

Schedule 1
Regulation 3

Notice served in accordance with section 22 of the Residential Tenancies Act 2004 (as amended)

Notice of Rent Review

The purpose of this notice is to inform you the tenant(s), that a review of the rent under your residential tenancy has been carried out and a new rent set on foot of that review. This notice states the amount of the new rent and the date from which it is to have effect.

Any dispute in relation to the new rent must be referred to the Residential Tenancies Board (RTB) under Part 6 of the Residential Tenancies Act 2004 before:

- (a)** the date the new rent becomes payable (this must be at least 90 days after the date of service of this notice); **or**
- (b)** the expiry of 28 days from the date that the tenant receives this notice, **whichever is the later date.**

Part A - Tenant Details*

Name of Tenant 1

Name of Tenant 2

Name of Tenant 3

Name of Tenant 4

**If there are more than four tenants, include details of these tenants on a separate page and attach to this notice.*

Part B - Dwelling Subject to Tenancy

1. RT Number:

(Registered Tenancy Number)

2. Address of Dwelling
Subject to Tenancy:

Eircode:

Part C - Landlord /Authorised Agent

3. Landlord's/Authorised Agent's name:
4. Landlord's/Authorised Agent's contact details:

Part D - Details of New Rent

5. Previous rent amount: €
6. Date last notice of rent review was served:
7. New rent amount: €

(For tenancies in Rent Pressure Zones (RPZs), please use the RTB Rent Pressure Zone calculator on the RTB's website (www.rtb.ie) to determine the maximum rent increase, if any, that can apply. Please print off or save a copy of the relevant calculation provided by the calculator for your records and also attach a copy with this notice).

8. Date from which new rent becomes payable:

Visit www.rtb.ie to use the Rent Pressure Zone calculator to automatically calculate the maximum permissible rent increase, if any. It is required that landlords attach a copy of that calculation to this Notice of Rent Review.

This Notice of Rent Review must be served by the Landlord on the Tenant(s) **at least 90 days** before the new rent becomes payable. There are also restrictions on how frequently rent reviews can take place – once every 12 months for tenancies located in RPZs and every 24 months for tenancies located outside RPZs. For more details on rent reviews and to find out if your tenancy is in a RPZ, visit www.rtb.ie

Landlords must inform the RTB of the new rent and any updated details for the tenancy register, within one month of the new rent becoming payable. For the consequences of failing to do so, see the Important Note below.

If a landlord does not comply with the requirements for setting rent in RPZs, the landlord shall be guilty of an offence and may be liable to a sanction by the RTB – see the Important Note below.

Part E - Details of Comparable Dwellings

9. I, , state that in my opinion the new rent is not greater than the market rent, having regard to the other terms of the tenancy, and letting values of dwellings of a similar size, type and character to the dwelling subject to tenancy and situated in a comparable area as the dwelling subject to tenancy.

The amount of rent sought for 3 dwellings of similar size, type and character to the dwelling subject to tenancy and situated in a comparable area is set out below.

“Amount of rent sought” means the amount of rent specified for the letting of a dwelling in an advertisement. The date of the advertisement must be within the 4 week period immediately preceding the date on which this notice is served.

The landlord must provide the details of each comparable dwelling below (size, type, character and address) and specify the amount of rent sought.

	Details	Rent
Dwelling 1	<input type="text"/>	<input type="text"/>
Dwelling 2	<input type="text"/>	<input type="text"/>
Dwelling 3	<input type="text"/>	<input type="text"/>

It is recommended that landlords attach copies of the 3 advertisements to this notice.

Part F - RPZ Exemption

This Part must only be filled out by a landlord where the dwelling subject to tenancy is in a RPZ and the landlord seeks to rely on one of the exemptions to the requirement that the rent set must be calculated in accordance with the Rent Pressure Zone Calculator (see s.19(5)(b) and (5A) of the Residential Tenancies Act 2004 and the RTB's website, www.rtb.ie).

To rely on the RPZ exemption for a rent review, there must have been a substantial change in the nature of the accommodation. There will be a “substantial change in the nature of the accommodation” where one of the 3 categories of works identified below have been carried out **and where such works do not solely consist of works carried out to comply with the landlord's obligation under section 12(1)(b) of the Residential Tenancies Act 2004, including to meet the minimum standards for residential rented accommodation.** The substantial change must result in the market rent for the dwelling subject to tenancy being greater than when the rent was last set.

10. I, , confirm that the restrictions on setting rents in RPZs do not apply to the dwelling subject to tenancy by reason of the exemption selected below.

Please tick the exemption relied on:

- a. Exemption 1 (**Permanent Extension**)

Works were carried out that consist of a **permanent extension** to the dwelling subject to tenancy that increased the floor area (within the meaning of Article 6 of the Building Regulations 1997 (**S.I. No. 497 of 1997**)) of the dwelling by an amount equal to **not less than 25% of the floor area** (within such meaning) of the dwelling as it stood immediately before the commencement of those works.

- b. Exemption 2 (**BER improved by 7 or more**)

In the case of a dwelling to which the European Union (Energy Performance of Buildings) Regulations 2012 (**S.I. No. 243 of 2012**) apply, works that resulted in the BER (within the meaning of those Regulations) being **improved by not less than 7 building energy ratings**.

Part F - RPZ Exemption *(continued)*

- c. Exemption 3 **(Other works as required below)**

Works were carried out to the dwelling subject to tenancy that resulted in any 3 or more of the following (please tick as appropriate):

The internal layout of the dwelling being permanently altered;

The dwelling being adapted to provide for access and use by a person with a disability, within the meaning of the **Disability Act 2005**;

A permanent increase in the number of rooms in the dwelling;

In the case of a dwelling to which the European Union (Energy Performance of Buildings) Regulations 2012 (**S.I. No. 243 of 2012**) apply and that has a BER of D1 or lower, the BER (within the meaning of those Regulations) being improved by **not less than 3 building energy ratings**;

In the case of a dwelling to which the European Union (Energy Performance of Buildings) Regulations 2012 (**S.I. No. 243 of 2012**) apply and that has a BER of C3 or higher, the BER (within the meaning of those Regulations) being improved by **not less than 2 building energy ratings**.

11. I, , confirm that the works carried out and identified by the box(es) ticked above do not solely consist of works carried out for the purposes of complying with a landlord's obligation under section 12(1)(b) of the Residential Tenancies Act 2004, as amended, including to meet the minimum standards for residential rental accommodation.

(Tick the box provided to confirm).

If a landlord relies on one of the exemptions above, the landlord must also serve a RPZ Notification of Exemption form on the RTB (together with supporting documents) within one month of this notice being served. For the consequences of failing to do so, see the Important Note below.

Part G - Declaration by the Landlord

This section must be completed for all rent reviews.

12. I declare that all the information that I have given on this notice is correct.

Signature:

[To be signed by the landlord]

or

Signature:

[To be signed by authorised agent]

Name:

in BLOCK CAPITALS

[Insert Name in BLOCK CAPITALS]

Date signed & served:

/ /

Checklist for Landlords

Where a landlord carries out a rent review, the landlord must:

1. Serve a valid notice of rent review on the tenant (in the form attached).
2. Inform the RTB of the new rent set and any other details that have changed since the tenancy was last registered, within one month of the new rent becoming payable (the easiest thing to do is to complete the **Tenancy Update form** on the RTB's website and send it to the RTB).
3. Where a landlord relies on an exemption to the RPZ rent increase restriction, serve the RTB with the prescribed Notice of Exemption from RPZ Rent Restriction within one month of any notice of rent review being served (visit www.rtb.ie for the prescribed notice). The landlord must attach documents that support the exemption relied upon.

IMPORTANT NOTE

Rent Reviews and Rent Pressure Zones (RPZs)

Please see the RTB website for further information and assistance in relation to rent reviews in RPZs (www.rtb.ie) including a Rent Pressure Zone Calculator to calculate the maximum permissible rent increase (if any) for a particular dwelling.

Offences

A person will be guilty of an offence under the Residential Tenancies Act 2004 where the person:

- a) fails to comply with the RPZ rent increase restriction (Sections 19(4) and (6A) of the **Residential Tenancies Act 2004** refers);
- b) fails to comply with the requirement to serve the RTB with the prescribed Notice of Exemption from the RPZ rent restriction and supporting documents within one month of the setting of the rent (Sections 19(5B) and (6C) of the **Residential Tenancies Act 2004** refers);
- c) includes information in or with the prescribed Notice of Exemption from the RPZ rent restriction knowing it to be false or misleading in a material respect or is reckless as to whether it is false or misleading (Sections 19(5B) and (6B) of the **Residential Tenancies Act 2004** refers).

A person guilty of an offence under the **Residential Tenancies Act 2004** shall, in accordance with section 9 of that Act, be liable on summary conviction to a Class B fine (currently, valued to a maximum of €4,000 under the **Fines Act 2010**) or imprisonment for a term not exceeding 6 months or both.

If the contravention in respect of which a person is convicted of an offence under the **Residential Tenancies Act 2004**, is continued after the conviction, the person is guilty of a further offence on every day on which the contravention continues and for each such offence the person shall be liable on summary conviction to a Class E fine (currently, valued to a maximum of €500 under the **Fines Act 2010**).

Sanctions

The RTB has an investigations and sanctions unit dedicated to investigating certain potential breaches of the Residential Tenancies Act 2004 by a landlord. The breaches of the law that the RTB may investigate are referred to as "Improper Conduct" (Part 7A and Schedule 2 of the Residential Tenancies Act 2004 refer).

Improper Conduct includes where the landlord contravenes:

- a) the RPZ rent increase restriction under section 19(4) of the **Residential Tenancies Act 2004**;
- b) the requirement to serve the RTB with the prescribed Notice of Exemption from the RPZ rent restriction and supporting documents within one month of the setting of the rent;
- c) the requirement to inform the RTB of an alteration to the rent payable and any other details that have altered since the tenancy was last registered within one month of such an alteration occurring.

Improper conduct by a landlord can result in the RTB imposing a fine of up to €15,000 and a further €15,000 in costs.