

3 Please indicate if you are a Tenant(s), Landlord(s), Agent/Representative or Third Party Applicant(s): *(insert tick in appropriate box and insert details at relevant sections below)*

Tenant(s) Private Landlord(s) Third Party Approved Housing Body (AHB)

Note: 'Landlord' and 'Tenant' includes the former Landlord and Tenant of a terminated tenancy.

Note: A third-party is a person other than a tenant, landlord or agent and is not directly connected to the tenancy, e.g. a neighbour affected by a tenant's behaviour.

Note: Approved Housing Bodies, (also known as housing associations) are not-for-profit organisations whose purpose is the provision and management of housing for households in housing need. Approved Housing Bodies provide housing for low income families and individuals, elderly, people with disabilities and homeless people.

Agent/Representative

4 Tenant Details:

(Please read the accompanying notes before completing this form. Use CAPITAL LETTERS.

Write clearly and accurately within boxes. Do not join your writing)

First Name

Surname

If a Company, insert Company Name *(ensure the full and correct Company Name is inserted)*

Current Address

Eircode

Telephone

Mobile

Email

Tenancy Commencement Date / /

Tenancy End Date / /

PPSN (Personal Public Service Number)

5 Second Tenant Details*: (if any)

First Name

Surname

If a Company, insert Company Name (ensure the full and correct Company Name is inserted)

Current Address

Eircode

Telephone

Mobile

Email

Tenancy Commencement Date / /

Tenancy End Date / /

PPSN (Personal Public Service Number)

* If more than two Tenants, please photocopy this page and attach to application.

7 Agent/Receiver Details: *(Agent refers to Letting Agent representing a Landlord)*

Agent: where one party assents to another acting on his or her behalf, so as to affect relations with a third party.

I confirm I have the authority to act on behalf of the applicant(s) and my clients have full knowledge of an application being made on their behalf

Note: Where an application is lodged on behalf of another party **without** their knowledge and consent they make seek to take further legal action against the party purporting to act on their behalf.

First Name

Surname

If a Company, insert Company Name *(ensure the full and correct Company Name is inserted)*

Current Address

Eircode

Telephone

Mobile

Email

CRO *(Company Registration Number)*

8 Representative Details: *(if the Tenant/Landlord is being represented by another individual)*

Representative: where one party gives permission to another to act on his or her behalf in order to affect relations with a third party including making representations over the phone, in writing and in person.

I confirm I have the authority to act on behalf of the applicant(s) and my clients have full knowledge of an application being made on their behalf

Note: Where an application is lodged on behalf of another party **without** their knowledge and consent they make seek to take further legal action against the party purporting to act on their behalf.

First Name

Surname

If a Company, insert Company Name *(ensure the full and correct Company Name is inserted)*

Current Address

Eircode

Telephone

Mobile

Email

12 Please insert tick in appropriate boxes if enclosing any of the following documentation:

Note: All relevant documentation received in respect of this case will be copied to the other party. Any evidence or information that you do not wish to be circulated to other cases parties should be clearly noted. While evidence should be submitted to support claims made it is not necessary for parties to respond in writing to every submission received. Rebuttals and counter-arguments can be made by way of direct evidence in person at a hearing.

- Notice of Termination (**mandatory submission for validity of notice of termination cases**)
- Statement outlining why dwelling is no longer suitable for the needs of the tenants
- Statutory Declaration declaring intention to sell the dwelling
- Statutory Declaration declaring the landlord requires the dwelling for personal occupation or occupation of a family member
- Notice of rent arrears (28 day minimum) (**mandatory submission for rent arrears cases**)
- Notice of rent review (90 day notice) (**mandatory submission for applications disputing rent review**)
- Market rent quotes for three similar dwellings
- Form of notification of new rent to tenant
- Signed statement by tenant confirming they have been made aware of their rights
- Lease
- Rent book
- Rent receipts, bank statements
- Letter of authority to act on behalf of party (if Applicant is Agent/Representative)
- Receipts
- Gas bills, electricity bills, other utility bills
- Photographs
- Deed of Appointment
- Other documents

Note: The onus is on the party submitting evidence in the form of DVD, CD and MP3, etc. to ensure it is accessible. If submitting evidence in this format the case party must bring by a device upon which it can be accessed when attending a hearing. Please note, for security reasons, the RTB are unable to accept data sent to us via a link to a cloud storage platform such as iCloud, Dropbox, WeTransfer, OneDrive, etc. You must attach your evidence as documents to an email or send them via post.

13 Please indicate if any alternative legal remedy was already sought in respect of this matter:

Yes No (insert tick in appropriate box)

If **Yes**, please give details:

14 Please indicate if the tenancy in question is or has been the subject of a dispute with the RTB:

Yes No (insert tick in appropriate box)

If **Yes**, please give the dispute reference number:

15 Signature of Applicant(s): (ensure you have read all the notes on **page 13** - failure to sign the form will result in the application form and fee being returned)

Signature(s) Date / /

Signature(s) Date / /

Signature(s) Date / /

Signature(s) Date / /

Note: If applicant(s) do not sign this application form, it will be **deemed invalid** and **returned**.

16 Please indicate how you are paying the application fee of €25 *(insert tick in appropriate box)*

Cheque *(made payable to RTB)* Postal Order Bank Draft

For security purposes, the RTB cannot accept payment by cash.

Note: Please attach payment to this form. If the fee is not included the application will be deemed invalid and may be returned.

Due to the implementation of the EU Payment Services Directive (PSD2) and the additional checks that are required to authenticate credit/debit card payments, the RTB is unable to accept written credit/debit card details on application forms anymore from 1st January 2021. Should you wish to pay by card, you can do so online at **www.rtb.ie**.

NOTES ON APPLICATION FOR DISPUTE RESOLUTION SERVICE

Background

The Residential Tenancies Board provides a Dispute Resolution Service for Landlords, Tenants and Third Parties who are in dispute in relation to a residential tenancy. Landlords, Tenants and Third Parties may choose to have their dispute dealt with via mediation or adjudication. Mediation is offered via telephone or oral hearing and a trained mediator facilitates the parties involved to come to an agreement. Where no agreement is reached the dispute can be referred to be heard by a Tenancy Tribunal. When mediation is chosen both parties must agree to engage in the mediation process, if one party does not agree then the dispute may be referred for adjudication where an independent adjudicator reviews the evidence of the parties and makes a determination on the issues in dispute.

Questions 4 – 10

Please complete all of questions where appropriate, which simply ask you to provide details on the location and type of the dwelling in question, and the address and contact details of Landlord, Tenant, Agent, Representative and/or Third Party as appropriate, so that the RTB can contact all the relevant parties.

Please note that copies of all documentation received by the RTB in relation to the dispute, except for details in relation to debit/credit cards, will be made available to the other party(ies) involved. While further redaction of certain sensitive information may occur the onus is on the person submitting evidence or documents to ensure that any information they do not wish to be circulated is redacted.

Where a case party is a company please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Question 9 – Third Party Disputes

Where a person is affected by the failure of a Landlord to enforce their Tenant's obligations under the Residential Tenancies Act 2004 a Third Party may take a case to the RTB. This could arise where the behaviour of Tenants causes a nuisance to a neighbour of the Tenant in question. A Third Party must take all reasonable steps to resolve the matter with the parties before referring the dispute and details of these steps should be supplied at question 10.

Question 10 – Amount of the Rent

The amount of your current rent and how frequently it is paid is requested at question 11. You should include the amount of new rent only if an increase in the rent is being sought. Where a case concerns a review of rent you are required to submit the rent review notice.

Question 11

If your dispute is in relation to Validity of Notice of Termination your application must be submitted to the RTB within 28 days. If your dispute is in relation to Validity of Notice of Rent Review / Rent More than Market Rate your application must be submitted within 28 days or prior to a rent review taking effect (whichever is later). If your application is outside of these timeframes you must indicate why this is the case.

Where a case concerns the validity of a notice of termination / validity of rent review you are required to submit the notice.

Questions 15 and 16 – Applicant Signature(s) & Application Fee

There is no fee for Mediation. Where Adjudication has been chosen the RTB will not deal with the dispute until the referral fee has been paid and the applicant's signature is included on the application form. The fee may be paid by cheque, postal order, or bank draft. Due to the implementation of the EU Payment Services Directive (PSD2) and the additional checks that are required to authenticate credit/debit card payments, the RTB is unable to accept written credit/debit card details on applications anymore from 1st January 2021. Should you wish to pay by card, you can do so online at www.rtb.ie. Cash should not be sent by post.

Return of Application Form

Having completed all relevant sections of the form and attached any relevant documentation, cheque/postal order/bank draft proof, please return to:

The Dispute Resolution Section, Residential Tenancies Board, PO Box 47, Clonakilty, Co Cork