the copy of the certificate.



Certificate of fitness "Geschiktheidsattest"

City and Neighbourhood
Services Department



Belfast
City Council

Form 4

Belfast City Council
Environmental Health Service

Certificate of Fitness

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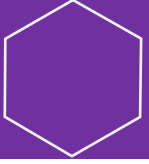
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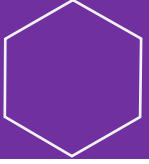
(2) A tenant on whom a copy of a certificate of fitness is served under Article 36(6) may appeal to the county court within 21 days after the date of service of the copy of the certificate.



A certificate of fitness –

Lasts indefinitely;

The property can be let at a market rent; and
The tenancy will not be subject to rent control

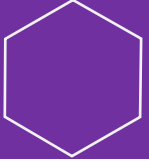


Een geschiktheidsattest:

Is onbeperkt geldig;

Verhuur aan marktconforme huurprijs; en

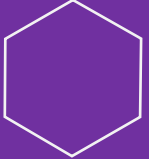
Er is geen vastgelegde huurprijs



NOTICE OF REFUSAL

This notice is used if the council are not satisfied the property is fit to be lived in and a certificate of fitness cannot be issued

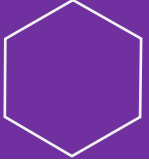




WEIGERINGSBESLISSING

Deze beslissing wordt genomen als het gemeentebestuur de woning niet geschikt acht voor bewoning en als er geen geschiktheidsattest kan worden afgeleverd





If a notice of refusal is issued –

It will list the work required to satisfy the fitness standard; and

The rent will be set by the Rent Officer at a lower rate



In geval van een weigeringsbeslissing:

Opsomming van de werken die nodig zijn om de geschiktheidsnormen te halen; en

De huurambtenaar (Rent Officer) stelt een lagere huurprijs vast



CMcG/hf
NR12.21/22
Tenancy 8798

Ards and North Down
Borough Council

Form 5



Notice of Refusal of Application for a Certificate of Fitness

The Private Tenancies (Northern Ireland) Order 2006 Article 36(5)

1. Name and Address of District Council: <i>(Council to which application was made)</i>	[Redacted] Borough Council
2. Address of Dwelling-House: <i>(Property which was inspected)</i>	[Redacted]

3. Ards & North Down Borough Council, having caused the above-mentioned dwelling-house to be inspected, in accordance with Article 36(1) of the Private Tenancies (Northern Ireland) Order 2006, is not satisfied that the dwelling-house is fit for human habitation and hereby issues a Notice of Refusal to issue a Certificate of Fitness.

4. The reasons for this decision are:

- **Inadequate provision for heating.**

5. The works necessary to enable the dwelling-house to be made fit for human habitation are listed on the attached schedule.

Signed: [Redacted] Date: **31st March 2022**
Head of Environmental Health Protection and Development

NOTES

Rent

(1) Where a notice of refusal is issued in respect of a dwelling-house let on a private tenancy, an appropriate rent shall, despite anything in any agreement, be determined by the Rent Officer for the period of time during which the dwelling-house remains unfit. This is the maximum rent which can be charged for the tenancy.

Appeal

(2) A landlord on whom a Notice of Refusal to issue a certificate of fitness is served, may appeal to the County Court within twenty-one days after the service of the notice.



Notice of refusal “Weigeringsbeslissing”

CMcG/hf
NR12.21/22
Tenancy 8798

Ards and North Down Borough Council

Form 5

Notice of Refusal of Application for a Certificate of Fitness
The Private Tenancies (Northern Ireland) Order 2006 Article 36(5)

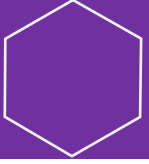
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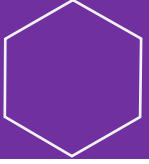
- **Inadequate provision for heating**



NOTICE OF UNFITNESS

This type of notice can be issued on any property regardless of age – 1945 date does not apply to these notices

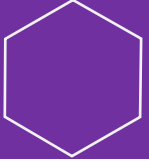




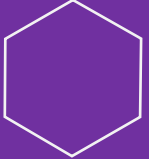
WAARSCHUWING VAN ONGESCHIKTHEID

Deze waarschuwing kan afgeleverd worden ongeacht het bouwjaar van de woning – de grens van 1945 is niet van toepassing

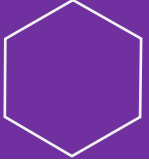




**A Notice of Unfitness can only be issued if the
property is occupied by a tenant**



Een waarschuwing van ongeschiktheid kan enkel afgeleverd worden als de woning bewoond is door een huurder



A Notice of Unfitness

- must be actioned within a reasonable period, no less than 21 days from the date the notice is served,
 - will specify the time given to complete the work
 - will provide details of the work required
- (This is because there is 21 days to appeal this decision.)
-

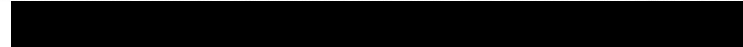


Een waarschuwing van ongeschiktheid

- Moet uitgevoerd binnen een redelijke termijn, die minstens 21 dagen bedraagt,
 - Geeft een termijn om de werken uit te voeren
- Geeft bijzonderheden van de uit te voeren werken
(Dit is omdat de beroepstermijn 21 dagen bedraagt)



Environmental Health Department Mid and East Antrim Borough Council



Notice of Unfitness

The Private Tenancies (Northern Ireland) Order 2006 Article 18(1)

To:



1. You are the owner of the dwelling house known as



2. Mid and East Antrim Borough Council is satisfied that the premises are unfit for human habitation as described in Schedule 1 to this notice.

3. The Council, having had regard to the guidance given by the Department for Social Development under Article 62 of the Private Tenancies (Northern Ireland) Order 2006, ("the Order") and having consulted the Executive in accordance with Article 21 of the Order, is satisfied that the most satisfactory course of action is the service of a notice of unfitness under Article 18 of the Order.

4. In the opinion of the Council the works specified in Schedule 2 to this notice ("the works") will render the premises fit for human habitation.

5. Under Article 18 of the Order the Council requires you to carry out the works and to complete them within the period of 120 days of the date of service of this notice.

Signed



Principal Environmental Health Officer
(For and on behalf of the Council)

Date: 20th May 2022



Notice of Unfitness

“Waarschuwing van ongeschiktheid”



Environmental Health Department Mid and East Antrim Borough Council

[Redacted]

Notice of Unfitness

The Private Tenancies (Northern Ireland) Order 2006 Article 18(1)

To: [Redacted]

1. You are the owner of the dwelling house known as [Redacted] (“[Redacted]”)

2. Mid and East Antrim Borough Council is satisfied that the premises are unfit for human habitation as described in Schedule 1 to this notice.

3. The Council, having had regard to the guidance given by the Department for Social Development under Article 62 of the Private Tenancies (Northern Ireland) Order 2006, (“the Order”) and having consulted the Executive in accordance with Article 21 of the Order, is satisfied that the most satisfactory course of action is the service of a notice of unfitness under Article 18 of the Order.

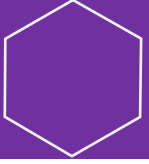
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[Redacted Signature]

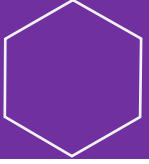
Sinead Sargent
Principal Environmental Health Officer
(For and on behalf of the Council)

Date: 20th May 2022



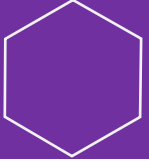
Councils and Environmental Health Officers

- Formal power to enter and inspect a property
 - Power to enforce a notice of unfitness

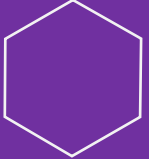


District en milieugezondheidsambtenaar

- Formeel bevoegd om een woning te betreden en onderzoeken
 - Bevoegd om een waarschuwing van ongeschiktheid op te leggen
-



IF A NOTICE OF REFUSAL OR UNFITNESS ISSUED
– rent of property can be controlled by rent office until property is made fit and a certificate of fitness has been issued



**BIJ EEN WEIGERINGSBESLISSING OF
WAARSCHUWING VAN ONGESCHIKTHEID:
kan de Rent Officer de huurprijs vastleggen tot
de woning hersteld is en er een
geschiktheidsattest is afgeleverd**



FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW									
G51									
ADDRESS OF [REDACTED]									
						RO	RAP		
						Points	Points	Points	
						Awarded	Awarded	Awarded	
HOUSE TYPE	Detached					12	12		
	Semi-detached					9			
	Terrace					8			
	Flat in 2-storey block					5			
	Other flats and maisonettes					2			
AGE	Pre-1945					1	1		
	Pre-1945 Rehabilitated					3			
	1945-1955					3			
	1945-1955 Rehabilitated					4			
	Kitchen	1				3	3		
	Living Room	1				3	3		
	Other ground Floor rooms					2	0		
	Dinette in Kitchen or Living Room					1	0		
	Double Bedroom	1				3	3		
	Single Bedroom	1				2	2		
	Bathroom with W/C	1				3	3		
	Bathroom without W/C					2	0		
	Separate internal W/C					2	0		
CENTRAL HEATING (use figures in brackets if Warm Homes funded)	Whole House								
	1 or 2 Bedspace Dwelling					3 (2)	3		
	3 or 4 Bedspace Dwelling					5 (3)			
	5 or more Bedspace Dwelling					7 (4)			
	Part House								
	1 or 2 Bedspace Dwelling					2 (1)			
	3 or 4 Bedspace Dwelling					3 (2)			
	5 or more Bedspace Dwelling					5 (3)			
Furnishings	None					1	1		
	Yes-No light or power					0			
	Yes-No light only					3			
	Yes-Light only					5			
	Yes-No light, power only					5			
	Yes-Light and power					7			
LESS	No Hot Water Supply					-7			
	No Cold Water Supply inside					-7			
	No electricity					-7			
	Outside pump and standpipe only					-7			
	Not served by mains sewer or septic tank					-3			
	Not served by mains sewer or septic tank					-7			
	Total Points						31		
Tenants Improvements DEDUCT (Ignore if decorative purpose / impact only)	Central Heating Installed by EAGA/Landlord								
	Essential Kitchen Refit	-1				-1	-1		
	Essential Bathroom Refit					-1	-1		
	Essential Windows & Doors Refit	-1				-1	-1		
							-2		
TOTAL POINTS							29		
	Dungannon								
	HAB 03 2BED								
	£70.00								
	Total Points						31		
	Points awarded to L/Lord						29		
	Points awarded to Tenant						2		



FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW

G51 X ✓ fx

Points sheet

“Puntenblad”
(± technisch verslag)

	A	B	C	D	E	F	G	H	I
1	ADDRESS OF								
2									
3									
4					Paintnr	RD Paintnr Awarded	RAP Paintnr Awarded		
5	HOUSE TYPE	Detached			12	12			
6		Semi-detached			9				
7		Terrace			8				
8		Flat in 2-storey block			5				
9		Other flats and maisonettes			2				
10	AGE	Pre-1945			1	1			
11		Pre-1945 Rehabilitated			3				
12		1945-1955			3				
13		1945-1955 Rehabilitated			4				
14		Kitchen	1	3	3				
15		Living Room	1	3	3				
16		Other ground Floor rooms		2	0				
17		Dinette in Kitchen or Living Room		1	0				
18		Double Bedroom	1	3	3				
19		Single Bedroom	1	2	2				
20		Bathroom with WC	1	3	3				
21		Bathroom without WC		2	0				
22		Separate internal WC		2	0				
23		Whole House							



The Role of the Northern Ireland Rent Office



Rent Calculation Form 2021 [Read-Only] [Compatibility Mode] - Excel

FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW Content Manager ACROBAT

L14

	A	B	C	D	E	F	G	H	I	J	K	L	M
1	Property Address	[REDACTED]											
2	Comparable NIHE Rent as determined by Rent Officer												
3													
4	Total points awarded =	31											
5	Value of a point =	£1.9632											
6	Points x Value =	31	X	£1.9632	=	£60.859	or the comparable NIHE rate						
7													
8	Of the total points:			29	points attributed to landlord								
9				2	points attributed to tenant								
10													
11	Landlords points –	29	X	£1.9632	=	£56.933							
12	Tenant's points –	2	X	£1.9632	=	£3.926							
13													
14	Landlord's	29		points constitute		93.55%	of the comparable NIHE rent						
15	Tenant's	2		points constitute		6.45%	of the comparable NIHE rent						
16													
17													
18	Account given to Local Reference Rent												
19													
20	Local Reference Rent (LRR) =	£70.00											
21	LRR - NIHE rent	£70.00	-	£60.859	=	£9.141							
22													
23	Property unfit/deemed unfit so 50% of	£9.141	=	£4.570	deducted from comparable NIHE rent								
24													
25		£60.859	-	£4.570	=	£56.289	or the initial points score						
26	Notice of disrepair attracts no % increase or decrease and will reflect the comparable NIHE rate only												
27													
28													
29	Determined Rent												
30	Part 1 of the calculation established that the tenant's contribution to the comparable NIHE rent represented					6.45%							
31	Therefore	6.45%	of	£56.289	=	£3.632	or the initial rent amount						
32													
33		£56.289	-	£3.632	=	£52.657							
34													
35	Determined Rent =	£52.66	weekly			£228.18	monthly						
36													
37													
38													
39													

Points Sheet | Fit Property Calculator | **Unfit Property Calculator** | Fit with Disrepair



Rent Calculation Form 2021 [Read-Only] [Compatibility Mode] - Excel

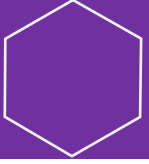
FILE HOME INSERT PAGE LAYOUT FORMULAS DATA REVIEW VIEW Content Manager ACROBAT

L14

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Points Sheet | Fit Property Calculator | **Unfit Property Calculator** | Fit with Disrepair

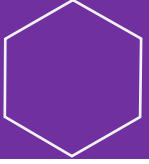
Unfit property calculator
Huurprijscalculator
voor ongeschikte woningen



RENT OFFICE DATABASE

- details of the property characteristics,
 - details of tenant and landlord,
 - amount of rent determined and
- details of any certificates of notices issued

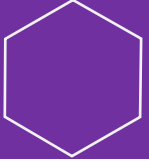
Some of this information is available online for public viewing



DATABANK VAN HET HUURKANTOOR

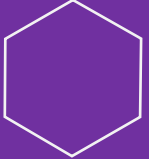
- bijzondere woningkenmerken,
- gegevens van huurder en verhuurder,
 - Vastgelegde huurprijs
- Gegevens van afgeleverde attesten en beslissingen

Deze informatie is deels online openbaar toegankelijk



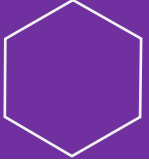
RENT ASSESSMENT PANEL

- Consider an appeal of determined rent
 - Liaise with landlord or tenant regarding appeal
 - Allow rent officer to make representation
-



HUURPRIJSBEOORDELINGSCOMMISSIE

- Behandelt beroepen tegen de vastgestelde huurprijs
 - Hoort zowel verhuurder als huurder
 - Luistert naar de uiteenzetting van de Rent Officer
-

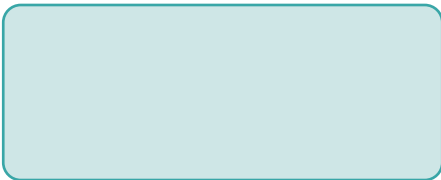


Any questions?



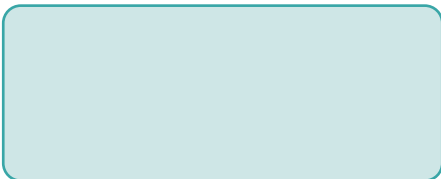
Vragen?

Contact



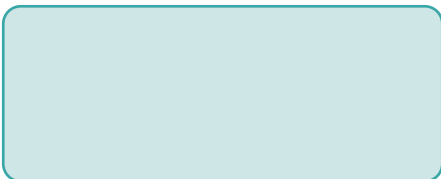
Jeroen Van Pottelberge

- Jeroen.vanpottelberge@vlaanderen.be
- 09 276 25 07



Joeri Laureys

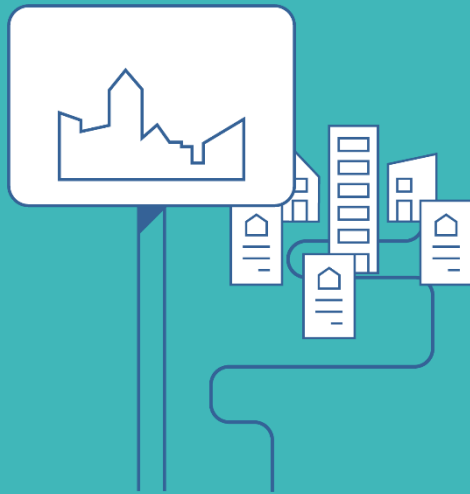
- Joeri.laureys@vlaanderen.be



Veerle Maes

- Veerle.maes@vlaanderen.be

Dagprogramma



- 9u15  Onthaal met koffie en thee
- 9u45  Welkom door Helmer Rooze, administrateur-generaal Wonen-Vlaanderen
- 10u15  Start sessieronde 1 (90 min)
- 11u45  Broodjeslunch
- 12u45  Startschot voor de namiddag met minister van wonen Matthias Diependaele
- 13u05  Start sessieronde 2 (90 min)
- 14u45  Start sessieronde 3 (60 min)
- 15u45  Einde

DAG VAN HET LOKAAL WOONBELEID

23 juni 2022    bouwen aan wonen

Sessieronde 3

