

Terminating a tenancy (ending a tenancy before a Further Part 4 tenancy begins)

Please read this carefully before completing the notice of termination. This note, along with the attached notice of termination, is intended as a general guide only. You should consult the Residential Tenancies Act 2004 (as amended) for full legal requirements. The RTB is not responsible for any errors or omissions.

What tenancies can be ended

You can only use this type of notice of termination **before a tenancy becomes a Further Part 4 tenancy**, and only if the tenancy started **before 11 June 2022**.

A tenant gains security of tenure after 6 months, which is called a *Part 4 Tenancy*.

Before 11 June 2022, *Part 4 Tenancies* lasted in 6-year cycles. A landlord could end the tenancy by serving a notice of termination **before the end of the 6 year-cycle**, as long as **the notice expired on or after the final day of that cycle**.

From 11 June 2022, the law changed. Further Part 4 Tenancies were replaced by *Tenancies of Unlimited Duration*, meaning these old termination rules no longer apply to tenancies that began on or after that date.

- > You must give your tenant **the appropriate number of days notice based on the tenancy duration**. The notice period starts the day after the notice is served. Extra days can be added to ensure the tenant gets the full amount of notice required.

Joint inspection before the tenancy ends

To give the tenant an opportunity to address issues (e.g. cleaning, repairs and replacements for damage above wear and tear), a joint inspection should be carried out before the tenancy end date.

Documents

Notice of termination: Before Further Part 4 tenancy starts.

Notice validity requirements

- > **You must serve a copy of the notice to the RTB on the same day you serve it on the tenant. If you do not, the notice is invalid. Same day service means that your tenant and the RTB receive your notice on the same day.**
- > The best way to ensure both notices are received on the same day is to submit your notice through the RTB Service Centre at www.rtb.ie on the same day that you email it to your tenant.
- > We do not recommend sending the notice by post to your tenant and to the RTB. The notice will be invalid if the post is not delivered to the RTB and your tenant on the same day.

