

# Summary of Emergency Legislation since March 2020

The aim of this leaflet is to breakdown the new pieces of legislation enacted since March 2020.

Below is a timeline of when each emergency legislation applied from and its main points. This document is intended to provide a high-level overview of each Act introduced, as such it should be read in conjunction with the relevant Government Guidance and FAQ documents.

2020 | 2021

MAR APR MAY JUN JUL AUG SEP OCT NOV DEC JAN FEB MAR APR MAY JUNE JULY

## 1 Emergency Measures in the Public Interest (Covid-19) Act 2020

27 March to 1 August 2020

- A new NoT could not be served until the end of the Emergency Period.
- Rent increases were prohibited but a rent decrease could be implemented.
- Pause on NoTs and rent increase notices already served.
- If a NoT had already expired, the tenant was only required to leave on foot of a DO.
- Warning notices could be served but could not be followed by NoT.
- Tenants were still required to pay rent throughout Emergency Period.

## 2 Residential Tenancies and Valuation Act 2020 (RTVA)

1 August 2020 to 10 January 2021

- New 8-step process for landlords ending a tenancy due to rent arrears.
- Warning notice period increased to 28 days from 14.
- Tenants financially impacted by Covid-19 and who met criteria of 'relevant person' could serve a Self-Declaration form and avail of protections.
- Tenants who were a 'relevant person' could remain in their tenancy until 10 January 2021 (inclusive), had to receive a minimum 90 day notice to vacate, and were not required to pay a rent increase until 11 January 2021.
- Tenants were encouraged to request a referral to MABS, but this was not compulsory.

## 3 Residential Tenancies Act 2020 (RTA 2020)

22 October 2020 to 1 December 2020  
31 December 2020 to 12 April 2021

*Applies whenever the Minister of Health introduces restrictions on travel outside of a 5-kilometre radius of a person's place of residence.*

- Pause on most tenancy terminations, with exceptions.
  - NoTs can still be served but notice period paused.
- Exceptions for: ASB, invalidation of insurance, threat to dwelling or unauthorised use of property where a NoT served during emergency period and rent arrears.
- 10-day grace period for ending tenancies when the Emergency Period ends.
- **Example:** if Emergency Period due to end on 5th April 2021, plus 10-day grace-period, means earliest someone can be made to leave their accommodation is 15th April 2021.
- Does not impact on the provisions relating to rent arrears or the protections available under RTVA/PDRTA.
- As such, rent review rules continue as normal if tenant not in rent arrears.

## 4 Planning and Development, and Residential Tenancies Act, 2020 (PDRTA)

11 January 2021 to 12 January 2022

- Replaces and expands on certain protections in the RTVA.
- Introduced exemptions to tenants being afforded the protections e.g. rent arrears of 5+ months, amongst others.
- Compulsory for tenant to request referral to MABS and for tenant to request a consultation with landlord to pay back rent arrears.
- Updated Self-Declaration form for tenants.
- Introduces Self-Declaration form for landlords if they can demonstrate they would be negatively impacted by their tenant availing of protections, amongst other criteria.
- On 30 March 2021, the Residential Tenancies Act 2021 introduced an amendment to the PDRTA to extend the application of the tenancy protections for a further three months from 13 April 2021 to 12 July 2021. On 9th July 2021, the PDRTA was further extended until 12 January 2022.