

Application to Appeal the Decision from an Adjudication or to refer a Mediation to a Tribunal



The Tribunal Section
Residential Tenancies Board
PO Box 47,
Clonakilty,
Co Cork.

Tel: 0818 30 30 37 or 01 702 8100

Fax: 0818 30 30 39

E-mail: tribunals@rtb.ie

Website: www.rtb.ie

Please read carefully before completing this form.

1. An appeal/referral to a Tribunal must be made within the time period calculations set out below. These are in accordance with Sections 100 and 97 of the RTA 2004.

2. Calculation of the appeal period

Adjudication

The date the adjudication report is delivered to your address is deemed to be day 1 of the 10 working day appeal period. An Appeal of the adjudicator's decision must be signed, dated and either emailed, posted or hand delivered to the RTB on or within 10 working days. Where an appeal form arrives after day 10 a certificate of postage will have to be provided proving it was posted before day 10. Please note though that where an agreement is reached at adjudication the 'cooling off' period is 10 days from the date the agreement was made (i.e. the date of the adjudication hearing) and if one or either of the parties wishes to refer the case to a Tenancy Tribunal they must do so within the 10 day cooling off period.

Mediation

Where one or either of the parties who participated in the mediation process wishes to refer the case to a Tenancy Tribunal they must do so on or within 10 days of the completion of the mediation. The 10 days is inclusive of Sundays and Bank Holidays. If day 10 falls on a Sunday or Bank Holiday, then the form, if posted, must be posted prior to the 10 day deadline. For example, if day 10 is on a Sunday, then the last day you can post it is on the Friday before, so it will be received by the RTB on the Monday. Where an appeal form arrives after day 10 a certificate of postage will have to be provided proving it was posted before day 10.

The RTB utilise An Post's Track and Trace service to determine the date the Report was delivered to parties. The onus is on parties to ensure the appeal application, including the fee, is received by the RTB within the permitted period. Please note that the RTB will only grant a late appeal in exceptional circumstances with supporting evidence.

3. If paying by credit/debit card please ensure that you have completed the mandate on page 7.

4. Pages 2 - 4 (Sections 2, 3 & 4) can be photocopied as required if more than two appellants are completing this form.

Insert case reference number	
Dispute Reference	DR <input type="text"/>

RTB OFFICE STAMP

(DATE RECEIVED)

2 - Details of person making the appeal: Please use CAPITAL LETTERS

Use CAPITAL LETTERS. Write clearly and accurately within boxes. Do not join your writing.

Mr. Mrs. Ms. (insert in appropriate box)

First Name:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Surname:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

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

Address:

Eircode:

--	--	--	--	--	--	--	--	--	--

Telephone No.:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Mobile:

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Email:

PPSN (Personal Public Service Number) OR CRO (Company Registration Number):

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

RTB AHB Reference Number (if appellant is an Approved Housing Body landlord):

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4 - Agent/Receiver/Representative Details (if there is one): Please use CAPITAL LETTERS

Mr.

Mrs.

Ms.

(insert ☒ in appropriate box)

First Name:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Surname:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

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

Address:

Eircode:

Telephone No.:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Mobile:

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Email:

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

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

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

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

6 - Language and/or special requirements/accessibility requests for the day of the hearing

Do you require an interpreter/translator? Yes No (insert in appropriate box)

If Yes, please state what language:

Do you have any special requirements/accessibility requests for the day of the hearing?

7 - Please indicate below the Dispute category which most closely relates to this appeal

Please note that you can only select a dispute type that was on the original dispute application form (insert in appropriate box)

Rent Arrears <input type="checkbox"/>	Validity of notice of termination (if you are disputing the validity of a termination notice issued) <input type="checkbox"/>	Rent more than market rate <input type="checkbox"/>
Overholding (where a tenant did not vacate after valid Notice of Termination) <input type="checkbox"/>	Unlawful Termination of Tenancy (illegal eviction) <input type="checkbox"/>	Validity of notice of rent review <input type="checkbox"/>
Damage in excess of normal Wear and Tear <input type="checkbox"/>	Deposit retention <input type="checkbox"/>	Rent review not in line with rent pressure zone <input type="checkbox"/>
Breach of Fixed Term Lease <input type="checkbox"/>	Standard and maintenance of dwelling <input type="checkbox"/>	
Anti-Social Behaviour <input type="checkbox"/>	Breach of Landlord obligations <input type="checkbox"/>	
Breach of Tenant obligations <input type="checkbox"/>	Other <input type="checkbox"/>	

8 - Has this tenancy been the subject of a previous dispute with the RTB?

Yes No (insert in appropriate box)

If Yes, please give previous dispute reference number

DR

FOR MEDIATION ONLY

No agreement reached during mediation

Partial agreement reached at mediation

Agreement reached at mediation has broken down

9 - Please state the grounds for your appeal - Please use CAPITAL LETTERS

Please submit any relevant document(s) in your possession in support of your appeal. If you have already submitted these for your dispute case there is no need to re-submit, however, you need to make reference to them at the Tribunal.

10 - Signature of Appellant(s) or Representative(s) (with authority)

Print Name	Signature	Date (DD/MM/YYYY)								
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11 - Please indicate how you are paying the application fee of €100 (insert in appropriate box)

Cheque (made payable to RTB)

Postal Order

Debit or Credit Card (insert card details below)

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

Note: If the fee is not included the form will be returned.

If you wish to pay your application fee by credit/debit card please complete the details below:
(insert in appropriate box)

Card Type:

Visa

Mastercard

Debit Card

Name of Cardholder:

Address *:

Eircode:

Card Number:

CVV / CVS Number:

Expiry Date (M M / Y Y):

/

Please debit my account by:

Cardholder Signature:

Date (D D / M M / Y Y Y Y):

/

/

* Please ensure your address is the same as on your bank/credit card statement.

Return of Application Form:

Your completed appeal form and fee should be addressed to:

The Tribunal Section
Residential Tenancies Board
PO Box 47
Clonakilty
Co. Cork

Or can be emailed to tribunals@rtb.ie

Checklist :

Have you filled in the following information:

- Your own details
- The details of any additional person taking the appeal/referral
- The details of your Representative/Receiver/Agent (if appropriate)
- Details of the case on page 5 (case type, etc.)
- Grounds for the appeal
- Signed the application
- Included payment – credit/debit card details or cheque/postal order

Please note that it is an offence to knowingly or recklessly furnish false or misleading information to the RTB. If found guilty a person shall 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.