



STATUTORY INSTRUMENTS.

S.I. No. 152 of 2022



RESIDENTIAL TENANCIES ACT 2004 (PRESCRIBED FORM)
REGULATIONS 2022

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RESIDENTIAL TENANCIES ACT 2004 (PRESCRIBED FORM)
REGULATIONS 2022

I, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by section 8 of the Residential Tenancies Act 2004 (No. 27 of 2004) (as adapted by the Housing, Planning and Local Government (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 408 of 2020)), hereby make the following regulations:

1. These Regulations may be cited as the Residential Tenancies Act 2004 (Prescribed Form) Regulations 2022.
2. These Regulations come into operation on 4 April 2022.
3. The form set out in Part 1 of the Schedule to these Regulations is the form prescribed for the purposes of an application under section 134 of the Residential Tenancies Act 2004.
4. The Residential Tenancies Act 2004 (Prescribed Form) (No. 2) Regulations 2016 (S.I. No. 217 of 2016) are amended by substituting:
 - (a) the following for Regulation 4:

“(4) the letters and the statement set out in Schedule 2 to these Regulations are prescribed for the purposes of section 135(4) of the Residential Tenancies Act 2004 (No. 27 of 2004)”;
 - (b) for Schedule 2 Part 2 of the Schedule to these Regulations.
5. The form set out in Part 3 of the Schedule to these Regulations is prescribed for the purposes of section 139 of the Residential Tenancies Act 2004.
6. The Residential Tenancies Act 2004 (Prescribed Form) Regulations 2016 (S.I. No. 150 of 2016) are revoked.



GIVEN under my Official Seal,
31 March, 2022.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

Tenancy Registration Application Form RTB1



There are some additional notes on the final pages of this form to help you to complete your application.

Section 1 – Application & Applicant *(see note 1)*

1. Application to register (tick the box(es) that applies below):

- (a) a private tenancy
- (b) an approved housing body tenancy
- (c) a cost rental tenancy
- (d) a student specific accommodation tenancy
- (e) a student specific accommodation licence

2. Registration Type:

- (a) New
- OR
- (b) Annual registration of an existing tenancy

If you have chosen **2 (b)** then enter the reference number of the existing tenancy below

RT Reference of existing tenancy

3. (a) Who is completing the form:

Landlord Agent

(b) Is a Receiver currently appointed over this dwelling? *(see note 4)*

No Yes

If yes, is the Receiver declaring himself/herself to be the

Landlord or Agent of this tenancy?

Please provide the Receiver's date of appointment / /

Please provide the Revenue Tax Number associated with this receivership*

*Note as a receiver, it is not mandatory to provide the Revenue Tax Number. However, this information is requested, in particular, where receivers have been unable to ascertain and provide the mandatory landlord information required under Section 5 of this form. This information will assist the RTB to fully discharge its functions under the Residential Tenancies Act 2004, as amended, to the benefit of the sector.

Section 2 – Rented Dwelling

4. Address of Rented Dwelling:

Apartment/House/
Unit no.

Address line 1

Address line 2

Address line 3

County

Eircode

Local Authority

Please complete the dwelling address **accurately**.

If the dwelling is broken into individually occupied units which do not have a unique Eircode, please provide a unique Unit number in "Apartment/House/Unit no." field.

Please ensure to provide **Eircode** for the dwelling, if you do not provide the Eircode, the registration may be delayed and/or returned to you.

The Local Authority area in which the rented dwelling is situated must be provided. Please see www.rtb.ie if you require a list of the local authorities.

5. Dwelling Type:

House Apartment Flat Part of House Maisonette

6. Property Type:

Semi Detached Detached House Terraced

7. No. of Bedrooms: 8. No. of Bed spaces:

9. Floor area: Square metres

10. BER Rating: or Exempt

Property type – please only answer question 6 if House, Part of House or Maisonette was selected in question 5.

Single bed = 1 bed space,
Double bed = 2 bed spaces.



Section 4 – Closing previous tenancy registered (if any) at this rented dwelling (see note 3)

20. What is the RT Reference of the previous registration:

RT Reference

21. Date this tenancy ended: / /

22. Was this tenancy terminated by tenant or landlord: Tenant Landlord

23. If terminated by landlord, what was the reason (enter 1-9):

Or provide details of other reason below:

24. From 4 June 2019, any notice of termination served by a landlord on grounds 1 to 7 above must be copied to the RTB within 28 days of its expiry date. If relevant, have you submitted yours?

Yes No Doesn't apply

1-9 reasons for terminating a tenancy:

1. Breach of obligation by the tenant;
2. Failure by the tenant to pay rent;
3. The property is no longer suitable for the accommodation needs of the tenant and of any persons residing with him/her;
4. The landlord intends to sell the property within 9 months of termination;
5. The landlord requires the property for his/her own occupation or occupation by a family member;
6. The landlord intends to substantially refurbish or renovate the property;
7. The landlord intends to change the use of the property.
8. Termination notice served during the first six months.
9. Terminated notice served prior to the start of a further Part 4 tenancy.



Section 5 - Landlord (see note 4)

25. The landlord is:

- An Individual: please go to 25.1
- A Company: please go to 25.2
- An Approved Housing Body (AHB): please go to 25.2

25.1. Individual landlord(s)

Landlord 1:

First Name

Surname

Additional Title

PPSN

Date of birth / /

Residential Address

County

Country

Eircode (if in ROI) / Postcode (if outside ROI)

Telephone No.

Email

Additional Title
If the landlord is a trustee of a pension fund then the details of that should be entered in the space provided in the format 'Trustee of XYZ Pension Fund'.

If correspondence address is same as residential address tick this box

If correspondence address is different than residential address, please enter below:

Correspondence Address

County

Country

Eircode (if in ROI) / Postcode (if outside ROI)



Section 5 - Landlord (continued)

Landlord 2:

First Name

Surname

Additional Title

PPSN

Date of birth / /

Residential Address

County

Country

Eircode (if in RO1) / Postcode (if outside RO1)

Telephone No.

Email

Additional Title
If the landlord is a trustee of a pension fund then the details of that should be entered in the space provided in the format 'Trustee of XYZ Pension Fund'.

If correspondence address is same as residential address tick this box

If correspondence address is different than residential address, please enter below:

Correspondence Address

County

Country

Eircode (if in RO1) / Postcode (if outside RO1)



Section 5 - Landlord (continued)

Landlord 3:

First Name

Surname

Additional Title

PPSN

Date of birth / /

Residential Address

County

Country

Eircode (if in ROI) / Postcode (if outside ROI)

Telephone No.

Email

Additional Title
If the landlord is a trustee of a pension fund then the details of that should be entered in the space provided in the format 'Trustee of XYZ Pension Fund'.

If correspondence address is same as residential address tick this box

If correspondence address is different than residential address, please enter below:

Correspondence Address

County

Country

Eircode (if in ROI) / Postcode (if outside ROI)

More than 3 Landlords of this tenancy? - please provide their details on a separate sheet and attach it to this application.



Section 5 - Landlord (continued)

25.2. Company/AHB landlord

Company/AHB Name

Company Registration Number (CRO)

RTB AHB Number

Additional Title

Correspondence

Address

County

Country

Eircode (if in ROI) / Postcode (if outside ROI)

Telephone No.

Email

Company Contact Name

CRO is the company registration number provided by the Company Registrations Office and must be valid.

Additional Title
If the landlord is a trustee of a pension fund then the details of that should be entered in the space provided in the format 'Trustee of XYZ Pension Fund'.

An **Approved Housing Body** registering a tenancy should provide their AHB Name and RTB AHB Number in place of Company Name and CRO Number on this form.

RTB AHB Number is the number assigned to the AHB by the RTB upon set up of your RTB account. If you are unable to locate this number, you can email AHB@rtb.ie to request it.

Section 6 - Tenant (see note 5)

26. Is the tenant:

An Individual: please go to 26.1

A Company: please go to 26.2

26.1. Individual tenant(s)

Tenant 1:

First Name

Surname

PPSN

If tenant has no PPSN or you have made a reasonable effort to obtain it but it has not been provided, place X in the box

Date of birth / /

Telephone No.

Email

All tenants residing in the dwelling who are aged 18 or older are required to be listed

If PPSN is ascertainable, then DOB is requested also (for identity verification purposes).
PPSN for the tenant assists with enforcement should a dispute arise.

Section 6 - Tenant (continued)

26.1. Individual tenant(s) (continued)

Tenant 2:

First Name

Surname

PPSN

If tenant has no PPSN or you have made a reasonable effort to obtain it but it has not been provided, place X in the box

Date of birth / /

Telephone No.

Email

If PPSN is ascertainable, then DOB is requested also (for identity verification purposes).
PPSN for the tenant assists with enforcement should a dispute arise.

Tenant 3:

First Name

Surname

PPSN

If tenant has no PPSN or you have made a reasonable effort to obtain it but it has not been provided, place X in the box

Date of birth / /

Telephone No.

Email

If PPSN is ascertainable, then DOB is requested also (for identity verification purposes).
PPSN for the tenant assists with enforcement should a dispute arise.

Tenant 4:

First Name

Surname

PPSN

If tenant has no PPSN or you have made a reasonable effort to obtain it but it has not been provided, place X in the box

Date of birth / /

Telephone No.

Email

If PPSN is ascertainable, then DOB is requested also (for identity verification purposes).
PPSN for the tenant assists with enforcement should a dispute arise.

Section 6 - Tenant (continued)

26.1. Individual tenant(s) (continued)

Tenant 5:

First Name

Surname

PPSN

If tenant has no PPSN or you have made a reasonable effort to obtain it but it has not been provided, place X in the box

Date of birth / /

Telephone No.

Email

More than five tenants?
Please provide their details on a separate sheet and attach it to this application.

If PPSN is ascertainable, then DOB is requested also (for identity verification purposes).
PPSN for the tenant assists with enforcement should a dispute arise.

26.2. Company tenant

Company Name

CRO Reg. No.

Telephone No.

Email



Section 7 – Authorised agent

27. Is the agent:

A Company: please go to 27.1

An Individual: please go to 27.2

27.1. Company agent

Company Name

CRO Reg. No.

Correspondence Address

County

Country

Eircode

Contact name

Telephone No.

Email

CRO is the company registration number provided by the Company Registrations Office and must be valid.

Please provide the **contact details** of the individual within your Company who can be contacted by the RTB regarding this tenancy, if necessary.

27.2. Individual agent

Agent 1:

First Name

Surname

PPSN

Date of birth / /

Correspondence Address

County

Country

Eircode



Section 7 – Authorised agent (continued)

27.2. Individual agent (continued)

Agent 2:

First Name

Surname

PPSN

Date of birth / /

Correspondence Address

County

Country

Eircode

More than 2 agents of this tenancy? - please provide their details on a separate sheet and attach it to this application.

Section 8 – Management company

28. Management company name:

Company Name

CRO Reg. No.

Company Registered Address

County

Eircode

Please complete this section if there is a Management Company.



Section 9 – Declaration by Applicant

Please note that it is an offence to knowingly or recklessly furnish false or misleading information in a material respect when submitting an application to register a tenancy or submitting updated information in respect of a registered tenancy.

If found guilty of knowingly or recklessly furnishing false or misleading information, as set out above, a person may be liable on summary conviction to a fine of up to €4,000 or a term of imprisonment of up to six months or both.

Failure to register a tenancy could result in a criminal prosecution or the commencement of an investigation by the RTB for improper conduct which could lead to the imposition of a sanction of a written caution, up to €15,000 and €15,000 in costs.

I declare that, to the best of my knowledge and belief, all the information I have given on this form is correct.

Name:

(BLOCK CAPITALS)

Signature:

Date:

 / /

Registration Data collected by the Residential Tenancies Board (RTB) will be used in accordance with the provisions of the Residential Tenancies Act 2004 and any other relevant legislation and for statistical and policy research purposes.

The RTB will treat all information and personal data you supply as confidential. However, it should be noted that information may be exchanged with various Government Bodies as set out in law such as sections 146, 147 & 148 of the Residential Tenancies Act 2004.

The RTB respects your privacy and is committed to complying with Data Protection law. For information on how the RTB handle your personal data, please refer to the RTB Privacy Statement at <https://rtb.ie/privacy-statement>.

Please keep a copy of the form as submitted & proof of postage to the RTB for your own records. You can also register tenancies online at www.rtb.ie.

Please send this form and any relevant documentation to the

Residential Tenancies Board
PO Box 47
Clonakilty, Co. Cork

Section 10 – Fees table *(see note 6)*

Applications must be made to the RTB within **one month** from the date the tenancy commenced. Failure to make an application on time means that a late fee will be applied. The below table applies to all tenancies that commenced after 31st December 2010.

Accepted payment methods: **cheque, bank draft, postal order.**

Please ensure that you have an up to date version of the application form as fees may be changed in legislation.

Type	Description	Fee		
		Private Tenancy (Including student specific accommodation (SSA))	Cost Rental Tenancy	AHB Tenancy (Excluding Cost Rental)
Standard Fee	Application to register with RTB is made within one month of tenancy commencement date.	€40	€40	€20
Late Fee	Application to register with RTB is made more than one month after tenancy commencement date.	Standard fee plus €10 for each month (or part thereof) that the application is late	Standard fee plus €10 for each month (or part thereof) that the application is late	Standard fee plus €5 for each month (or part thereof) that the application is late
Composite Fee	A reduced fee applicable to a maximum of 10 tenancies in the same building being registered by the same landlord at same time. Note – all applications must be made within one month of the earliest tenancy commencement date.	€170	€170	€85
No Fee	If, in a 12 month period, a second tenancy in the same rented dwelling occurs, no fee will apply to the second or subsequent registration within that period.	€0	€0	€0

Temporary fee waiver for certain further Part 4 tenancies - section 134 of the Act of 2004 (Obligation to apply to register tenancy) was amended by section 7 of the Residential Tenancies (Amendment) Act 2021 and from 4 April 2022, subject to the condition outlined below, where a landlord had registered a 'further part 4 tenancy' before 4 April 2022, no annual registration fee shall apply in respect of that 'further Part 4 tenancy' for so long as it exists.

A condition applies to the temporary annual registration fee waiver above, insofar as any outstanding registration fee associated with the relevant registration prior to 4 April 2022 must be paid by 4 May 2022. For example, if a landlord applied to register a further Part 4 tenancy on 1 June 2020 but has not paid the associated registration fee by 4 May 2022, that tenancy shall be liable to annual registration fees and shall not benefit from the temporary fee waiver.

29. What fee (if any) is enclosed for this registration? €

30. Payment method: Cheque Postal Order Bank Draft

Please note that all applicable fields must be completed in order to submit a valid application for the registration of a tenancy. An incomplete application cannot be processed through to registration.

Note 1 (Sections 1 and 2 - Application Type)

In section 1, please tick all relevant boxes that relate to your application in respect of your dwelling - does the application relate to:

- (a) a private tenancy
- (b) an approved housing body tenancy
- (c) a cost rental tenancy
- (d) a student specific accommodation tenancy
- (e) a student specific accommodation licence.

In section 2, please indicate whether the application relates to a new or existing tenancy.

If this application relates to an existing tenancy, please indicate the tenancy's RT number assigned by the RTB when first registered. You can locate this number on the letter that would have issued to you by the RTB when the tenancy was originally registered, or on the reminder letter you received when your next tenancy registration is due. If you are unable to locate the number, you can contact RTB on Lo-call on **0818 30 30 37** or **(01) 702 8100**.

A cost rental dwelling must be officially designated by the Minister for Housing, Local Government and Heritage under the Affordable Housing Act 2021.

Each application to register a tenancy must be completed on a separate form. If more than one tenancy is included on a single form it will be an incomplete application and cannot be processed through to registration. This will result in a delay in the processing of your application.

Note 2 (Section 3 – Details of Tenancy)

If the tenancy is for a fixed term, the length of that term must be provided.

Tenancy commencement date must be provided. Your registration fee will be calculated on the basis of this date. Make sure the full date is given, e.g. DAY/MONTH/YEAR.

Rent Amount must be completed. This amount must be the total amount received by the landlord each week/fornight / month.

From 09 July 2021, limits apply to the amount a landlord can require anyone to pay to secure a tenancy. A deposit cannot exceed more than one month's rent, and an advance payment of rent, at any time, cannot exceed one month's rent. Landlords cannot ask a person to pay more than the equivalent of 2 months' rent in total to secure a tenancy.

RPZ Exemptions – A landlord cannot set the rent above market rent and if the property is in a Rent Pressure Zone (RPZ), the rent can also not be greater than permitted by the RTB's RPZ calculator. From 11 December 2021, a cap of 2% per annum pro rata on rent increases in RPZs, where the HICP Inflation rate is higher. In some cases, an exemption to the RPZ rent control may be claimed. If you claim an exemption, you have to send additional documentation to the RTB. If the property is in an RPZ, a landlord must inform the tenant in writing, at the start of the tenancy, of the amount of rent set under the previous tenancy, the date it was set and how it was calculated.

Please note there does not have to be a written lease/tenancy agreement in place for the tenancy to be registered with the RTB.

If a sub-tenancy is being registered, you must tick the box to indicate this. Subletting occurs when a tenant permits another party to lease the rental property that the tenant has leased from the landlord. The tenant then assumes the position of landlord. Subletting can only take place with the consent of the landlord. Both the original tenancy and the sub tenancy is registered.

Note 3 (Section 4 – Closing a previous tenancy registered at this rented dwelling)

If a previous tenancy existed and the landlord serves a Notice of Termination under grounds 1 to 7 identified in the section 4 of the form, a copy of this notice must be sent to the RTB by post or a scanned copy by email not later than 28 days after the expiry of the notice period. See www.rtb.ie for further details.

Note 4 (Section 5 – Landlord Details)

Please note that the landlord's residential and correspondence address should be provided here. If the residential and correspondence address are the same, please tick the space provided. The correspondence address provided will be used for correspondence purposes by the RTB in respect of this tenancy.

Landlord's Personal Public Service Number (PPSN) must be provided if the landlord has a PPSN. Landlords who do not have a PPSN will have to provide proof of identity to complete the tenancy registration, either a copy of a passport or drivers licence is required.

A receiver registering tenancies must provide date of appointment, and the revenue tax number associated with the receivership is also requested, in particular, where the mandatory landlord information required under section 5 is not ascertainable by the receiver.

PPSNs in conjunction with Date of Birth are used to verify identities through the Department of Social Protection. Invalid PPSNs will result in the tenancy not being registered.

If a landlord is a company then the registered number of that company (CRO) must be provided.

Note 5 (Section 6 – Tenants)

The landlord is required to make a reasonable attempt to provide the tenant's/tenants' PPSN and Date of Birth, but where they are unable to attain this information, they must indicate this on the registration application. PPSN for the tenant assists with enforcement should a dispute arise.

Note 6 (Section 10 – Fees & Payment Details)

Ensure that you have included the correct fee. Fees paid by cheque, postal order or bank draft should be made payable to the RTB. The cheque should be crossed.

Note 7 (Trustee of Pension Funds)

If the landlord is a trustee of a pension fund then the details of that should be entered in the space entitled "Additional Title" provided, in the format "Trustee of XYZ Pension Fund".

Regulation 4

Part 2
Schedule 2

Regulation 4



<<osds_name>>
 <<osds_correspondenceunitnumber>>
 <<osds_correspondenceaddressline1>>
 <<osds_correspondenceaddressline2>>
 <<osds_correspondenceaddressline3>>
 <<osds_correspondenceaddressline4>>
 <<osds_correspondenceaddressline5>>
 <<osds_correspondencecounty_osds_name>>
 <<osds_correspondencecountry_osds_name>>
 <<osds_correspondenceeircode>>

<<osds_registration_modifiedon_ovalue>>

This letter is important and should be kept in a safe place.

Your Reference RT Number is: <<osds_registration_osds_name>>
(Please quote this reference in all future communications regarding this tenancy with the Residential Tenancies Board)

Dear [],

Thank you for your application and fee, if applicable, under section 134 of the Residential Tenancies Act 2004, as amended. The tenancy which commenced on <<osds_registration_osds_commencementdate_ovalue>> has been registered with the Residential Tenancies Board (RTB) and relates to:

<<osds_name>>
 <<osds_registration_osds_dwelling_osds_fulladdress>>

Section 132 of the Residential Tenancies Act 2004 provides that either party to a tenancy may request a copy of the entry in the Register of Tenancies. This application must be made in writing. Please note that the RTB will request such information as is considered necessary to confirm the identity of the person making an application under section 132.

From 4 April 2022, section 134 of the Act requires landlords to register tenancies with the RTB upon commencement and each year thereafter, for so long as they exist. The RTB will make contact with you each year to remind you to register each tenancy.

This letter does not constitute proof of the tenancy or the terms thereof but is merely a confirmation that the tenancy has been registered on foot of the registration particulars provided.

Go to the following web page www.rtb.ie/images/uploads/general/Good_Landlord_Tenant_Guide_V4.pdf for the guide titled "The Good Landlord Tenant Guide". The RTB would encourage you to read this guide and inform yourself of your rights, responsibilities, and obligations. It is also a useful reference throughout the tenancy should any issues arise. Landlords are encouraged to resolve disputes directly with their tenant(s) if issues arise. If this is not possible, a landlord may be entitled to refer a dispute to the Board under section 78 of the Residential Tenancies Act 2004 relating to, for example:

- Rent set under a tenancy or in respect of the rent determined on foot of a review;
- Rent arrears;
- Over-holding in the property;
- Anti-social behaviour.

Please note that details in relation to the tenancy may be disclosed to the Revenue Commissioners under section 147A of the Residential Tenancies Act 2004.

It is the obligation of a landlord under section 139 of the Act to notify the RTB of any alteration of the rent payable under a tenancy within 1 month following the date when the new rent amount applies. You can up-date the rent by logging into your online account and editing the registration to reflect the new rent. Alternatively, you can download the prescribed Tenancy Update Form which is available on the RTB website www.rtb.ie.

Enclosed is a useful statement that provides information on the Residential Tenancies Act 2004, as amended, including the rights and obligations of landlords and tenants.

Yours sincerely,



Clodagh Memery
Assistant Director, Head of Registrations and Customer Service
Residential Tenancies Board

The RTB respects your privacy and is committed to complying with Data Protection law. For information on how the RTB handle your personal data, please refer to the RTB Privacy Statement at www.rtb.ie/privacy-statement.

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<<osds_name>>
<<osds_registration_osds_dwelling_osds_unitnumber>>
<<osds_registration_osds_dwelling_osds_addressline1>>
<<osds_registration_osds_dwelling_osds_addressline2>>
<<osds_registration_osds_dwelling_osds_addressline3>>
<<osds_registration_osds_dwelling_osds_addressline4>>
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<<osds_registration_osds_dwelling_osds_county_osds_name>>
<<osds_registration_osds_dwelling_osds_country_osds_name>>
<<osds_registration_osds_dwelling_osds_eircode>>

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DateTime Field

This letter is important and should be kept in a safe place

Your Reference RT Number is: <<osds_registration_osds_name>>
(Please quote this reference in all future communications regarding this tenancy with the Residential Tenancies Board)

Dear Tenant,

It is the responsibility of landlords to register residential tenancies with the Residential Tenancies Board (RTB) under the Residential Tenancies Act 2004. I wish to inform you that your landlord has registered your tenancy which commenced on [date] with the RTB. The RTB will remind your landlord to register this tenancy each year for so long as it exists.

Section 132 of the Residential Tenancies Act 2004 provides that either party to a tenancy may request a copy of the entry in the Register of Tenancies. This application must be made in writing. Please note that the RTB will request such information as is considered necessary to confirm the identity of the person making an application under section 132.

This letter does not constitute proof of the tenancy or the terms thereof but is merely a confirmation that the tenancy has been registered on foot of the registration particulars provided.

Go to the following web page:

www.rtb.ie/images/uploads/general/Good_Landlord_Tenant_Guide_V4.pdf for the guide titled "The Good Landlord Tenant Guide". The RTB would encourage you to read this guide and inform yourself of your rights, responsibilities and obligations. It is also a useful reference throughout the tenancy should any issues arise. Tenants are encouraged to resolve disputes directly with their landlord(s) if issues arise. If this is not possible, tenants may be entitled to refer a dispute to the Board under section 78 of the Residential Tenancies Act 2004 relating to, for example:

- Rent set under a tenancy or in respect of the rent determined on foot of a review;
- Validity of Notice of Termination;
- Retention of deposit by landlord at end of tenancy; and
- Failure by landlord to maintain or repair property or comply with terms of lease.

Details in relation to the tenancy may be disclosed to the Revenue Commissioners under section 147A of the Residential Tenancies Act 2004.

Please find enclosed a useful statement that provides information on the Residential Tenancies Act 2004, as amended, including the rights and obligations of tenants and landlords.

Yours sincerely,



Clodagh Memery
Assistant Director, Head of Registrations and Customer Service
Residential Tenancies Board

The RTB respects your privacy and is committed to complying with Data Protection law. For information on how the RTB handle your personal data, please refer to the RTB Privacy Statement at www.rtb.ie/privacy-statement.

This statement provides information on the Residential Tenancies Act 2004, as amended, including a summary of the key rights and obligations of landlords and tenants.



LANDLORD OBLIGATIONS

General

A landlord must:

1. Register the tenancy with the RTB upon its commencement and thereafter, annually within 1 month of the anniversary of the commencement date;
2. Allow the tenant to enjoy peaceful and exclusive occupation;
3. Comply with minimum standards prescribed by law for rented properties (e.g. in relation to appliances);
4. Not charge anyone more than 1 month's rent or a deposit equal to more than 1 month's rent for the purpose of securing a tenancy. In addition, a tenant cannot be charged more than 1 month's rent in advance during the course of the tenancy.
5. Return the tenant's deposit promptly at the end of the tenancy, less any amount for rent arrears, lawful charges or damage beyond normal wear and tear.
6. Notify the tenant of any authorised agent. Provide contact details for the landlord/the landlord's authorised agent, which the tenant can use to make contact during reasonable times.
7. Maintain the structure of the property and carry out any repairs needed to the structure and interior;
8. Reimburse the tenant for repairs where the landlord has failed or refused to carry out such repairs within a reasonable time.
9. Provide, where possible, suitable bins for refuse outside the property (e.g. exception applies where a management company is responsible for refuse);
10. Insure the structure of the property;
11. Forward the management company of the dwelling any written complaint about it from the tenant and provide any response to the tenant.
12. Enforce the obligations of a tenant (an obligation owed to third parties, e.g. a neighbour).

Rent setting

1. A landlord cannot set the rent above market rent and if the property is in a rent pressure zone (RPZ), the rent can also not be greater than permitted by the RTB's RPZ calculator. (Limited exemptions apply to the RPZ rent control).
2. If the property is in an RPZ, a landlord must inform the tenant in writing, at the start of the tenancy, of the amount of rent set under the previous tenancy, the date it was set and how it was calculated.
3. Unless there has been a substantial change in the nature of the accommodation since the last rent setting that warrants a different rent, a rent review cannot be carried out more than once: every: (i) 12 months if the property is in an RPZ, and (ii) 24 months if the property is outside an RPZ.
4. To change the rent, a landlord must serve a notice of rent review on the tenant in the prescribed form. 90 days' notice of the new rent must be given. Forms can be found on www.rtb.ie.

5. A landlord must inform the RTB if relying on an exemption to the RPZ rent control by filling out a notice in the prescribed form and sending it to the RTB.
6. If a landlord changes the rent, the landlord is obliged to inform the RTB of this within one month.

(Different rent setting rules apply to Approved Housing Body (AHB) and Cost Rental tenancies. Please visit www.rtb.ie for useful information and a RPZ calculator to help calculate a lawful rent).

TENANT OBLIGATIONS

A tenant must:

1. Pay the rent and any other lawful charges payable to the landlord under the tenancy (even if there is a dispute before the RTB).
2. Notify the landlord / the landlord's agent of any repairs needed.
3. Allow the landlord (or a person acting on the landlord's behalf) reasonable access to the property to inspect it and to carry out repairs.
4. Not cause a deterioration in the condition of the property beyond normal wear and tear and must reimburse the landlord if this occurs.
5. Not use the property for commercial purposes.
6. Not alter or improve the property without the landlord's written consent.
7. Not behave in a way that is anti-social or allow others to act in this way.
8. Not do anything that would invalidate the landlord's insurance (or allow others to do this). Pay any increase in the insurance premium resulting from the tenant's conduct.
9. Not assign or sub-let without the landlord's written consent. (AHB or Cost Rental tenants are not permitted to assign or sublet).
10. Not do anything that would cause the landlord to breach the landlord's legal obligations in relation to the dwelling/tenancy.
11. Inform the landlord in writing of the identity of all occupants (excluding other tenants).

SECURITY OF TENURE

The law gives tenants protections over how long the tenant can remain in the property. These are known as 'Part 4 tenancy' rights. Part 4 tenancies can only be ended on limited grounds (see below).

Tenancies commencing prior to 11 June 2022

If a tenancy commences prior to 11 June 2022 and the tenant has remained in occupation for 6 months (without a valid notice of termination being served), the tenant acquires the right to stay in the property for a further 5½ years. Prior to 11 June 2022, unless the tenancy is terminated in accordance with the law at the end of that 6-year period, the tenant will have acquired 'further Part 4 tenancy' rights - the right to stay in the property for another 6-year period. These 6-year cycles will have continued unless the tenancy was validly terminated.

Tenancies after 11 June 2022

If a tenancy commences on or after 11 June 2022 new rules apply. The 6 year tenancy cycles referred to above will be replaced by tenancies of unlimited duration (also known as Part 4 tenancies). This means:

1. For all new tenancies that commence on or after 11 June 2022 where the tenant has remained in occupation for 6 months (without a valid notice of termination being served), the tenant will have a right to remain in the property for an unlimited duration.
2. For all tenancies existing on 11 June 2022, the landlord can consent (in writing) to the tenancy becoming a tenancy of unlimited duration. If the landlord does not consent, the tenancy will continue under the pre-11 June 2022 rules but instead of becoming a further Part 4 tenancy (at the end of a 6 year tenancy), the tenancy will automatically transition to become a tenancy of unlimited duration.

The rules at 1 and 2 above, are subject to the landlord's right to end the tenancy in accordance with the law.

Exceptions

Tenants (and licensees) of student specific accommodation and tenants in other limited circumstances are not protected by 'Part 4 tenancy' rights. For further details on security of tenure, please visit www.rtb.ie

ENDING A TENANCY

Notices and notice periods

If a landlord or a tenant wish to end a tenancy they must in all cases (regardless of the circumstances) serve a valid notice of termination giving the required period of notice. Shorter notice periods apply if the landlord or tenant has breached his/her obligations. Warning notices must first be served where there is a breach of obligation, except in serious cases of anti-social behaviour or where there is a serious risk to a person or the property. A landlord's warning notice to a tenant who has failed to pay rent must be copied to the RTB. Landlords must also submit to the RTB a copy of their notice of termination, not later than 28 days after the expiry of the notice period.

Visit www.rtb.ie for information on terminating a tenancy and sample notices of termination which contain the details required to comply with the law.

First 6 months - the landlord or tenant may end the tenancy during the first 6 months without giving a reason.

6 months plus (Part 4 tenancies)

A tenant can end a tenancy that is greater than 6 months old at any stage. The tenant is not required to give a reason but must still give the minimum notice period required by law and serve a notice of termination.

A landlord can only end a tenancy that is greater than 6 months (and which is a Part 4 tenancy) on limited grounds:

1. Breach of obligation by the tenant;
2. Failure by the tenant to pay rent;
3. The property is no longer suitable for the accommodation needs of the tenant and of any persons residing with him/her;
4. The landlord intends to sell the property within 9 months of termination;
5. The landlord requires the property for his/her own occupation or occupation by a family member;

6. The landlord intends to substantially refurbish or renovate the property
7. The landlord intends to change the use of the property.

Ground 5 does not apply to AHB tenancies. Grounds 4 - 7 do not apply to Cost Rental tenancies.

DISPUTES

The RTB provides a dispute resolution service for landlords and tenants. These services include a free and highly successful mediation service. Disputes can also be determined by an independent adjudicator for a small fee.

Dispute type

Most residential landlord and tenant disputes may be referred to the RTB - e.g. disputes in relation to the rate of rent initially set or following a rent review, arrears of rent or other charges, breach of obligation, tenancy terminations, overholding, the return of a deposit, landlord's failure to re-let a dwelling to a tenant where required and the penalisation of a tenant by a landlord.

Timelines

Some disputes must be referred to the RTB within specific timelines. For example, a dispute in relation to:

- ▶ a notice of termination - within 28 days of receipt of the notice.
- ▶ a notice of rent review - before the new rent becomes payable or within 28 days of receiving the notice (whichever is later).

Redress

Adjudicators (and tenancy tribunals on appeal) have powers to determine a dispute and make declarations and provide relief as considered appropriate (e.g. direct that an amount of rent be paid or a property be vacated). Damages may also be awarded as compensation.

Monetary awards are capped:

- ▶ damages - €20,000; and/or
- ▶ arrears of rent or other charges - €20,000 or twice the annual rent whichever is higher but subject to a maximum of €60,000.
- ▶ Up to €1,000 may also be payable to a party for costs/expenses.

SANCTIONS

The RTB has an investigation and sanctions unit dedicated to investigating certain breaches of the residential tenancy law by landlords ("Improper Conduct"). Improper conduct includes failing to register a tenancy and setting the rent above permitted levels in RPZs. If improper conduct is found a landlord could receive a caution, a fine of up to €15,000 and/or be liable for up to €15,000 in RTB costs.

DATA EXCHANGE

The RTB may disclose details in relation to a tenancy to the local authorities, Department of Social Protection and the Revenue Commissioners.

PRIVACY

The RTB respects your privacy and is committed to complying with Data Protection law. For information on how the RTB handle your personal data, please refer to the RTB Privacy Statement at www.rtb.ie/privacy-statement.

Part 3

Tenancy Update Form



(as per Section 139 of the Residential Tenancies Act 2004)

The purpose of this form is to capture updates since the most recent registration of the tenancy so that the Register of Tenancies which is held by the Residential Tenancies Board is accurate.

Part A – Confirm Tenancy Details

1. **RT Number**
(Registered Tenancy Number) or
Landlord PPS number or CRO number:
2. **Landlord Name:**
3. **Rented Dwelling Address:**
4. **Eircode:**

Part B – Rent Amount Update *(if applicable)*

(If there is no change to the rent please proceed to parts C, D and E)

5. **Previous Rent Amount:**
6. **New Rent Amount:**
7. **Date from when new Rent applies:**

Part C – Add/Remove a Tenant

If you are updating the tenancy with a new tenant, please provide the Name and move-in date of the new tenant in the space below. If the tenant has provided you with a PPSN, please also provide the tenant's date of birth (if available) and contact details, this can also be entered here. If you are removing a tenant, please provide the name and move-out date for each tenant. If you require more space for your update, please use an additional form.

8. **Add New Tenant Details:**
9. **Tenant to be Removed:**

Part D – Add/Remove a Landlord

If you are updating the tenancy with regard to a landlord, please provide the Name, Date of Birth, PPS Number/CRO Number, Residential Address, Correspondence Address and Mobile Number of the new landlord in the space below. If there is an entirely new owner for this property you will need to provide additional information and should contact us at registrations@rtb.ie for further information.

10. Add New Landlord Details:

11. Landlord to be Removed (if any):

Part E – Add/Remove Authorised Agent

If you are updating the tenancy with regard to an authorised agent, please provide the Name, Date of Birth, PPS Number/CRO Number, Correspondence Address and Mobile Number of the new authorised agent in the space below.

12. Add New Authorised Agent Details:

13. Authorised Agent to be Removed (if any):

Part F – Add/Remove Management Company

If you are updating the tenancy with regard to a management company, please provide the Company Name, and CRO Number of the new management company in the space below.

14. Add New Management Company Details:

15. Management Company to be Removed (if any):



Part G – No longer Own/No longer Letting the Dwelling

If you are no longer the owner of, or are no longer letting out, the rented dwelling concerned, please tick the box below beside the appropriate statement and the RTB will amend the Register of Tenancies accordingly. Please only tick one box.

16. I am no longer the owner of this dwelling:
17. I am no longer letting out this dwelling, but I am still the owner:
18. I am no longer one of the named landlords on this tenancy:

Part H – Update of Other Tenancy Details

If there have been any other changes to the tenancy details since the registration of this tenancy with the RTB, please specify the details below and the RTB will amend the Register of Tenancies accordingly.

19.

Notes:

Updates to the Rent Amount should be received by the RTB **within one month after the date the new rent becomes payable.**

Landlords seeking to rely on an exemption from the rent increase restriction in Rent Pressure Zones (RPZs) when reviewing the rent are required to submit notification of this to the RTB within one month of the new rent being set. A form is available at www.rtb.ie to submit this notification of exemption to the RTB.

No fee is payable for an update to a tenancy. If a new tenancy registration is required, you can get a Tenancy Registration Application (RTB1) Form at www.rtb.ie.

Tenancy updates can also be completed through our online registrations facility. If you have an online account, or would like to create one, you can do so at www.rtb.ie.

Completed Forms should be returned to the address below or emailed to registrations@rtb.ie

Name:

Landlord/Authorised Agent (block capitals)

Signed: Date: / /

Landlord/Authorised Agent

Please send this form and any relevant documentation to:

Residential Tenancies Board
PO Box 47
Clonakilty, Co. Cork

Or by email to:
Registrations@rtb.ie

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations prescribe:

-in Part 1 to the Schedule, the application form to be furnished to the Residential Tenancies Board (RTB) by a landlord or by his or her authorised agent for the purposes of section 134 of the Residential Tenancies Act 2004 (No. 27 of 2004), as amended, when registering a tenancy of a dwelling (or a licence in student specific accommodation);

-in Part 2 to the Schedule, the letters and statement to be sent by the RTB to the landlord and the tenant upon the registration of a tenancy (or a licence in student specific accommodation) for the purposes of section 135(4) of the Residential Tenancies Act 2004 (No. 27 of 2004));

-in Part 3 to the Schedule, the information to be furnished by a landlord to the RTB for the purposes of section 139 of the Residential Tenancies Act 2004 (No. 27 of 2004) where a landlord is updating the register regarding the tenancy of a dwelling (or a licence in student specific accommodation).

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
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