**EXPLANATORY NOTE**

**TERMINATING A LEASE / LICENCE OF STUDENT SPECIFIC ACCOMMODATION**

**(except rent arrears)**

**Important: please read carefully before completing a notice of termination[[1]](#footnote-1)**

**REQUIREMENTS WHEN TERMINATING TENANCY / LICENCE OF STUDENT SPECIFIC ACCOMMODATION**

A provider of student specific accommodation may terminate a tenancy or licence of student specific accommodation by giving the required period of notice. This depends on the length of the tenancy / licence and if there has been a breach of obligation. If the tenancy / licence is greater than 6 months old, the provider of student specific accommodation needs to provide a reason for terminating the tenancy. This can be any reason and does not need to be one of the termination grounds specifically provided for by the Residential Tenancies Act 2004 (as amended) (e.g. the landlord wants to sell the property or carry out substantial repairs or renovations).

This notice of termination can be used by a provider of student specific accommodation, except where the tenancy / licence is being terminated for rent arrears. Visit [www.rtb.ie](http://www.rtb.ie) for a copy of the notice of termination that applies where there are rent arrears.

**COPYING NOTICE OF TERMINATION TO RTB**

From 6 July 2022 there is a new requirement for landlords to send a copy of all notices of termination to the RTB on the same day as the notice is served on the tenant. While there is no specific obligation on providers of student specific accommodation to send copies of student notices of termination to the RTB, providers are encouraged to do. General data is collected to improve the operation of the sector.

**JOINT INSPECTION PRIOR TO TERMINATION**

In order to allow the tenants / licensees an opportunity to fix any issues with regard to the dwelling (e.g. cleaning, repairs and replacements for damage in excess of normal wear and tear), it is recommended that the landlord and tenant carry out a joint inspection a few days / weeks before the tenant / licensee is due to vacate and then again on the day the tenant / licensee vacates the dwelling.

**- End of explanatory note -**

**NOTICE OF TERMINATION**

**- Terminating student specific accommodation -**

**(except for rent arrears)**

To: *(INSERT NAME OF TENANT(S) / LICENSEE(S))*

**TERMINATION DATE**

Your tenancy / licence of the dwelling at *(INSERT ADDRESS)* will terminate on *(**INSERT DAY/MONTH/YEAR)*.  This is the “termination date”.[[2]](#footnote-2)

You must vacate and give up possession of the dwelling on or before the termination date.

You have the whole of the 24 hours of the termination date to vacate and give up possession.

**REASON FOR TERMINATION**

The reason for the termination of the tenancy is *(INSERT A REASON IF THE TENANCY IS GREATER THAN 6 MONTHS OLD)*.

**IF YOU (THE TENANT / LICENSEE) DISPUTE THIS NOTICE OF TERMINATION**

Any issue as to the validity of this notice of termination or the right of the landlord to serve it, must be referred to the Residential Tenancies Board (“RTB”) under Part 6 of the Residential Tenancies Act 2004 (as amended) within 28 days from the date of receipt of the notice of termination or where there is no breach of tenancy obligations, within 90 days from the date of receipt of it.

**INSPECTION OF DWELLING AND RETURN OF DEPOSIT**

In order to ensure that there is no delay on returning the deposit, the landlord / licensor suggests carrying out inspections on *(INSERT DATE)* and/or *(INSERT DATE)* at *(INSERT TIME)*.  Please let the landlord / licensor or its authorised agent know which date and time is convenient for you.

**DATE OF SERVICE**

This notice is served on **you the tenant / licensee and the RTB on *(INSERT DAY/MONTH/YEAR)*.[[3]](#footnote-3)**

Signed:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*[SIGN ABOVE AND PRINT NAME HERE]*

Landlord or licensor (provider of student specific accommodation) or authorised agent

*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*](https://eur04.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.rtb.ie%2Fprivacy-statement&data=05%7C01%7CDaniel.ORourke%40rtb.ie%7C75a487bf4d544db221e208da6bbc2f6d%7Cf8f7e24b3e5b49ecbbc337d638d4f68d%7C0%7C0%7C637940753243157773%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=R72Ng7nJOGDPHW%2FstLn0GL2ddw%2FK95v1H1QDt0xXJo0%3D&reserved=0)

1. This note and the attached notice of termination are intended as a guide only. You should refer to the specific requirements set out in the Residential Tenancies Act 2004 (as amended). The RTB accepts no liability for any errors or omissions. [↑](#footnote-ref-1)
2. A tenant must receive the correct number of days’ notice as prescribed by s.66(2)(a) and (2B) of the Residential Tenancies Act 2004 (as amended) where there is no breach of obligation. If the tenancy is less than 6 months old, this is exactly 90 days (s.65(4) and s.66(2)(a) RTA 2004). If there is a breach of obligation, the notice periods that apply are set out in s.67 of the RTA 2004. (If terminating for rent arrears, use the separate notice of termination at [www.rtb.ie](http://www.rtb.ie)). Day 1 of the notice period begins on the day immediately following the date of service of the notice.  [↑](#footnote-ref-2)
3. The date of service is for example, the date the notice is posted, or hand delivered. Providers of student specific accommodation are encouraged to send a copy of the notice of termination to the RTB. This can be sent by email to noticeoftermination@rtb.ie. [↑](#footnote-ref-3)