***LANDLORDS - Do not complete or send this letter without first understanding the consequences. These are explained in the note attached and at*** [***https://www.rtb.ie/tenancies-of-unlimited-duration***](https://www.rtb.ie/tenancies-of-unlimited-duration)

**Your tenancy is becoming a tenancy of unlimited duration**

Dear Tenant(s)

**Rented property: [insert address]**

**Tenancy commencement date: [must be a date prior to 11 June 2022]**

**Tenant(s): [insert name(s)]**

**Landlord(s): [insert name(s)]**

This notice is to inform you that I, the Landlord, consent to your tenancy becoming a tenancy of unlimited duration.[[1]](#footnote-1)

As the Landlord, I understand the effect of giving this consent. It means that you as the Tenant(s), have the right to remain in occupation of the rented property for a period of unlimited duration. This is subject to my right, as the Landlord, to terminate the tenancy on one of the lawful grounds allowed by the Residential Tenancies Act 2004 (as amended).

The lawful grounds on which a tenancy of unlimited duration may be terminated are:

1. breach of obligation by the tenant;
2. failure by the tenant to pay rent;
3. the property is no longer suitable for the accommodation needs of the tenant and of any person residing with him/ her;
4. the landlord intends to sell the property within 9 months of termination;
5. the property is required for occupation by the landlord or a family member;
6. the landlord intends to substantially refurbish or renovate the property; or
7. the landlord intends to change the use of the property.

As the Landlord, I also understand that by sending you this notice, I will no longer be permitted to terminate the tenancy for any other reason prior to the end of the current 6 year cycle of the tenancy.[[2]](#footnote-2)

Your tenancy will automatically transition to a tenancy of unlimited duration from the date of this notice. No action is required by you.

For further information on tenancies of unlimited duration, the grounds on which they may be terminated and the conditions that apply, visit [www.rtb.ie](http://www.rtb.ie)

Yours sincerely

|  |  |
| --- | --- |
| \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Signed by the Landlord | \_\_\_\_\_\_\_\_\_  Date |

**IMPORTANT NOTE FOR LANDLORDS**

* ***CONSENTING TO A TENANCY OF UNLIMITED DURATION -***

1. **What is this notice for?**

For landlords who wish to consent to a tenancy becoming a tenancy of unlimited duration.

All tenancies created from 11 June 2022 will be tenancies of unlimited duration. A tenancy in existence pre-June 2022 will become a tenancy of unlimited duration at the end of its current 6 year term or at any time earlier if the landlord consents.

1. **What is a tenancy of unlimited duration?**

It is a tenancy that lasts last for an unlimited period, subject to:

* The tenant having first been in occupation of the rented property for 6 months;
* The landlord’s right to terminate on one of the permitted termination grounds.

1. **Grounds for terminating a pre-11 June 2022 tenancy**

For any reason prior to the end of the current 6 year cycle *(i.e. it can be a reason in addition to the lawful termination grounds)*. Click here for the conditions that apply.

The lawful termination grounds *(e.g. intention to sell, family member occupation)*. Click here for the full list.

1. **Consequences of consenting to a tenancy of unlimited duration?**

The landlord *can no longer terminate the tenancy for any reason prior to the end of the current 6 year cycle*. The landlord can only terminate the tenancy on one of the lawful termination grounds and not for any other reason.

**Practical example**

*A tenancy is 4 years old on 11 June 2022. The landlord has the right to terminate the tenancy at any stage on one of the lawful termination grounds.*

*On 11 June 2024, the tenancy will be 6 years old. Prior to the end of that 6 year period, the landlord will also have the right to terminate the tenancy for any other reason (i.e. it can be a reason in addition to the lawful termination grounds). This is subject to the notice of termination being served prior to 11 June 2024, with a notice period that expires after that date.*

*However, if a landlord consents to a tenancy of unlimited duration, the landlord will lose this right to terminate for any reason prior to the end of the current 6 year cycle.*

1. Section 5(3) of the Residential Tenancies (Amendment) Act 2021 (“RTA 2021”). [↑](#footnote-ref-1)
2. Section 34(b) of the Residential Tenancies Act 2004 (as amended) and s.5(4) of the RTA 2021. [↑](#footnote-ref-2)