



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

Please Quote Ref: INV260/WP/11

5 January, 2012.



Ms. Mary Maguire,
Meetings Administrator,
Corporate Services Department,
South Dublin County Council,
Tallaght,
Dublin 24.

Dear Ms. Maguire,

I have been asked by Ms. Jan O'Sullivan T.D., Minister for Housing and Planning, to refer further to your letter to her predecessor regarding a meeting to discuss absentee landlords and anti-social behaviour by tenants.

The Minister has asked me to say that the Residential Tenancies Act 2004 regulates the tenant-landlord relationship in the private rented residential sector. The Act sets out the obligations of tenants and landlords in the sector and the Private Residential Tenancies Board (PRTB) is the independent statutory body charged with the administration of the Act and the enforcement of those obligations, as necessary. The PRTB may be contacted at O'Connell Bridge House, D'Olier St, Dublin 2 (www.prtb.ie)

While action to deal with anti-social behaviour is primarily a matter for An Garda Síochána, in the case of private rented dwellings landlords are responsible for enforcing the obligations that apply to their tenants under the Act.

The Act, in this regard, prohibits a tenant in a private residential tenancy from engaging in anti-social behaviour in, or in the vicinity of, a dwelling to which the Act applies and allows a landlord to terminate any tenancy where the tenant is engaging in or allowing others to engage in such behaviour, subject to a notice period of only 7 days in the case of serious anti-social behaviour or 28 days in the case of less serious but persistent behaviour.

The Residential Tenancies Act also provides that a third party directly and adversely affected by anti-social behaviour may, subject to certain conditions, refer a complaint to the Private Residential Tenancies Board, against a landlord who has failed to enforce tenant obligations. A specific condition is that the third party complainant must have taken reasonable steps to

An Roinn Comhshaol, Pobail agus Rialtais Áitiúil, Teach an Chustaim, Baile Átha Cliath 1
Department of the Environment, Community and Local Government, Custom House, Dublin 1

Tel/Tel: 353 1 888 2591 Faics/Fax: 353 1 878 6676

Riaghphost/e-Mail: ministerofstate@environ.ie

www.environ.ie



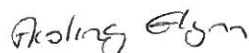
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resolve the matter by communicating or attempting to communicate with the parties to the tenancy concerned.

Breaches of tenants' or landlords' obligations may be referred to the PRTB in the context of applications to it for its dispute resolution services. The PRTB may then issue directions regarding those obligations in its Determination Orders and, in the event of non-compliance with the Orders, it may pursue enforcement via Court proceedings.

Due to a heavy diary schedule, it will not be possible for the Minister to meet with you but Mr Cian O Lionain, Principal Officer, Housing Regulation and Statistics section [Cian.OLionain@environ.ie] is available to provide further information if required.

Yours sincerely,



Aisling Glynn
Private Secretary