

# Application for Mediation - Part 1



INTERNAL USE ONLY

## Background

**The Residential Tenancies Board (RTB) provides a Dispute Resolution Service for landlords, tenants and third parties who are in dispute in relation to a residential tenancy.**

Mediation is a fast, simple, convenient, and efficient option for resolving tenancy issues. It is a free service provided by the RTB and the aim is to give landlords, tenants and third parties a shared understanding of any issues, so that they can work towards reaching a mutually satisfactory agreement. An RTB appointed mediator acts as a neutral facilitator and supports each party through the process, explaining each step of the process whilst informing parties on their rights and responsibilities.

Mediation is offered via telephone or oral hearing. Where no agreement is reached the dispute can be referred to be heard by a Tenancy Tribunal.

Third party disputes: A third party is someone who is adversely affected by the failure of a landlord to enforce their tenants obligations under the Residential Tenancies Act 2004. (Usually a Neighbour). The third party may take a case to the RTB if an initial attempt to resolve the issue with the landlord fails. A case may not be taken if the landlord has not been informed. If the third party does not have contact details for the landlord, they may request them from the RTB, please see our website for more information.

It is important to complete all questions where appropriate and provide details on the address of the dwelling in dispute, the addresses and contact details for the applicant, respondent, and representatives, so the RTB can contact all the relevant parties. Ensure you provide as much information about the issues under dispute as you can. Supporting documentation can be submitted to explain your application and is on the case for the mediators reference only. Mediation is not evidence based.

If the landlord is submitting the application, the tenancy, which is the subject of the dispute, must be registered with the RTB and the tenancy registration number (i.e. RT No. provided in confirmation letter issued by RTB following registration) must be provided on page 8.

There are strict timelines that must be complied with where a tenant disputes a notice of termination. The dispute application must be submitted to the RTB within:

- ▶ **28 days** if the notice of termination was served because of an alleged breach of obligation by the tenant(s) (e.g. rent arrears, anti-social behaviour, damage to property that is beyond wear and tear)
- ▶ **90 days** if the notice of termination was served for any other reason that is **not** a breach of obligation (e.g. the landlord wants to sell or requires the rented property to live in).

If your dispute is in relation to validity of notice of rent review / rent more than market rate your application must be submitted within 28 days of receipt from Landlord/Agent or prior to a rent review taking effect the new rent taking effect (whichever is later).

Where a dispute concerns the validity of a notice of termination / validity of rent review you are required to submit a copy of the notice.

## Return of Application Form:

Having completed all relevant sections of the form, please email to [disputes@rtb.ie](mailto:disputes@rtb.ie) or return via post to:

**The Dispute Resolution Section,  
Residential Tenancies Board,  
PO Box 47,  
Clonakilty,  
Co Cork.**

## Applicant Details: (The applicant is the person submitting this dispute application.)

Please note, if there is more than one applicant, you must assign one applicant as the point of contact for the mediator to contact. The Mediator can only speak to the nominated applicant during the hearing.

Are you a **Tenant**  **Landlord**  **Third Party**

Is the landlord an Approved Housing Body (AHB)? **Yes**  **No**

First Name

Surname

If a Company, insert Company Name

If a company, name of company staff member dealing with dispute case

**Note:** Where a case party is a company, please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Current Address / Company Address

Eircode

Telephone

Mobile

Email

PPSN/CRO

Point of Contact for the Mediator **Yes**  **No**

**Note:** See above description

If the applicant is a third party: Have you attempted to resolve the issues with the landlord?  
(For further information, refer to page 1)

**Yes**  **No**

Please provide reasons why you have not been in contact with the Landlord:

## Second Applicant Details: (The applicant is the person submitting this dispute application.)

Please note, if there is more than one applicant, you must assign one applicant as the point of contact for the mediator to contact. The Mediator can only speak to the nominated applicant during the hearing.

Are you a **Tenant**  **Landlord**  **Third Party**

Is the landlord an Approved Housing Body (AHB)? **Yes**  **No**

First Name

Surname

If a Company, insert Company Name

If a company, name of company staff member dealing with dispute case

**Note:** Where a case party is a company, please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Current Address / Company Address

Eircode

Telephone

Mobile

Email

PPSN/CRO

Point of Contact for the Mediator **Yes**  **No**

**Note:** See above description

If the applicant is a third party: Have you attempted to resolve the issues with the landlord?  
(For further information, refer to page 1)

**Yes**  **No**

Please provide reasons why you have not been in contact with the Landlord:

## Representative details:

Type of Representative: **Letting Agent**  **Solicitor**  **Threshold**  **Non-Legal**  **Staff Member**

First Name

Surname

If a Company, insert Company Name

If a company, name of company staff member dealing with dispute case

**Note:** Where a case party is a company, please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Current Address / Company Address

Eircode

**Note:** Please provide direct line number and email address of point of contact, do not provide a general line number or email address.

Telephone

Mobile

Email

PPSN/CRO

Point of Contact for the Mediator

**Yes**

**No**

## Respondent Details: (Respondent is person who the dispute application is against.)

First Name

Surname

If a Company, insert Company Name

**Note:** Where a case party is a company, please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Name of staff member you have been dealing with

Current Address

Eircode

Telephone

Mobile

Email

PPSN/CRO

## Second Respondent Details: (Respondent is person who the dispute application is against.)

First Name

Surname

If a Company, insert Company Name

**Note:** Where a case party is a company, please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Name of staff member you have been dealing with

Current Address

Eircode

Telephone

Mobile

Email

PPSN/CRO

## Respondent Representative details:

Type of Representative: **Letting Agent**  **Solicitor**  **Threshold**  **Non-Legal**  **Staff Member**

First Name

Surname

If a Company, insert Company Name

If a company, name of company staff member dealing with dispute case

**Note:** Where a case party is a company, please note that a Director of a Company cannot represent the Company in a case before the RTB without having a signed authority from the Company Board/Company Secretary as a company is deemed to be a legal entity in its own right.

Current Address / Company Address

Eircode

**Note:** Please provide direct line number and email address of point of contact, do not provide a general line number or email address.

Telephone

Mobile

Email

PPSN/CRO





# Reason(s) for Dispute

Please only tick / answer below options that apply to your dispute.

## 1. Rent arrears

Total amount of rent owed? €

Has warning notice been served? Yes  No  Date served   /   /

Has notice of termination been served? Yes  No  Date served   /   /

Attempts to repay been made? Yes  No

## 2. Overholding

Has notice of termination been served? Yes  No  Date served   /   /

Was notice of termination copied to RTB on same day it was served to tenant? Yes  No

**Note:** All notices must be copied to the RTB the same day it was served to the tenant in order for the notice to be valid. Evidence of this should be provided by the applicant as part of their dispute case.

## 3. Rent arrears and overholding

**Note:** Please tick this reason if the tenant is in rent arrears and has not vacated following receipt of a valid notice of termination.

## 4. Validity of notice of termination

Date notice received   /   /

How was notice sent (letter, email, text, verbally)

**Note:** Notices must be served via letter and must be posted or hand delivered to the tenant. The notice will be found invalid if not delivered correctly. A copy of the notice MUST be submitted with the application.

## 5. Breach of Landlord obligation

**Note:** Breaches of landlord obligations may include entering property without tenant approval, not providing the tenant with peaceful and exclusive occupation of the dwelling or failure to carry out repairs to the dwelling.

Has warning notice been served? Yes  No  Date served   /   /

Has notice of termination been served? Yes  No  Date served   /   /

Notice of termination copied to RTB Yes  No

Give a brief description of the breach that has occurred



**11. Validity of Rent Review**

How was notice served:

Date served   /   /

**Note:** A copy of rent review notice should be submitted as evidence.

Give a brief description of why you think the notice is invalid

**12. Rent more than market rate**

Market rate for dwelling €

What increase was requested €

Was three comparable dwellings provided to you? **Yes**  **No**

What do you think the market rate is and supply your 3 examples

**13. Rent review not in line with Rent Pressure Zone (RPZ)**

Have you used the RPZ calculator on RTB website **Yes**  **No**

Current rent amount €

Date rent was last set   /   /

Date new rent is set   /   /

New rent amount requested €

Give a brief description of the breach that has occurred