**Changes Commenced 9TH MAY 2016**

**1.    Additional proofs required by Landlord in certain instances to terminate tenancy**

Amendments have been made to Sections 34 and 35 (reasons to terminate a part 4 tenancy) of the 2004 Act, as detailed below:

(i)      [**Accommodation needs reason**](http://www.rtb.ie/dispute-resolution/dispute-resolution/sample-notices-of-termination) – a written statement must accompany the Notice of Termination specifying the bed spaces in the dwelling and setting out grounds as to why the dwelling is no longer suitable having regard to the bed spaces and the size and composition of the occupying household.

(ii)    [**Intending to sell**](http://www.rtb.ie/dispute-resolution/dispute-resolution/sample-notices-of-termination)within 3 months of the termination of the tenancy – the three month period must be set out in the Notice and the Notice must be accompanied by a Statutory Declaration confirming this intention.  The Statutory Declaration must contain a declaration that the landlord intends to enter into an enforceable agreement to transfer to another, for full consideration, of the whole of his or her interest in the dwelling or the property containing the dwelling.

(iii)   [**Dwelling intended for own or family use**](http://www.rtb.ie/dispute-resolution/dispute-resolution/sample-notices-of-termination) – the Notice must contain or be accompanied by a Statutory Declaration confirming the intended occupant’s identity and (if not the landlord) their relationship to the landlord and the expected duration of that occupation.  The **statutory declaration** must also confirm that the landlord is required to offer a tenancy to the tenant if the contact details under Section 35 of the Act are provided and the dwelling is vacated within a period of 6 months from the termination date.

(iv) [**Substantially refurbish or renovate** **reason**](http://www.rtb.ie/dispute-resolution/dispute-resolution/sample-notices-of-termination) – the notice must contain or be accompanied by a written statement specifying the nature of the intended works to be carried out and where planning permission is required a copy is to be provided. Where no planning permission is required the statement must set out the name of the contractor (if any), the dates on which the works are to be carried out and the proposed duration of those works.  The **statement**must also confirm that the landlord is required to offer a tenancy to the tenant if the contact details under Section 35 of the Act are provided and the dwelling becomes available within a period of 6 months from the termination date**.**

(v) [**Change of Use reason**](http://www.rtb.ie/dispute-resolution/dispute-resolution/sample-notices-of-termination)– the notice must contain or be accompanied by a statement specifying the nature of the intended use and where planning permission is required to provide a copy of the permission. The statement must provide details of the works to be carried out, identify the contractor, if any, and the dates and expected duration of the works.

(vi) [**Breach of Obligations reason**](http://www.rtb.ie/dispute-resolution/dispute-resolution/sample-notices-of-termination) – There is no change to this reason which provides that where one of the parties has failed to comply with their obligations, they must first be notified of the breach and given an opportunity to remedy it.

***2.*Rent Reviews**

The notice of new rent is required to comply with the form prescribed by the Minister.

* It must state the amount of new rent and the date from which is to have effect.
* It must include a statement that a dispute must be referred to the Board on the expiry of 28 days from the receipt by the tenant of that notice or the date the new rent takes effect.
* It must include a statement by the landlord that it is their opinion that the new rent is not greater than market rent having regard to –
  + The other terms of the tenancy
  + Letting values of dwellings of a similar size, type and character and situated in a comparable area
  + It must specify the rent amount for three comparable dwellings of a similar size, type and character and situated in a comparable area
  + It must include the date on which the notice is signed
  + It must be signed by the landlord or his/her authorised agent

***3.***[**Anti-Social Behaviour**](http://www.rtb.ie/dispute-resolution/third-party-applications)

A third party may refer a case to the RTB in relation to anti-social behaviour where they are or were directly and adversely affected by the landlords failure to enforce their tenants obligations in relation to anti –social behaviour.

The third party may request one of the following to communicate with the landlord or former landlord on their behalf or submit a case on their behalf:

* An owners’ management company in a multi-unit development
* A body corporate
* A body of persons who have as one of their principle objectives the promotion of the safety and security of the dwellings and the persons residing in the vicinity of the dwelling containing the tenancy concerned, such as a residents association or a neighbourhood watch group

***4.*Additional Requirements for**[**Tenancy Registration**](http://www.rtb.ie/landlords/registering-a-tenancy-what-you-need-to-provide)**Confirmation**

The tenancy registration confirmation letter must now be in the prescribed form and must:

* Acknowledge receipt of the application
* Acknowledge receipt of the registration fee
* Specify the Registered Tenancy (RT) number
* Include information setting out
  + The rights and obligations of [landlords](http://www.rtb.ie/landlords/rights-responsibilities-obligations) and [tenants](http://www.rtb.ie/tenants/rights-responsibilities-obligations) including
    - The setting of the rent, a review of the rent and the notice of new rent
    - Security of tenure under Part 4
    - The termination of tenancies
* Matters which may be referred to the board for dispute resolution including
  + Complaints in respect of the amount of rent initially set
  + Complaints in respect of the amount of rent determined on foot of a review
* Redress that may be granted by the Board and specifying the amount of damages that an adjudicator or Tribunal may direct be paid to a party in respect of the matter
* The function of the Board to disclose particulars of the registration to the Revenue Commissioners

[Table containing all Legislative Changes to date](http://www.rtb.ie/docs/default-source/press-releases/legislative-changes-to-date.docx?sfvrsn=2)