

Application for Dispute Resolution Services - **Mediation**

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://www.rtb.ie/privacy-statement>

1 Mediation

Mediation is a fast, simple, convenient and efficient option for resolving issues. This free service provided by the RTB is to give landlords and tenants a shared understanding any issues so they can work towards reaching a mutually satisfactory outcome and agreement. The mediator acts as a neutral facilitator and supports each party through the process, explaining each step of the process whilst informing parties on their rights and responsibilities.

2 Do you require an interpreter/translator?

Yes ☐ No ☐ (insert tick in appropriate box)

Note: Please be aware that a translator cannot advise or assist with your dispute.

If **Yes**, please state what language

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3 Please indicate what type of Applicant you are?

(insert tick in appropriate box and insert details at relevant sections below)

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

Agent/Representative ☐

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.

4 Applicant Details:

(Please read the accompanying notes before completing this form. Use CAPITAL LETTERS. Write clearly and accurately within boxes. Do not join your writing)

[illegible][illegible]

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

[illegible][illegible][illegible]

Eircode

[illegible][illegible][illegible]

Tenancy End Date / /

PPSN (Personal Public Service Number)

5 Second Applicant details*: (if any)

First Name

Surname

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

[illegible]

Current Address

Eircode

Telephone

Mobile

Email

Tenancy End Date

PPSN (Personal Public Service Number)

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

6 Respondent Details*:

[illegible][illegible]

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

[illegible][illegible][illegible][illegible][illegible]

Eircode

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[illegible][illegible][illegible][illegible]

OR CRO (Company Registration Number)					
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*if more than two respondents, please photocopy this page and attach to application.

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

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)*

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 may 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

9 Third Party Details*:

(where the case is being taken by a person other than the Tenant or Landlord, e.g. neighbour who is affected by the Tenant's behaviour)

Note: The Act requires that a Third Party must take all reasonable steps to resolve the matter before referring it to the Board. Please outline briefly what steps you have taken up to now, in terms of contact with Tenant(s) and or Landlord. The RTB may in certain circumstances provide landlord contact details to assist parties in resolving problems amongst themselves.

[illegible][illegible][illegible]

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

[illegible][illegible][illegible]

Eircode

[illegible][illegible]

Email

* If more than one Third Party please photocopy this page and attach to application.

10 Address of Rented Dwelling under Dispute:

[illegible]

Eircode

Tenancy Registration Number:	R	T					-							
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Note: If the Landlord is taking the case, the tenancy, which is the subject of the dispute, must be registered with the RTB and that tenancy registration number (i.e. RT No. provided in confirmation letter issued by RTB following registration) must be provided above. If still awaiting a letter of confirmation please indicate the date registration form was submitted.

Tenancy Commencement Date: / /

Is the Landlord an Approved Housing Body? Yes ☐ No ☐ * see AHB on page 1

Confirm participation in AHB's internal complaints process Yes ☐ No ☐

Current Rent Amount	€	New Rent Amount <i>(if sought)</i>	€
Frequency of Payment <i>(insert tick in appropriate box)</i>	Monthly <input type="checkbox"/> Weekly <input type="checkbox"/>	Deposit Paid <i>(if any)</i>	€ <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>

11 Reason for Dispute: *(insert tick in one or more boxes)*

Rent Arrears <input type="checkbox"/>	Validity of notice of termination <i>(if you are disputing the validity of a termination notice issued)</i> <input type="checkbox"/>	Rent more than market rate <input type="checkbox"/>
Overholding <i>(where a tenant did not vacate after valid Notice of Termination)</i> <input type="checkbox"/>	Unlawful Termination of Tenancy <i>(illegal eviction)</i> <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 Tenant obligations <input type="checkbox"/>	Breach of Landlord obligations <input type="checkbox"/>	Other <input type="checkbox"/>

Please provide further details concerning your dispute which may assist your case:

12 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:

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

Yes ☐ No ☐ (insert tick in appropriate box)

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

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14 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)

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 Date

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Signature(s)

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 Date

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Signature(s)

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 Date

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Signature(s)

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 Date

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

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.

Adjudication is 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 questions where appropriate and provide details on the location of the dwelling in question, the addresses and contact details for the Applicant, Respondent, Agents, Representatives and Third Party, so the RTB can contact all the relevant parties.

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 tenancy and details of these steps should be supplied at question 9.

Question 10 – Amount of the Rent

The amount of your current rent and how frequently it is paid is requested at question 10. 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.

Return of Application Form

Having completed all relevant sections of the form, please return to:

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