



STATUTORY INSTRUMENTS.

**S.I. No. 236 of 2019**



RESIDENTIAL TENANCIES (AMENDMENT) ACT 2019  
(COMMENCEMENT) ORDER 2019

S.I. No. 236 of 2019

Residential Tenancies (Amendment) Act 2019 (Commencement) Order 2019

I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by subsection (4) of section 1 of the Residential Tenancies (Amendment) Act 2019 (No. 14 of 2019), hereby order as follows:

1. This Order may be cited as the Residential Tenancies (Amendment) Act 2019 (Commencement) Order 2019.

2. In this Order –

“Act of 2019” means the Residential Tenancies (Amendment) Act 2019 (No. 14 of 2019);

“Principal Act” means the Residential Tenancies Act 2004 (No. 27 of 2004)

3. (1) The 31st day of May 2019 is appointed to be the day on which the following provisions of the Act of 2019 shall come into operation:

- (a) sections 1, 2, 10, 11, 17, 27, 30, 31, 32, 33 and 36;
- (b) section 28 (in so far only as it effects the insertion of sections 148R and 148AF of the Principal Act);
- (c) paragraph (a) of section 29.

(2) The 4th day of June 2019 is appointed to be the day on which the following provisions of the Act of 2019 shall come into operation:

- (a) section 6 (other than paragraphs (c) and (e) of subsection (1)) and paragraphs (c) and (e) of subsection (1) of that section (in so far only as they effect the insertion of subsections (5A) and (6A) of section 19 of the Principal Act);
- (b) sections 7, 8, 9, 12, 13, 14, 15, 16, 19, 20 and 21;
- (c) paragraph (a) of section 24.



GIVEN under my Official Seal,

30 May, 2019.

EOGHAN MURPHY,

Minister for Housing, Planning and Local Government.

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

This Order appoints 31 May 2019 and 4 June 2019 as the dates on which specified provisions of the Residential Tenancies (Amendment) Act 2019 come into effect.

**Commencements with effect from 31 May 2019:**

Part 1 – sections 1 and 2 - of the Act provides for short title, collective citations, commencement and definitions.

Section 10 inserts a new section 24BA into the Residential Tenancies Acts 2004 to 2019 to provide that the administrative area of Cork City Council, which was deemed to be a rent pressure zone on 24 December 2016, shall include the area transferring from Cork County Council to Cork City Council on 31 May 2019.

Section 11 and 17 technically amends section 32 and 75 of the Acts to rename ‘the Schedule’ as ‘Schedule 1’.

Section 27 inserts a new section 144A into the Acts to empower the RTB to pursue updates of its register from landlords with regard to rent alterations relating to tenancies in their dwelling.

Section 28 in so far as it inserts sections 148R and 148AF into the Acts which provides for necessary definitions and procedural rules relating to the Residential Tenancies Board’s (RTB) new investigation and sanctioning powers.

Paragraph (a) of section 29 technically amends section 151 of Acts by extending the functions of the RTB to include the investigation of improper conduct by landlords and the imposition of sanctions in accordance with the new Part 7A.

Section 30 inserts a new section 164A into the Acts to provide for the appointment of authorised officers and decision makers by the RTB and the creation of a panel of authorised officers and a panel of decision makers for the purposes of implementing the new sanctions regime under Part 7A.

Section 31 provides the usual indemnification for RTB authorised officers and decision makers under the new Part 7A.

Sections 32 and 33 provide minor technical amendments to section 176 of the Acts and to the Schedule.

Section 36 provides for the repeal of certain provisions contained within the Residential Tenancies (Amendment) Act 2015 that have not come into operation and have been overtaken by the provisions in this Bill.

**Commencements with effect from 4 June 2019:**

Section 6 amends section 19 of the Acts in relation to rent setting and exemptions in Rent Pressure Zones (RPZs).

Section 7 amends section 20 of the Acts with the effect that after 31 December 2021, rent reviews, outside of RPZs, can again occur on an annual basis.

Section 8 amends section 24A of the Acts which relates to Rent Pressure Zones.

Section 9 amends section 24B of the Acts which deems Cork City, Dublin City, Dún Laoghaire-Rathdown, Fingal and South Dublin to be RPZs by extending the duration of these RPZs to 31 December 2021.

Sections 12, 13 and 14 amend sections 34, 35 and 56 of the Acts in relation to tenancy termination procedures and damages for abuse of same.

Section 15 amends Chapter 3 of Part 5 of the Acts, dealing with tenancy termination notice periods, by inserting a new section 64B into the Acts in connection with the duration of tenancy to be used for the purposes of calculating tenancy termination notice periods.

Section 16 amends section 66 of the Acts by extending tenancy termination notices and providing for related matters.

Sections 19 and 20 amend sections 93 and 109 of the Acts, respectively, to remove the prohibition on the RTB from charging for its mediation service.

Section 21 technically amends section 123 of the Acts to make it mandatory for the Board to publish its determination orders and notices of cancellation thereof. Currently, the Board has the option whether or not to so publish.

Paragraph (a) of section 24 which technically amends section 136 of the Acts to require that the address at which the landlord ordinarily resides and the address of the landlord's authorised agent are both included on the RTB's register to tenancies.

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