

APPLICATION FOR EXCLUSION FROM EMPTY PROPERTY RATES



Land & Property Services.

Rates are payable on all domestic properties whether they are occupied or empty. By empty we mean the property is unoccupied, unfurnished and not used for storage purposes. There are a number of exclusions that apply to empty properties and generally the person entitled to possession, usually the owner, will have to apply for this and provide the supporting evidence. Please complete in CAPITAL LETTERS using black ink.

NOTES

- A separate application form will need to be completed for each property you wish to apply for.
- You must provide all necessary information and supporting evidence. If you do not your application will be rejected.

If required, you may request this document in an alternative format such as: Braille, DAISY, large print or translated into minority language (if English is not your first language) where reasonably practicable. For more information please telephone **0300 200 7801**.

SECTION 1 – EMPTY PROPERTY DETAILS

Occupancy ID

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Account ID

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Ratepayer ID

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Empty property address

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Postcode

When did the property become vacant?

DD/MM/YYYY

Are you applying for a retrospective exclusion?

Yes No

Is the property now occupied?

Yes No

If **Yes**, when did the property become occupied?

DD/MM/YYYY

Who is occupying the property?

SECTION 2 – DETAILS OF PERSON ENTITLED TO POSSESSION

Surname

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First name(s) in full

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Correspondence address

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Postcode

Contact telephone number

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Email address

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Are you the person entitled to possession? Yes No

If **No**, what is your relationship to the person entitled to possession and explain why you are making this application.

Is the person entitled to possession a registered company? Yes No

If **Yes**, please provide details of the registered office address:

Postcode

SECTION 3 – SPECIFY THE EXCLUSION YOU ARE APPLYING FOR

Please select the exclusion you are applying for. **Please select only one exclusion.**

Remember to include the required evidence.

TICK ONE

Exclusion category	Required evidence
<input type="checkbox"/> The owner(s) are in care (nursing home, residential care or hospital)	Please provide third party evidence from the establishment the person entitled to possession resides in.
<input type="checkbox"/> The owner(s) are in detention	Please provide third party evidence from the relevant authority confirming the start and end date of detention.
<input type="checkbox"/> Occupation is prohibited by law	Please provide evidence from the authority preventing occupation. Please ensure that the relevant statute prohibiting occupation is included in the evidence.
<input type="checkbox"/> Occupation is prohibited by a public authority	Please provide evidence from the relevant public authority confirming that occupation of the property is being prevented.
<input type="checkbox"/> The property is a listed building or is the subject of a building preservation notice	Please provide us with the Historic Building reference number which is allocated by Environment and Heritage Service. If the property is the subject of a building preservation notice please provide us with a copy.
<input type="checkbox"/> The property is a historic monument	Please provide us with the Sites and Monument Record reference number which is allocated by Environment and Heritage Service.
<input type="checkbox"/> The property is the responsibility of the personal representatives of a deceased person	Please provide us with third party evidence from the solicitor dealing with the deceased person's estate. The evidence should contain information on: <ul style="list-style-type: none">• Name of the deceased person.• Date of death.• Date property became empty.• Name and address of executor.
<input type="checkbox"/> Bankruptcy order	Please provide third party evidence of the bankruptcy order reference number and the date it came into place.
<input type="checkbox"/> Trustee under a deed of arrangement	Please provide written confirmation from the Trustees of their appointment.
<input type="checkbox"/> Company in administration	Please provide written confirmation from the Administrator confirming their appointment and date of administration.
<input type="checkbox"/> Liquidator	Please provide written confirmation from the Liquidator confirming their appointment and the date of liquidation.
<input type="checkbox"/> Foyle, Carlingford and Irish Lights Commission	Please provide written evidence to confirm entitlement to possession.

SECTION 4 – DECLARATION

1. I confirm that the property the exclusion is being claimed for is empty.
2. I confirm that the information I have provided in this form is true and complete.
3. I understand that I must tell Land & Property Services if there are any change in circumstances relating to the exclusion.
4. I confirm that I give my consent for Land & Property Services to seek any further information from other sources to assess this application.

Signature of applicant

Date

Data Protection

Any information you have provided will be used for the billing and collection of rates and the recovery of any unpaid debt due to Land & Property Services. This agency is under a duty to protect the public funds it administers, and to this end may use the information you have provided for the prevention and detection of fraud, therefore it may also share this information with other bodies for these purposes.

**PLEASE
RETURN THIS
COMPLETED
FORM TO:**

Land & Property Services
Lincoln Building
27–45 Great Victoria Street
Malone Lower
BELFAST, BT2 7SL

CONTACT US

Dial **0300 200 7801**
(calls charged at local rate)
Dial **0044 28 9054 1613**
if outside NI
Textphone **18001101**
Or call into your local LPS office

Acknowledgement of form

You will receive an acknowledgement letter once we have received your application for exclusion from empty property rates.



Land & Property Services.



An Agency within the Department of

**Finance and
Personnel**

www.dfpni.gov.uk

GUIDANCE NOTES – EXCLUSIONS FROM EMPTY PROPERTY RATES

All domestic properties whether occupied or empty, are liable for rates. If a property is empty there are a number of exclusions that may apply and these are listed below.

Please ensure you complete all relevant sections of the application form and provide us with evidence of how you or the property meets the requirements of the exclusion.

- **The owner(s) are in care (nursing home, residential care or hospital):** This applies when all the current owners of the property live in a nursing home, residential care home or hospital as their main home and when they last occupied the empty house it was their sole or main residence.
- **The owner(s) are in detention:** This applies when all the current owners of the property are detained (due to, for example, a court order) and have their main residence there. When they last occupied the empty house it must have been as their sole or main residence.
- **Occupation is prohibited by law:** The person entitled to possession is prohibited by law from occupying it or allowing it to be occupied.
- **Occupation is prohibited due to actions of a public body:** The person entitled to possession is prevented by a public body from occupying the property or allowing it to be occupied. Alternatively, the public body may intend to acquire (vest) the property to support a public works scheme such as building a new road.
- **Property is a listed building:** This applies when any building or part of a building comprising the property or part of it is included in a list compiled under Article 42 of the Planning (Northern Ireland) Order 1991 or is the subject of a building preservation notice within the meaning of Article 42A of that Order.
- **Property is a historic monument:** This applies when any building or part of a building comprising the property or part of it is included in the Schedule of monuments compiled under Article 3(1) of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995.
- **Personal Representatives of a deceased person:** The person who owns the property does so only in their capacity as the personal representative of the former owner, who is now deceased. An exclusion may be awarded from the date of the deceased person's death until the date the deceased person's estate is settled through probate.
- **The owner is subject to a bankruptcy order:** This applies when the person entitled to possession is subject to a bankruptcy order within the meaning of Parts 1 and VIII to X of the Insolvency (Northern Ireland) Order 1989.
- **Trustee under a deed of arrangement:** This applies when the person entitled to possession does so only in their capacity as a trustee under a deed of arrangement to which Chapter 1 of Part VIII of the Insolvency (NI) Order 1989 applies.
- **Company in administration:** This applies to a company in administration within the meaning of paragraph 2 of Schedule B1 to the 1989 Order or is subject to an administration order made under the former administration provisions within the meaning of Article 2 or the Insolvency (2005 Order) (Transitional Provisions and Savings) Order (Northern Ireland) 2006; or a company which is subject to a winding up order made under the 1989 Order or which is being wound up voluntarily under that Order.
- **Liquidator:** This applies where the person entitled to possession does so only in their capacity as liquidator by virtue of an order made under Article 98 or Article 123 of the Insolvency (Northern Ireland) Order 1989.
- **Foyle, Carlingford and Irish Lights Commission:** This applies where the person entitled to possession is the Foyle, Carlingford and Irish Lights Commission

Further information on the above exclusions can be found in the Rates (Unoccupied Hereditaments) Regulations (Northern Ireland) 2011.