Changes to Legislation: as of 3 November 2026, this Act is up to date with all changes known to be in force.



Number 7 *of* 2020

RESIDENTIAL TENANCIES AND VALUATION ACT 2020

REVISED

Updated to 24 July 2022

This Revised Act is an administrative consolidation of the *Residential Tenancies and Valuation Act 2020*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including the *Planning and Development, Maritime and Valuation (Amendment) Act 2022* (29/2022), enacted 24 July 2022, and all statutory instruments up to and including the *Industrial Training (Sporting Grounds Industry) Order 2022* (S.I. No. 405 of 2022), made 26 July 2022, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to revisedacts@lawreform.ie.

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ACTS REFERRED TO

Comhairle Act 2000 (No. 1)

Companies Act 2014 (No. 38)
Emergency Measures in the Public Interest (Covid-19) Act 2020 (No. 2)
Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 (No. 1)
Residential Tenancies (Amendment) Act 2019 (No. 14)
Residential Tenancies Act 2004 (No. 27)
Residential Tenancies Acts 2004 to 2019
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Social Welfare Consolidation Act 2005 (No. 26)
Valuation Act 2001 (No. 13)
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RESIDENTIAL TENANCIES AND VALUATION ACT 2020

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An Act to increase notice periods in relation to notices of termination served on tenants during the period from the date of the passing of this Act to 10 January 2021 for failure to pay rent due and to prohibit increases in rents on tenancies of dwellings during that period; to make provision in relation to the giving of notifications, and notices of termination, by landlords to tenants and the Residential Tenancies Board in relation to arrears of rent; to extend the period within which a valuation list in relation to the rating authority area of Dun Laoghaire-Rathdown County Council shall be published; for those and other purposes, to amend the Residential Tenancies Act 2004, the Emergency Measures in the Public Interest (Covid-19) Act 2020 and the Valuation Act 2001; and to provide for matters connected therewith. [1*st August*, 2020]

WHEREAS the crisis occasioned by the spread of the disease known as Covid-19 is causing and will continue to cause significant harm to the economy of the State and has thus far resulted in a substantial increase in the number of persons who have become unemployed;

WHEREAS the rise in unemployment among persons who reside in residential tenancy accommodation has had an adverse impact on the ability of such persons to meet their obligations to pay rent due, thereby presenting an imminent risk that a significant number of residential tenancies will be terminated by landlords;

WHEREAS any significant increase in terminations of residential tenancies accommodation by landlords increases the likelihood that the former occupants of such accommodation would have great difficulty securing alternative accommodation which could cause acute aggravation of difficulties in the residential accommodation sector including difficulties relating to overcrowding, thereby presenting a substantial risk of spread of that disease with a consequent need for measures to counter its spread that would likely have further adverse economic consequences for the State;

WHEREAS the State has already taken significant measures to deal with the aforementioned crisis including measures to support the economy that have required and continue to require substantial disbursement and expenditure of public moneys; and

WHEREAS the Oireachtas has, with regard to *Part 2* and *section 13* of this Act, taken account of the matters referred to in the foregoing recitals.

Be it enacted by the Oireachtas as follows:

PART 1

Preliminary and General

Short title and collective citations

1. (1) This Act may be cited as the Residential Tenancies and Valuation Act 2020.

(2) The Residential Tenancies Acts 2004 to 2019 and this Act (other than *section 14*) may be cited together as the Residential Tenancies Acts 2004 to 2020.

(3) The Valuation Acts 2001 to 2019 and *section 14* may be cited together as the Valuation Acts 2001 to 2020.

Definitions

2. In this Act—

"Act of 2004" means the Residential Tenancies Act 2004;

"Act of 2020" means the Emergency Measures in the Public Interest (Covid-19) Act 2020.

PART 2

Protection of Tenants During Emergency Period

Interpretation

3. (1) In this Part—

"Act of 2005" means the Social Welfare Consolidation Act 2005;

"Covid-19" has the meaning assigned to it by the Act of 2020;

"emergency period" means the period from the date of the passing of this Act to 10 January 2021.

(2) In this Part—

(a) references to landlord shall be construed as including references to licensor within the meaning of section 37 of the Residential Tenancies (Amendment) Act 2019,

(b) references to tenant shall be construed as including references to licensee within the meaning of the said section 37, and

(c) references to tenancy shall be construed as including references to licence within the meaning of the said section 37.

(3) A word or expression that is used in this Part and in the Act of 2004 shall have the meaning in this Part that it has in that Act.

Application of Part

4. (1) Subject to *subsection (2)*, this Part applies in relation to a tenant who serves a declaration in writing (in such form as may be specified by the

Board) on the Board, and a true copy thereof on the landlord, in relation to the tenancy of a dwelling that—

(a) he or she is a relevant person, and

(b) as a consequence thereof, there is a significant risk that that tenancy of the dwelling will be terminated by the landlord,

and references in this Part to tenant or tenancy of a dwelling shall be construed accordingly.

(2) A person who makes a declaration referred to in *subsection (1)* that is false or misleading in any material respect shall be guilty of an offence.

(3) Section 6 of the Act of 2004 is amended, in subsection (1), by the insertion immediately after "this Act" of "or *section 4* of the *Residential Tenancies and Valuation Act 2020*.

(4) Section 9 of the Act of 2004 is amended by—

(i) the insertion immediately after "this Act" in subsection (1) of "or *section 4* of the *Residential Tenancies and Valuation Act 2020* ",

(ii) the insertion immediately after "this Act" in subsection (2) of "or *section 4* of the *Residential Tenancies and Valuation Act 2020* ",

(iii) the insertion immediately after "this Act" in subsection (3) of "or *section 4* of the *Residential Tenancies and Valuation Act 2020* ", and

(iv) the insertion immediately after "this Act" in subsection (5) of "or *section 4* of the *Residential Tenancies and Valuation Act 2020* ".

(5) For the purposes of this section, a document is a true copy of a declaration referred to in *subsection (1)* if it is certified in writing by the person who made the declaration to be a true copy of that declaration.

(6) In this section "relevant person" means a person who is not able to comply with his or her obligations under the Act of 2004 in relation to the payment of rent due in respect of the tenancy of a dwelling by reason of—

(a) his or her being a person—

(i) to whom subsection (7) (inserted by section 5 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020) of section 40 of the Act of 2005 applies, or

(ii) belonging to a category prescribed under subsection (8) of the said section 40,

(b) his or her having, at any time during the period commencing on 9 March 2020 and ending on 10 January 2021, been a person—

(i) to whom the said subsection (7) applied, or

(ii) belonging to such category,

or

(c) his or her being, or having been, in receipt of (or entitled to receive), in respect of the period referred to in *paragraph (b)* or any part of that period—

(i) the temporary wage subsidy (within the meaning of section 28 of the Act of 2020),

(ii) supplementary welfare allowance (within the meaning of Chapter 9 of Part 3 of the Act of 2005) or a supplement under subsection (3) of section 198 of the Act of 2005, paid for the purpose of alleviating financial hardship resulting from the loss of employment occasioned by—

(I) the spread, or risk of spread of, Covid-19, or

(II) measures adopted by the State to prevent the spread of that disease,

or

(iii) any other payment out of public moneys provided for by or under statute, paid for the purpose of alleviating financial hardship resulting from the loss of employment occasioned by—

(I) the spread, or risk of spread of, Covid-19, or

(II) measures adopted by the State to prevent the spread of that disease.

Notices of termination served during emergency period

5. (1) This section applies to a notice of termination served on a tenant during the emergency period that cites as a reason for the termination concerned the failure by the tenant to pay an amount of rent due in respect of the tenancy of a dwelling.

(2) Notwithstanding the amendment of section 67 of the Act of 2004 effected by *section 12* , the said section 67 shall, subject to *subsections (3)* and *(4)*, have effect in relation to a notice of termination to which this section applies as if the references, in paragraphs (aa) and (b) of subsection (2), to 28 days were references to 90 days.

(3) A notice of termination to which this section applies shall not specify a termination date that falls earlier than 11 January 2021.

(4) Where, after the service of a notice of termination to which this section applies, a tenant under the tenancy of a dwelling becomes a tenant to which this Part applies, the termination date under that notice shall, instead of the termination date specified therein, be deemed to be the later of the following dates:

(a) the date immediately following the expiration of 90 days from the service of the notice of termination; or

(b) the date immediately following the expiration of the emergency period.

(5) A tenant under the tenancy of a dwelling referred to in paragraph (b) of subsection (2) of section 67 of the Act of 2004 shall not, by virtue of the operation of this section, acquire any rights under Part 4 of that Act.

Prohibition on rent increases during emergency period

6. Notwithstanding the Act of 2004—

(a) an increase in the rent under the tenancy of a dwelling that, but for this section, would take effect during the emergency period shall not take effect during that period, and

(b) an increase (other than an increase that came into effect before 27 March 2020) in the rent under the tenancy of a dwelling shall not be

payable in respect of the emergency period or any period falling during the emergency period.

Service of declaration under *section 4*

7. (1) A declaration under *section 4* or a true copy (within the meaning of *section 4*) thereof shall be addressed to the person on whom it is required to be served by name, and may be so served on the person in one of the following ways:

(a) by delivering it to the person;

(b) by leaving it at the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, at that address;

(c) by sending it by post in a prepaid registered letter to the address at which the person ordinarily resides or, in a case in which an address for service has been furnished, to that address; or

(d) by electronic means—

(i) in accordance with such requirements as may be specified by the Board, in the case of a declaration under *section 4* , or

(ii) with the consent in writing of the landlord, in the case of a true copy referred to in *subsection (1)*.

(2) For the purpose of this section, a company within the meaning of the Companies Act 2014 shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body of persons shall be deemed to be ordinarily resident at its principal office or place of business.

(3) Subsection (2) of section 6 of the Act of 2004 shall apply in relation to the service of a true copy referred to in *subsection (1)* subject to any necessary modifications.

PART 3

Miscellaneous

Proceedings before Tenancy Tribunal under Act of 2004

8. Subsection (1) of section 106 of the Act of 2004 shall not have effect during the period from the date of the passing of this Act to 10 January 2021.

Amendment of section 34 of Act of 2004

9. Section 34 of the Act of 2004 is amended—

(a) in paragraph 1 of the Table to that section, by the insertion of "(other than the obligation to which paragraph (a) of section 16 applies)" immediately after "obligations", and

(b) by the insertion of the following paragraph in that Table:

"1A. The tenant has failed to comply with paragraph (a) of section 16 in relation to the tenancy concerned and the condition specified in subsection (3) (inserted by *paragraph (b)* of *section*

12 of the *Residential Tenancies and Valuation Act 2020*) of section 67 has been satisfied.".

Amendment of section 35 of Act of 2004

10. Section 35 of the Act of 2004 is amended by the deletion, in subparagraph (i) of paragraph (b) of subsection (2), of "(or, if the failure consists of the non-payment of rent, pay the arrears of rent)".

Referral of notice of termination to adjudicator under Act of 2004

11. The Act of 2004 is amended by the insertion, in Chapter 3 of Part 4 of the following section:

"39A. (1) Where a landlord serves a notice of termination in relation to the tenancy of a dwelling for failure by the tenant to comply with paragraph (a) of section 16, he or she shall, on the day on which he or she so serves that notice of termination, serve a copy thereof on the Board.

(2) The Board shall, upon receiving a copy of a notice of termination from a landlord, notify the tenant in writing of his or her entitlements under section 76.

(3) Where the tenant refers a matter in connection with the notice of termination to the Board for resolution under section 76, the adjudicator appointed under section 97 to inquire into the dispute shall have regard to any advice referred to in subsection (3A) of section 67 (inserted by *section 12* of the *Residential Tenancies and Valuation Act 2020*) when making a decision or determination under subsection (4) of section 97 in relation to the matter.

(4) The Tribunal shall, on the hearing of an appeal from a decision or determination of an adjudicator referred to in subsection (3), have regard to any advice referred to in subsection (3A) of section 67 when making a decision or determination under section 108.".

Amendment of section 67 of Act of 2004

12. Section 67 of the Act of 2004 is amended by—

(a) the substitution of the following paragraph for paragraph (aa) of subsection (2):

"(aa) in the case of the termination of a Part 4 tenancy, 28 days (regardless of the duration of the tenancy) provided that, where the reason for such termination is the failure by the tenant to pay an amount of rent due, the condition specified in subsection (3) is satisfied,",

(b) the substitution of the following subsection for subsection (3):

"(3) The condition that applies in respect of paragraph (aa) and subparagraph (ii) of paragraph (b) of subsection (2) is that—

(a) the tenant and the Board have been given a notification (in such form as may be specified by the Board) in writing by the landlord that such amount of rent due as is specified in the notification has not been paid to the landlord, and

(b) that amount is not paid to the landlord within the period of 28 days following—

(i) receipt of the notification by the tenant, or

(ii) receipt of the notification by the Board,

whichever occurs later.",

and

(c) the insertion of the following subsections:

"(3A) Where the Board receives a notification under subsection (3), it shall forthwith—

(a) provide the tenant concerned with such information in writing as will enable him or her to obtain advice of the type referred to in paragraph (ca)(inserted by paragraph (a) of section 28 of the Social Welfare (Miscellaneous Provisions) Act 2008) of subsection (1) of section 7 of the Comhairle Act 2000, and

(b) request the tenant to give his or her consent to the Board's assisting the tenant in obtaining such advice.

(3B) The Board shall assist a tenant in obtaining advice referred to in subsection (3A) if the tenant gives his or her consent pursuant to a request referred to in that subsection.

(3C) Service of a notice of termination for failure by a tenant to pay an amount of rent due in respect of the tenancy of a dwelling shall be deemed to be invalid if the landlord contravenes subsection (1) of section 39A (inserted by *section 11* of the *Residential Tenancies and Valuation Act 2020*).".

Amendment of Act of 2020

13. Section 5 of the Act of 2020 is amended by—

(a) the substitution of the following subsection for subsection (6):

"(6) In this section 'revised termination date' means, in relation to a notice of termination served before the emergency period, the later of the following dates:

(a) the date immediately following the expiration of a period that consists of the aggregate of—

(i) the period of notice that remained unexpired on the commencement of the emergency period, and

(ii) the emergency period;

or

(b) 10 August 2020.",

and

(b) the deletion of subsection (7).

Application of section 25 of Valuation Act 2001

14. (1) Section 25 of the Act of 2001 shall, during the period commencing on the date of the passing of this Act and ending on F1**[**31 December 2026**]**, apply F1**[**in relation to a rating authority area**]** as if, in subsection (2), the reference to 10 years were a reference to F1**[**16 years**]**.

(2) In this section—

"Act of 2001" means the Valuation Act 2001;

"rating authority area" has the meaning assigned to it by the Act of 2001.

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RESIDENTIAL TENANCIES AND VALUATION ACT 2020

REVISED

Updated to 24 July 2022

About this Revised Act

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

Related legislation

Residential Tenancies Acts 2004 to 2022: this Act is one of a group of Acts included in this collective citation, to be construed together as one (*Regulation of Providers of Building Works and Miscellaneous Provisions Act 2022* (15/2022), s. 99(2)). The Acts in this group are:

- *Residential Tenancies Act 2004* (27/2004)
- *Residential Tenancies (Amendment) Act 2009* (2/2009)
- *Housing (Miscellaneous Provisions) Act 2009* (22/2009), s. 100
- *Residential Tenancies (Amendment) Act 2015* (42/2015), other than s. 1(3) and ss. 15, 85 and 87
- *Planning and Development (Housing) and Residential Tenancies Act 2016* (17/2016), s. 1(2)(b), part 3 and sch.
- *Residential Tenancies (Amendment) Act 2019* (14/2019), other than s. 38
- *Local Government Rates and other Matters Act 2019* (24/2019), ss. 25, 26
- *Residential Tenancies and Valuation Act 2020* (7/2020), other than s. 14
- *Residential Tenancies Act 2020* (17/2020)
- *Planning and Development, and Residential Tenancies, Act 2020* (27/2020), Part 3
- *Residential Tenancies Act 2021* (5/2021)
- *Residential Tenancies (No. 2) Act 2021* (17/2021)
- *Residential Tenancies (Amendment) Act 2021* (39/2021)
- *Regulation of Providers of Building Works and Miscellaneous Provisions Act 2022* (15/2022), Part 11 (ss. 91-99)

Valuation Acts 2001 to 2020: this Act is one of a group of Acts included in this collective citation (*Residential Tenancies and Valuation Act 2020* (7/2020), s. 1(3)). The Acts in this group are:

- *Valuation Act 2001* (13/2001)
- *Local Government (Business Improvement Districts) Act 2006* (42/2006), s. 8
- *Local Government Reform Act 2014* (1/2014), ss. 1(3), 33 and so much of Schedule 2, Part 6 as relates to the Valuation Act 2001
- *Health Service Executive (Financial Matters) Act 2014* (17/2014), s. 16
- *Water Services Act 2014* (44/2014), s. 12
- *Valuation (Amendment) Act 2015* (10/2015)

• *Landlord and Tenant (Ground Rents) (Amendment) Act 2019* (42/2019), s. 6
• *Residential Tenancies and Valuation Act 2020* (7/2020), s. 14

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.