

Terminating a tenancy (dwelling not suitable to tenant accommodation needs)

Please read this carefully before completing the notice of termination. This note, along with the attached notices 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.

Notice validity requirements

- You can terminate the tenancy if the dwelling is no longer suitable to the accommodation needs of the tenant.
- 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.
- If the tenancy lasted less than 6 months- you must give the tenant **exactly 90 days' notice.** You cannot serve a notice if you have a fixed-term lease (with no break clause). The notice period starts the day after the notice is served.
- If the tenancy lasted **more than 6 months**- you must give your tenant the **appropriate number of days notice based on 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. You must also provide a statement outlining why the dwelling is no longer suitable, having regard to the **number of bed spaces** and **the size and composition of the occupying household.**

Joint inspection before the tenancy ends

To give the tenant/s 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: Dwelling no longer suitable for the tenant/s accommodation needs** (tenancy lasted **more than 6 months**)
- **Notice of termination: Dwelling no longer suitable for the tenant(s) accommodation needs** (tenancy lasted **less than 6 months**)

