

Notice of Termination

(The dwelling is no longer suitable to the accommodation needs of the tenant)

Where a Part 4 tenancy is in place, regardless of the expiry of a fixed term lease, the tenancy may only be terminated by the landlord pursuant to Section 34 of the Residential Tenancies Act (as amended) for the below listed reasons:

1. The tenant has failed to comply with the obligations of the tenancy (having first been notified, in writing, of the failure, and given an opportunity to remedy it.)
2. The landlord intends to sell the dwelling within the next 3 months
3. The dwelling is no longer suited to the needs of the occupying household
4. The landlord requires the dwelling for own or family member occupation (*not applicable to Approved Housing Bodies*)
5. Vacant possession is required for substantial refurbishment of the dwelling
6. The landlord intends to change the use of the dwelling

For the last 3 listed grounds, the termination notice must contain certain additional details as specified in the Act relating to the tenant being given first refusal to resume the tenancy should the dwelling become available for re-letting.

SAMPLE NOTICE OF TERMINATION

To: **(INSERT NAME)**

Your tenancy of the dwelling at **(Insert Address of Rented Dwelling)** will terminate on the **XX/XX/XX**. You must vacate and give up possession of the dwelling on or before the termination date. The reason for the termination of the tenancy is due to the fact that the dwelling is no longer suited to the needs of the occupying household

You have the whole of the 24 hours of the termination date to vacate and give up possession of the above dwelling.

Any issue as to the validity of this notice or the right of the landlord to serve it, must be referred to the Residential Tenancies Board under Part 6 of the Residential Tenancies Acts 2004 to 2015 within 28 days of the date of receipt of it.

This notice is served on the **XX/XX/XXXX**.

Signed:

A. N. Other

Landlord

In order to ensure that there is no delay on returning the deposit, I would suggest carrying out inspections on (INSERT DATE) and (INSERT DATE) at (INSERT TIME). Please let me know if this time is convenient for you.

Please note - In respect of a Notice of Termination, for counting purposes Day 1 begins on the day immediately following the date of service of the notice. The RTB recommend that you give additional days when calculating the required notice period to ensure sufficient notice is provided. The following examples give a couple of additional days.

A Notice of Termination using the reason that the dwelling is no longer suitable to the needs of the tenant(s) to terminate the tenancy must now be accompanied by a written statement specifying:

- Number of Bed Spaces in the dwelling, e.g. a double bed is two bed spaces
- The reasons as to why the dwelling is no longer suitable having regard to the bed spaces and the size and composition of the occupying household
- The statement must be in writing, dated and signed by the landlord or his or her authorised agent

Ground two of the Table to section 34 states:

The dwelling is no longer suitable to the accommodation needs of the tenant and of any persons residing with him or her having regard to the number of bed spaces contained in the dwelling and the size and composition of the occupying household and the notice of termination is accompanied by a statement referred to in section 35