

Guidance for landlords and tenants on rent arrears as a result of COVID-19 in the emergency period ¹



Part A

Background

From the 1st of August 2020, the Residential Tenancies and Valuation Act 2020 sets out new protections for tenants who have fallen into rent arrears, and as a result, are at risk of losing their tenancy. The Act recognises the impacts of rising unemployment or reduced working hours amongst those living in the residential rental sector as a result of Covid-19, and acknowledges the adverse impact on the ability of those impacted to meet their obligations to pay rent.

The new protections are in place until 10th January 2021 for tenants who are, or were at any stage since since 9th March 2020, unable to pay their rent due to Covid-19 and as a consequence, are at significant risk of losing their tenancy.

If the tenant meets the criteria, they are not required to vacate their accommodation before the 10th of January 2021 and are not required to pay an increase in rent until after the 10th of January 2021.

Further information and guidance on what steps are required for landlords and tenants under the Residential Tenancies and Valuation Act 2020 can be found [here](#). The Sample Warning Notice is found on page 2 and the Sample Notice of Termination is found on page 3 of this document.

¹ This is not a legal document and you should refer to the Residential Tenancies Acts 2004 to 2020. This is intended as a guide only. The RTB accepts no responsibility for inaccuracies, errors, or omissions.

Part B

SAMPLE WARNING NOTICE

To [insert name of Tenant]

This notice relates to your tenancy of the dwelling at

[insert address of rented dwelling]

[Town]

[County]

[Eircode]

[Insert Registration Number RT]

Current Rent Amount: [insert amount]

Rent Paid: Weekly Monthly Annually

You have failed to pay rent in accordance with your obligations under the Residential Tenancies Acts 2004 to 2020.

As of today, the [insert date]

you owe rent arrears of € [insert amount]

(Please ensure the correct amount of arrears due at the time the warning notice is served is provided).

Failure to pay 100% of the monies owed by the expiry of the 28 days*, entitles me to terminate your tenancy by serving a Notice of Termination on you.

This warning notice is served on [insert date]

Signed

Landlord or Authorised Agent

Dated [insert date]

Copying: The Residential Tenancies Board by post to Po Box 47, Clonakilty, County Cork or by email to rentarrears@rtb.ie.

****Note: In accordance with section 11 of the 2020 Act, tenants should be given a minimum 28 days to pay the rent arrears.***

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>

Published on 11 August 2020.

Part C

SAMPLE NOTICE OF TERMINATION

To [insert name of Tenant(s)]

Your tenancy of the dwelling at
[insert address of rented dwelling]

[Town]

[County]

[Eircode]

[Insert Registration Number RT]

will terminate on [insert date]

(Please see Step 6 (Service of Notice of Termination) for the termination notice period relevant to your tenancy. Note: In respect of a Notice of Termination, for counting purposes, day 1 of the notice period begins on the day immediately following the date of service of the notice. The RTB recommends that you give additional days when calculating the required notice period to ensure sufficient notice is provided).

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 breach of tenancy obligations in that you have failed to pay rent on the dates it fell due for payment.

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 for dispute resolution to the Residential Tenancies Board under Part 6 of the Residential Tenancies Acts 2004 to 2020 within 28 days from the date of receipt of it.

This notice is served on [insert date]

Signed

Landlord or Authorised Agent

Copying: The Residential Tenancies Board by post to Po Box 47, Clonakilty, County Cork or by email to rentarrears@rtb.ie.

****Note: You must serve a copy of the Notice of Termination on the Residential Tenancies Board on the same date as you serve it on the tenant(s). If you do not do this, then the Notice of Termination shall be deemed to be invalid.***

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