

Terminating a tenancy (breach of tenant obligations)

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

Breach other than unpaid rent

- > If the tenancy lasted more than 6 months, you must first give the tenant a **written warning** with a **reasonable amount** of time for the tenant to remedy the breach. You are not required to give this warning if the tenancy lasts less than 6 months.
- > You can serve a 28-day notice of termination if the breach has not ended. You must serve the notice on the tenant on the date of service listed in the notice. **You must submit a copy to the RTB within 7 days of this date.**

Failure to pay rent

- > You must give your tenant a **written warning** of at least **28 days** to pay any rent outstanding.
- > You must send a copy of the rent arrears warning notice to the RTB. The 28-day notice period starts when both the RTB and the tenant receive it.
- > You can serve a 28-day notice of termination if the rent arrears have not been cleared. You must serve the notice on the tenant on the date of service listed in the notice. **You must submit a copy to the RTB within 7 days of this date.**

Serious anti-social behaviour

- > You can serve a **7-day notice** if the tenant's behaviour involves the **commission of an offence** that is likely to directly harm the well-being of others, or it causes fear, danger, injury, damage or loss to anyone living, working, or lawfully present in the dwelling (**violence, intimidation coercion, harassment, obstruction or threats towards any such person**)

If the tenant is behaving in a way that interferes with another tenant's or a neighbour's peaceful occupation of their property, but falls short of the definition of serious anti-social behaviour, you must follow the procedure in the section **Breach other than unpaid rent**.

- > You must serve the notice on the tenant on the date of service listed in the notice. **You must submit a copy to the RTB within 7 days of this date.**

To submit notices to the RTB

If you do not send the required written warnings and notices of termination to the RTB, the notice will be invalid.

- > **Failure to pay rent written warning:** please send a copy to: **warningnotice@rtb.ie**
- > **28-day notice of termination:**
Go to www.rtb.ie and login to the RTB Service Centre and upload the notice.

If you cannot submit notices electronically, you can post them to: **Residential Tenancies Board, PO Box 13841, Freepost FKY7736, Killorglin, Co Kerry.**

Please retain proof of service.

Documents

- > **Notice of termination: 28-day notice** (unpaid rent)
- > **Notice of termination: 28-day notice** (breaches other than unpaid rent and serious anti-social behaviour)
- > **Notice of termination: 28-day notice** (breaches other than unpaid rent and serious anti-social behaviour, tenancy less than 6 months)
- > **Notice of termination: 7-day notice** (serious anti-social behaviour)
- > **Written warning 1**
For all breaches except unpaid rent and / or serious anti-social behaviour where the tenancy has lasted more than 6 months
- > **Written warning 2**
For unpaid rent only

