

# Reasons for dispute by type

## Overholding

Where a tenant continues to live in a rental property after the termination date has passed of a valid notice of termination.

## Rent Arrears

When a tenant fails to pay their rent, in full and on time.

## Validity of Notice of Termination

When a landlord or tenant believes the Notice of Termination served is invalid.

## Validity of notice of rent review

When a tenant believes the rent review notice is invalid.

## Deposit retention

When a tenant believes a landlord unlawfully withheld their deposit.

## Anti-social behaviour

When a tenant (or their visitor) acts in a way that is regarded as anti-social.

## Breach of landlord obligations

When a landlord is in breach of their obligations under the legislation. For a full list of landlord obligations, please refer to the Rights & Responsibilities page on RTB.ie.

## Breach of tenant obligations

When a tenant is in breach of their obligations under the legislation. For a full list of tenant obligations, please refer to the Rights & Responsibilities page on RTB.ie.

## Unlawful termination of tenancy (illegal eviction)

Where a landlord, through force, intimidation or otherwise (such as cutting off utilities, changing the locks etc.) denies a tenant from accessing a rented dwelling or removes the tenant's belongings from the dwelling.

## Damage in excess of normal wear and tear

When a tenant damages the property in excess of normal wear and tear throughout the lifecycle of a tenancy.

## Standard and maintenance of dwelling

When a landlord fails to make repairs that are necessary.

## Rent more than market rate

When the rent paid is higher than the lawful rate for the location of the dwelling.

## Breach of fixed term lease

When a landlord or tenant unlawfully ends, or seeks to unlawfully end, a tenancy before the term within a lease has ended.

## Evidence and further documentation

When submitting a case for validity of notice of termination or validity of notice of rent review, a copy of the notice must be sent to the RTB in order for the application to proceed.

When sending in evidence for a case, unless you are satisfied that the personal data can be shared, you must black out personal data in the material submitted, such as bank account numbers, personal telephone numbers, addresses, witness contact details, etc.

The RTB scans and archives all documents submitted to the RTB. Do not send in original copies of any documents that may be required at a later stage, as documentation is not returned.

While mediation is not focused on evidence, case parties can submit essential documents for review by the Mediator, but these documents are not circulated to the other party. **However, if the mediation is referred to a tribunal, all documents submitted at mediation stage would then be circulated to all case parties.**

## Position statements

Parties are asked to submit a position statement before the mediation outlining what they would like achieved in the process. In this statement, you are asked to outline the following:

- Identify the overall goal you hope to achieve through mediation
- Identify the main barriers you see in place in achieving this goal

It can be a good starting point for the Mediator to better grasp the underlying factors of a case from each parties' perspective. Position statements are only made available to the Mediator. They are strictly confidential and are never shared with the other side.

# Mediation

Mediation is a free and fast service that helps Landlords, Tenants and Third Parties find solutions to disputes. **Why pick Mediation?**

