



An Bille um Thionóntachtaí Cónaithe (Leasú) (Tréimhsí Fógra a Fhadú), 2021
Residential Tenancies (Amendment) (Extension of Notice Periods) Bill 2021

Mar a tionscnaíodh

As initiated



**AN BILLE UM THIONÓNTACHTAÍ CÓNAITHE (LEASÚ) (TRÉIMHSÍ FÓGRA A
FHADÚ), 2021
RESIDENTIAL TENANCIES (AMENDMENT) (EXTENSION OF NOTICE PERIODS)
BILL 2021**

Mar a tionscnaíodh

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ACTS REFERRED TO

Housing Act 1988 (No. 28)

Residential Tenancies Act 2004 (No. 27)



AN BILLE UM THIONÓNTACHTAÍ CÓNAITHE (LEASÚ) (TRÉIMHSÍ FÓGRA A FHADÚ), 2021
RESIDENTIAL TENANCIES (AMENDMENT) (EXTENSION OF NOTICE PERIODS)
BILL 2021

Bill

5

entitled

An Act to provide for the automatic extension of notice periods with respect to residential tenancies where a tenant is certified as at risk of homelessness and for that purpose to amend the Residential Tenancies Act 2004 and to provide for related matters.

Be it enacted by the Oireachtas as follows:

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Interpretation

1. In this Act, “Principal Act” means the Residential Tenancies Act 2004.

Amendment of section 67 of Principal Act

2. Section 67(4) of the Principal Act is amended by the insertion of the words “and section 69A” after “section 69”.

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New section 69A inserted into Principal Act

3. The Principal Act is amended by the insertion of the following section after section 69:

“Extension of notice periods

69A. (1) Where a landlord serves a notice to quit on a tenant in compliance with sections 66 or 67 or the terms of the lease if longer and, prior to the expiry of the period stated in the notice the Housing Authority certifies that the tenant is at risk of homelessness, the notice period required by sections 66 or 67 or the lease shall automatically be extended by a period of three months and the notice served by the landlord shall be deemed to expire on that later date. 20

(2) For the purpose of this section a Housing Authority shall certify a person as at risk of homelessness if—

(a) it is satisfied that, on reasonable grounds, the tenant was unable to secure accommodation, and

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(b) in the opinion of the Housing Authority, the tenant will become homeless (within the meaning of section 2 of the Housing Act 1988) on quitting the dwelling. 30

- (3) A Housing Authority shall, within seven days of receiving a request by a person for a certification under subsection (1), provide such certification in writing to the person concerned and to the landlord provided the conditions in subsection (2) are satisfied.
- (4) A dispute as to whether or not a tenant is entitled to an extension of the notice period in accordance with subsection (1) may be referred to the Board for determination. 5
- (5) This section shall not apply where the tenancy has been validly terminated for anti-social behaviour, the tenancy has been validly terminated as a result of the wilful failure to pay rent, the presence of the tenant in the dwelling would constitute a danger to other occupants of the building or the dwelling is being used for a purpose other than that agreed. 10
- (6) This section shall apply only to a Part IV tenancy.
- (7) This section shall apply only to tenancies commenced after the commencement of this section. For the avoidance of doubt, this section shall apply to a fixed term or periodic tenancy which expired after the commencement of this section and continued thereafter.”. 15

Short title

- 4. This Act may be cited as the Residential Tenancies (Amendment) (Extension of Notice Periods) Act 2021. 20

An Bille um Thionóntachtaí Cónaithe
(Leasú) (Tréimhsí Fógra a Fhadú), 2021

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do dhéanamh socrú maidir le tréimhsí fógra a fhadú go huathoibríoch maidir le tionóntachtaí cónaithe i gcás go ndeimhnítear go bhfuil tionónta i mbaol na heaspa dídine agus, chun na críche sin, do leasú an Achta um Thionóntachtaí Cónaithe, 2004 agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Teachtaí Eoin Ó Broin, Risteard Buíd Bairéid, Siobhán Ní Choileáin, Marian Uí Earcáin, Ged de Nais agus Cian Ó Ceallacháin a thug isteach,

7 Nollaig, 2021

Residential Tenancies (Amendment)
(Extension of Notice Periods) Bill 2021

BILL

(as initiated)

entitled

An Act to provide for the automatic extension of notice periods with respect to residential tenancies where a tenant is certified as at risk of homelessness and for that purpose to amend the Residential Tenancies Act 2004 and to provide for related matters.

Introduced by Deputies Eoin Ó Broin, Richard Boyd Barrett, Joan Collins, Marian Harkin, Ged Nash and Cian O'Callaghan,

7th December, 2021

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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