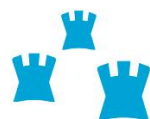


PRIVATE RENTED HOUSES

COMPENDIUM OF RELEVANT SECTIONS OF PRIVATE RENTED HOUSING STANDARDS LEGISLATION

Colm Smyth
Principal Environmental Health Officer
Dublin City Council
Housing & Community Services
Civic Offices
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Dublin 8



Baile Átha Cliath
Dublin City

01 May 2019

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STATUTORY INSTRUMENTS

S.I. No. 137 of 2019

HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2019

S.I. No. 137 of 2019

HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2019

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S.I. No. 137 of 2019

HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2019

I, EOGHAN MURPHY, Minister for Housing, Planning and Local Government, in exercise of the powers conferred on me by section 5 (as amended by section 24 of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992)) of the Housing Act 1966 (No. 21 of 1966) and by section 18 (as amended by section 8 of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009)) of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992) (as adapted by the Environment, Community and Local Government (Alteration of Name of Department and Title of Minister) Order 2016 (S.I. No. 394 of 2016)), hereby make the following regulations:

CITATION AND COMMENCEMENT

1. (1) These Regulations may be cited as the Housing (Standards for Rented Houses) Regulations 2019.
- (2) These Regulations come into operation on 1 May 2019.

INTERPRETATION

2. (1) In these Regulations—

“habitable room” means a room used for living or sleeping purposes but does not include a kitchen having a floor area of less than 6.5 square metres.

(2) Any requirement of these Regulations with respect to repair shall be construed as requiring a standard of repair that is reasonable in all the circumstances and, in determining the appropriate standard of repair, regard shall be had to the age, character and prospective life of the house.

- (3) Nothing in these Regulations shall be taken—

(a) as requiring or authorising anything to be done in connection with a water supply, drainage system or the supply of gas or electricity otherwise than in accordance with the enactments relating thereto,

(b) as creating an obligation to—

(i) take any action which is the responsibility of a local authority or statutory undertaker, other than such action as may be necessary to bring the matter to the attention of the local authority or statutory undertaker concerned, or

(ii) repair or maintain in good repair, working order or in a clean condition anything which a tenant is entitled to remove from a house.

- (4) Regulation 2(3) shall not be construed as exempting a housing authority from their duties under these Regulations as respects a house let or available for letting by them.

- (5) In this Regulation:

“local authority” has the meaning assigned to it by the Local Government Act 2001 (No. 37 of 2001);

“statutory undertaker” means a person authorised by or under statute to construct, work, or carry on a railway, canal, inland navigation, dock, harbour, gas, electricity, telephone, postal, water, wastewater or other public undertaking.

APPLICATION

3. (1) Subject to paragraph 2, these Regulations shall apply to every house let, or available for letting, for rent or other valuable consideration solely as a house unless the house is let or available for letting—

(a) to a person only for the purpose of conferring on that person the right to occupy the house for a holiday,

(b) by the Health Service Executive or by an approved body, as accommodation with sanitary, cooking or dining facilities provided for communal use within the building which contains the house, or

(c) by a housing authority pursuant to any of their functions under the Housing Acts 1966 to 2014, and is a caravan, mobile home or a structure or a thing (whether on wheels or not) that is capable of being moved from one place to another (whether by towing, transport on a vehicle or trailer, or otherwise).

(2) In Regulation 3(1)(b) “approved body” means—

(a) a body standing approved of under section 6 of the Housing Miscellaneous Provisions) Act 1992, or

(b) a voluntary body standing approved of by the Minister for Health or by the Health Service Executive for the purposes of providing accommodation for elderly persons or persons with a mental handicap or psychiatric disorder.

STRUCTURAL CONDITION

4. (1) A house to which these Regulations apply (hereinafter referred to as “the house”) shall be maintained in a proper state of structural repair.

(2) For the purposes of Regulation 4(1) ‘a proper state of structural repair’ means sound, internally and externally, with roof, roofing tiles and slates, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascia, tiles on any floor, ceiling and wall, gutters, down pipes, fittings, furnishings, gardens and common areas maintained in good condition and repair and not defective due to dampness or otherwise.

(3) Where a window has an opening section through which a person may fall, and the bottom of the opening section is more than 1400mm above external ground level, suitable safety restrictors shall be fitted. Safety restrictors shall restrain the window sufficiently to prevent such falls.

(4) Where necessary, adequate provision shall be made to prevent harbourage or ingress of pests or vermin

SANITARY FACILITIES

5. (1) There shall be provided within the same habitable area of the house, for the exclusive use of the house:

(a) A water closet, with dedicated wash hand basin adjacent thereto with a continuous supply of cold water and a facility for the piped supply of hot water, and

(b) A fixed bath or shower with continuous supply of cold water and a facility for the piped supply of hot water.

(2) The requirements of Regulation 5(1) shall:

(i) be maintained in a safe condition and good working order,

(ii) have safe and effective means of drainage,

(iii) be properly insulated,

(iv) have minimum capacity requirements for hot and cold water storage facilities, and

(v) be provided in a room separated from other rooms by a wall and a door and containing separate ventilation.

HEATING FACILITIES

6. (1) Every room used, or intended for use, by the tenant of the house as a habitable room, and any bathroom, or shower-room shall contain a permanently fixed:

(a) heat emitter,

(b) heat distribution system, or

(c) heat producing appliance, capable of providing effective heating.

(2) Every room referred to in Regulation 6(1) shall contain suitable and adequate facilities for the safe and effective removal of fumes and other products of combustion to the external air where a heat producing appliance is used.

(3) A heat producing appliance referred to in Regulation 6(1)(c) shall be so installed that there is an adequate supply of air to it for combustion, to prevent overheating and for the efficient working of any flue pipe or chimney serving the appliance.

(4) The operation of any:

(a) heat emitter,

(b) heat distribution system, or

(c) heat producing appliance

as referred to in Regulation 6(1) shall be capable of being independently manageable by the tenant.

(5) All appliances under Regulation 6(1) shall be maintained in a safe condition and in good working order and good repair.

(6) Each house shall contain, where necessary, suitably located devices for the detection and alarm of carbon monoxide.

FOOD PREPARATION AND STORAGE AND LAUNDRY

7. (1) Notwithstanding paragraph (4), paragraphs (2) and (3) shall not apply where the house is let or available for letting –

- (i) by a housing authority under the Housing Acts 1966 to 2014,
- (ii) by a housing body approved under Section 6 of the Housing (Miscellaneous Provisions) Act 1992, or
- (iii) for a minimum lease period of 10 years under a tenancy agreement.

(2) Subject to paragraph (1), there shall be provided, within the same habitable area of the house, for the exclusive use of the house:

- (a) 4 ring hob with oven and grill,
- (b) Suitable facilities for the effective and safe removal of fumes to the external air by means of a cooker hood or extractor fan,
- (c) Fridge and freezer or fridge-freezer,
- (d) Microwave oven,
- (e) Sink, with a piped supply of potable cold water taken direct from the service pipe supplying water from the public main or other source to the building containing the house and a facility for the piped supply of hot water, and an adequate draining area,
- (f) Suitable and adequate number of kitchen presses for food storage purposes,
- (g) Washing machine, or access to a communal washing machine facility within the curtilage of the building, and
- (h) Where the house does not contain a garden or yard for the exclusive use of that house, a dryer (vented or recirculation type) or access to a communal dryer facility.

(3) All facilities under Regulation 7(2) shall be maintained in a safe condition and in good working order and good repair.

(4) Responsibility for maintenance of facilities under Regulation 7(2) shall rest with the landlord.

(5) Where a house is let or available for letting:

- (a) by a housing authority under the Housing Acts 1966 to 2014,
- (b) by a housing body approved under Section 6 of the Housing (Miscellaneous Provisions) Act 1992, or
- (c) for a minimum lease period of 10 years under a tenancy agreement,

there shall be provided, within the same habitable area of the house, for the exclusive use of the house:

- (i) facilities for the installation of cooking equipment,
- (ii) Sink, with a piped supply of potable cold water taken directly from the service pipe supplying water from the public main or other source to the building containing the house and a facility for the piped supply of hot water, and an adequate draining area,

(iii) Suitable facilities for the effective and safe removal of fumes to the external air by means of a cooker hood or extractor fan, and

(iv) Suitable and adequate number of kitchen presses for food storage purposes.

VENTILATION

8. (1) Every room used, or intended for use, by the tenant of the house as a habitable room shall have adequate ventilation.

(2) All means of ventilation shall be maintained in good repair and working order.

(3) Adequate ventilation shall be provided for the removal of water vapour from every kitchen and bathroom.

LIGHTING

9. (1) Every room used, or intended for use, by the tenant of the house as a habitable room, shall have adequate natural lighting.

(2) Every hall, stairs, and landing within the house and every room used, or intended for use, by the tenant of the house shall have a suitable and adequate means of artificial lighting.

(3) The windows of every room containing a bath or shower and a water closet shall be suitably and adequately screened to ensure privacy.

FIRE SAFETY

10. (1) Each house shall contain a suitable self-contained fire detection and alarm system.

(2) Each house shall contain a suitably located fire blanket.

(3) Each self-contained house in a multi-unit building shall contain a suitable fire detection and alarm system and an emergency evacuation plan.

(4) A suitable fire detection and alarm system shall be provided in common areas within a multi-unit building.

(5) Emergency lighting shall be provided in all common areas within a multi-unit building.

(6) Fire detection and alarm systems and emergency lighting systems required under Regulation 10(4) and 10(5) shall be maintained in accordance with current standards.

(7) In this Regulation:

“current standards” means standards produced by the National Standards Authority of Ireland for Fire Detection and Fire Alarm Systems in Buildings and for Emergency Lighting;

“multi-unit building” means a building that contains 2 or more houses that share a common access.

REFUSE FACILITIES

11. The house shall have access to suitable and adequate pest and vermin proof refuse storage facilities.

GAS, OIL AND ELECTRICITY INSTALLATIONS

12. Installations for the supply of gas, oil and electricity including pipework, storage facilities and electrical distribution boxes shall be maintained in good repair and safe working order.

INFORMATION

13. Sufficient information shall be provided to the tenant about the rented property, the fixed building services, appliances and their routine maintenance requirements so that the occupant can operate them correctly.

REVOCATION

14. The Housing (Standards for Rented Houses) Regulations 2017 (S.I. No. 17 of 2017) are revoked.

GIVEN under my Official Seal,

1 April 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)

These Regulations require landlords of rented houses (including flats and maisonettes), with some exceptions, to ensure that such houses meet certain minimum standards. The standards relate to, inter alia, structural condition, provision of sanitary facilities, food preparation, storage and laundry, availability of adequate heating, lighting and ventilation, safety of oil, electricity and gas installations, fire safety and refuse facilities. The Regulations come into operation generally on 1 May 2019. The Regulations replace the Housing (Standards for Rented Houses) Regulations 2017.

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FRIDAY, 5TH APRIL 2019

S.I. No. 137 of 2019.

HOUSING (STANDARDS FOR RENTED HOUSES) REGULATIONS 2019.

These Regulations require landlords of rented houses (including flats and maisonettes), with some exceptions, to ensure that such houses meet certain minimum standards. The standards relate to, inter alia, structural condition, provision of sanitary facilities, food preparation, storage and laundry, availability of adequate heating, lighting and ventilation, safety of oil, electricity and gas installations, fire safety and refuse facilities. The Regulations come into operation generally on 1 May 2019. The Regulations replace the Housing (Standards for Rented Houses) Regulations 2017.

Copies of these regulations can be purchased from Government Publications Sale Office, 52 St. Stephen's Green, Dublin 2. Phone: 076 1106 834.

€3.00

HOUSING (MISCELLENEOUS PROVISIONS) ACT, 1992

as amended by the

HOUSING (MISCELLENEOUS PROVISIONS) ACT 2009 (in blue)

INTERPRETATION

1. (1) In this Act, unless the context otherwise requires -

"house" includes any building or part of a building used or suitable for use as a dwelling and any outoffice, yard, garden or other land appurtenant thereto or usually enjoyed therewith and "housing" shall be construed accordingly;

'improvement notice' has the meaning given to it by section 18A.

'prohibition notice' has the meaning given to it by section 18B.

RENT BOOKS

17. — (1) The Minister may make regulations requiring the landlord of a house let for rent or other valuable consideration to provide the tenant of such a house with a rent book or other documentation to the like effect (in this section referred to as "other documentation").

(2) Regulations under this section may, in particular, but without prejudice to the generality of *subsection (1)*, make provision in relation to all or any one or more of the following:

(a) the class or classes of houses or tenancies in respect of which rent books or other documentation shall be provided;

(b) the particulars to be contained in a rent book or other documentation, including information relating to—

(i) the house,

(ii) the landlord,

(iii) the tenant,

(iv) the terms of the tenancy and the rights and obligations of the tenant and the landlord,

(v) the deposit (if any) paid,

(vi) the rent reserved under the tenancy;

(c) the manner in which payments of rent are recorded or acknowledged;

(d) requirements regarding the proper use of a rent book or other documentation;

(e) such other matters as the Minister considers necessary.

(3) A person authorised by a housing authority for the purposes of this section may, in relation to a house to which regulations under this section apply—

(a) require the tenant to furnish or cause to be furnished to him at a specified time and place such document (if any) purporting to be the rent book or other documentation provided by the landlord;

(b) at all reasonable times enter and inspect the house as respects any particulars required by the regulations to be contained in the rent book or other documentation;

(c) require the landlord to furnish or cause to be furnished to him at a specified time and place the landlord's books, documents or other records (whether legible or in a machine readable form) relating to the house and the tenancy thereof.

STANDARDS FOR RENTED HOUSES

18. — (1) The Minister may make regulations prescribing standards for houses (including any common areas) let or available for letting for rent or other valuable consideration and it shall be the duty of the landlord of such a house to ensure that the house complies with the requirements of such regulations.

(2) A person authorised by a housing authority for the purposes of this section may at all reasonable times enter and inspect a house to which regulations under this section apply.

(3) to (6) deleted by the Housing (Miscellaneous Provisions) Act 2009

(7) Regulations under this section may, in particular, but without prejudice to the generality of subsection (1), make provision in relation to all or any one or more of the following:

(a) the class or classes of houses or tenancies in respect of which the prescribed standards shall apply;

(b) the maintenance of the house and any common areas in a proper state of structural repair and in good general repair;

(c) the quality and condition of the accommodation, any common areas, furnishings and appliances;

(d) ventilation and lighting;

(e) water supplies, sanitary facilities and drainage;

(f) facilities for heating and cooking;

(g) facilities for the storage and the preparation of food;

(h) fire safety.

(8) “For the purposes of subsection (7)(b) ‘a proper state of structural repair’ means sound, internally and externally, with roof, roofing tiles and slates, windows, floors, ceilings, walls, stairs, doors, skirting boards, fascia, tiles on any floor, ceiling and wall, gutters, down pipes, fittings, furnishings, gardens and common areas maintained in good condition and repair and not defective due to dampness or otherwise.”.

(9) In this section and sections 18A and 18B—
‘common areas’ means common areas, works and services that are appurtenant to houses and enjoyed therewith and that are in the ownership or under the control of the landlord;

‘landlord’ means the person for the time being entitled to receive (otherwise than as agent for another person) the rent paid in respect of a house by the tenant thereof;

'tenancy' includes a periodic tenancy and a tenancy for a fixed term, whether oral or in writing or implied;

'tenant' means the person for the time being entitled to the occupation of a house under a tenancy.

IMPROVEMENT NOTICE

18A. — (1) Where, in the opinion of a housing authority, a landlord is contravening or has contravened a requirement of a regulation made under section 18, the authority may give notice in writing (in this Act referred to as an "improvement notice") to the landlord of the house concerned.

(2) An improvement notice shall—

- (a) state that the housing authority is of the opinion referred to in subsection (1),
- (b) state the reasons for that opinion,
- (c) identify the provision of the regulation concerned in respect of which that opinion is held,
- (d) direct the landlord to remedy the contravention within the period specified in the notice commencing on the date specified therein, which date shall not be earlier than the end of the period within which an objection may be submitted under subsection (6),
- (e) include information regarding the submission of an objection and the making of an appeal in relation to the notice, specifying—
 - (i) the form and manner of an objection,
 - (ii) the form and manner of an appeal, and
 - (iii) the address of the housing authority for the purpose of submitting an objection under subsection (6) or notifying the authority of an appeal under subsection (7) as the case may be,
- (f) contain a statement that if an objection is not submitted in accordance with subsection (6) and within the period specified in that subsection then—
 - (i) the notice will be treated as not disputed, and
 - (ii) the landlord will be deemed to have accepted the notice and to have agreed to comply with the direction within the period specified therein, and
- (g) be signed and dated by the housing authority.

(3) An improvement notice may include directions as to the measures to be taken to remedy the contravention to which the notice relates or to otherwise comply with the notice.

(4) Where an improvement notice is given under subsection (1), the housing authority shall give a copy to the tenant of the house concerned.

(5) (a) A landlord to whom an improvement notice has been given who is of the opinion that the improvement notice has been complied with shall, before the expiration of the period specified in the notice for the purpose of subsection (2)(d), confirm in writing to the housing authority that the matters referred to in the notice have been so remedied and shall give a copy of the confirmation to the tenant.

(b) Where a landlord confirms to the housing authority in accordance with paragraph (a) that the matters referred to in the improvement notice have been remedied, the housing authority, on being satisfied that the matters have been so remedied, shall, within 28 days of receiving such confirmation, give notice in writing to the landlord of compliance with the improvement notice and shall give a copy of the notice to the tenant.

(c) The notice under paragraph (b) does not preclude any inspection which the housing authority considers necessary in relation to the house concerned or the service of a further improvement notice which the authority may consider necessary.

(6) A landlord aggrieved by an improvement notice may, within 14 days beginning on the day on which the notice is given to him or her, submit an objection to the notice in the form and manner specified in the notice, and the housing authority shall consider the objection and, as it sees fit, vary, withdraw, cancel or confirm the notice and shall notify the landlord in writing of the decision and the reasons for the decision within 14 days after receipt of the objection.

(7) (a) The landlord may, no later than 14 days after the decision under subsection (6) is notified by the housing authority to him or her, appeal the decision to a judge of the District Court in the district court district in which the notice was served.

(b) A landlord who appeals under paragraph (a) shall at the same time notify the housing authority in writing of the appeal and the grounds for the appeal.

(c) The housing authority shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(d) In determining an appeal under paragraph (a), the judge of the District Court may confirm, vary or cancel the improvement notice if he or she considers it reasonable to do so.

(8) Where an objection is submitted under subsection (6) and no appeal is made under subsection (7) against the decision of the housing authority and the improvement notice is neither withdrawn nor cancelled, the notice takes effect on the later of the following:

(a) the day after the day on which the notice is confirmed or varied;

(b) the day after the objection is withdrawn by the landlord;

(c) the date specified in the notice.

(9) Where an appeal is made under subsection (7) and the improvement notice is neither withdrawn nor cancelled, the notice takes effect on the later of the following:

(a) the day after the day on which the notice is confirmed or varied on appeal;

(b) the day after the appeal is withdrawn by the landlord;

(c) the date specified in the notice.

(10) Where no objection is submitted under subsection (6) the improvement notice takes effect on the date specified in the notice.

(11) The housing authority may—

(a) withdraw an improvement notice at any time, or

(b) where no objection is submitted or appeal made or pending, extend the date specified in the notice for the purposes of subsection (2)(d).

(12) Withdrawal of an improvement notice under subsection (11) does not prevent the giving of another improvement notice, whether in respect of the same matter or a different matter.

PROHIBITION NOTICE

18B. — (1) Where a landlord fails to comply with an improvement notice in accordance with section 18A, the housing authority may give notice in writing (in this Act referred to as a “prohibition notice”) to the landlord of the house concerned.

(2) A prohibition notice shall—

(a) state that the housing authority is of the opinion that the landlord has failed to comply with an improvement notice,

(b) direct that the landlord shall not re-let the house for rent or other valuable consideration until the landlord has remedied the contravention to which the improvement notice relates,

(c) include information regarding the making of an appeal in relation to the notice, specifying—

(i) the form and manner of an appeal, and

(ii) the address of the housing authority for the purpose of notifying the authority of an appeal under subsection (4), and

(d) be signed and dated by the housing authority.

(3) Where a prohibition notice is given under subsection (1), the housing authority shall give a copy to the tenant of the house concerned.

(4) (a) A landlord aggrieved by a prohibition notice may, within 14 days beginning on the day on which the notice is given to him or her, appeal the notice to a judge of the District Court in the district court district in which the notice was served.

(b) A landlord who appeals under paragraph (a) shall at the same time notify the housing authority in writing of the appeal and the grounds for the appeal.

(c) The housing authority shall be entitled to appear, be heard and adduce evidence on the hearing of the appeal.

(d) In determining an appeal under paragraph (a), the judge of the District Court may confirm, vary or cancel the prohibition notice if he or she considers it reasonable to do so.

(5) A prohibition notice shall take effect—

(a) in the case of an appeal under subsection (4), on the later of the following:

(i) the day after the day on which the notice is confirmed or varied on appeal;

(ii) the day after the appeal is withdrawn by the landlord;

(iii) the expiry, whether by termination or otherwise, of the tenancy existing on the day on which the prohibition notice is given to the landlord,

(b) in any other case on the later of the following:

(i) the day after the expiry of the period allowed by subsection (4)(a) for making an appeal;

(ii) the expiry, whether by termination or otherwise, of the tenancy existing on the day on which the prohibition notice is given to the landlord.

(6) A landlord to whom a prohibition notice has been given who is of the opinion that the matters to which the notice relates have been remedied shall confirm in writing to the housing authority that those matters have been so remedied and shall give a copy of the confirmation to the tenant.

(7) Where a landlord on whom a prohibition notice has been served confirms in writing to the housing authority in accordance with subsection (6) that the matters to which the notice relates have been remedied, the housing authority, on being satisfied that the matters have been so remedied, shall, within 28 days of such confirmation, give written notice to the landlord of compliance with the prohibition notice and shall give a copy of the notice to the tenant of the house concerned.

(8) A housing authority may at any time withdraw a prohibition notice by notice in writing to the landlord to whom it was given.

(9) Withdrawal of a prohibition notice under subsection (8) does not prevent the giving of another prohibition notice.

(10) A housing authority shall, in the interests of public health and safety, make such arrangements as they consider appropriate or necessary to bring the contents of a prohibition notice to the attention of the public.

OFFENCES

(34) (1) Any person who—

(a) by act or omission, obstructs an authorised person in the lawful exercise of the powers conferred by, or contravenes a provision of, or a regulation made under, section 17, 18 or 20, or

(b) fails to comply with an improvement notice, or

(c) re-lets a house in breach of a prohibition notice,

shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding €5,000 or imprisonment for a term not exceeding 6 months or both and if the obstruction, contravention, failure to comply or re-letting is continued after conviction the person shall be guilty of a further offence on every day on which the obstruction, contravention, failure to comply or re-letting continues and for each such offence shall be liable, on summary conviction, to a fine not exceeding €400.

(2) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851, proceedings for an offence under this section may be instituted at any time within two years after the date of the offence.

(3) Where a person is convicted of an offence under this Act, the court shall, unless it is satisfied that there are special and substantial reasons for not doing so, order the person to pay to the housing authority, the costs and expenses, measured by the court, incurred by the housing authority in relation to the investigation, detection and prosecution of the offence.



STATUTORY INSTRUMENTS.

S.I. No. 449 of 2009

HOUSING (MISCELLANEOUS PROVISIONS) ACT 2009 (COMMENCEMENT) ORDER 2009

(Prn. A9/1640)

S.I. No. 449 of 2009

**HOUSING (MISCELLANEOUS PROVISIONS) ACT 2009
(COMMENCEMENT) ORDER 2009**

I, MICHAEL FINNERAN, Minister of State at the Department of the Environment, Heritage and Local Government, in exercise of the powers conferred on me by section 1(4) of the Housing (Miscellaneous Provisions) Act 2009 (No.22 of 2009) and the Environment, Heritage and Local Government (Delegation of Ministerial Functions) (No. 2) Order 2009 (S.I. No. 407 of 2009), hereby order as follows:

1. This Order may be cited as the Housing (Miscellaneous Provisions) Act 2009 (Commencement) Order 2009.

2. The 1st day of December 2009 is appointed as the day on which the following provisions of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009) come into operation:

(a) sections 1, 2, 3, 4, 5 and 6;

(b) section 7 and Schedule 1, insofar as they apply to the repeal of subsection (2) of section 56 of the Housing Act 1966 (No. 21 of 1966) and section 15 of the Housing Act 1988 (No. 28 of 1988);

(c) section 8 and Schedule 2, insofar as they apply to the amendments set out in—

(i) Part 1 of that Schedule, as respects—

(I) section 90, and

(II) subsection (7) of section 107, of the Housing Act 1966 (No. 21 of 1966),

(ii) Part 2 of that Schedule, as respects subsection (3) of section 10 of the Housing Finance Agency Act 1981 (No. 37 of 1981),

(iii) Part 3 of that Schedule, as respects section 13 of the Housing Act 1988 (No. 28 of 1988),

(iv) Part 4 of that Schedule, as respect—

(I) subsection (1) of section 1,

(II) section 18,

(III) the insertion of sections 18A and 18B, and

(IV) section 34, of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992), and

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 20th November, 2009.

(v) Part 5 of that Schedule, as respects—

(I) subsection (1) of section 1 (other than in relation to the definition of “tenant”), and

(II) section 15, of the Housing (Miscellaneous Provisions) Act 1997 (No. 21 of 1997);

(d) sections 9, 10, 11, 12, and 13; and

(e) section 35.

GIVEN under my hand,
18 November 2009.

MICHAEL FINNERAN,
Minister of State at the Department of the Environment,
Heritage and Local Government.

EXPLANATORY NOTE

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

This Order brings the following provisions of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009) into operation on 1 December 2009, viz.

- most of Part 1 (Preliminary and General),
- all of Chapter 1 (Housing Services) of Part 2, and
- section 35 (Anti-social behaviour strategy).

Provisions being commenced in Part 1 include powers for the Minister to issue policy directions and guidelines to housing authorities. Consequential amendments being commenced include a broadening of the definition of “anti-social behaviour” in the Housing (Miscellaneous Provisions) Act 1997 and amendments to the Housing (Miscellaneous Provisions) Act 1992, providing for the issue of improvement and prohibition notices to landlords of private rented accommodation for breaches of standards regulations and offences for failure to comply with such notices.



Iris Oifigiúil

**Published by Authority
Friday 20th November 2009**

S.I. No. 449 of 2009.

HOUSING (MISCELLANEOUS PROVISIONS) ACT 2009 (COMMENCEMENT) ORDER 2009.

Mr. Michael Finneran, T.D., Minister for Housing and Local Services, made the above order on 18 November, 2009, bringing the following provisions of the Housing (Miscellaneous Provisions) Act 2009 into operation on 1 December, 2009:

- Most of Part 1 (Preliminary and General),
- All of Chapter 1 (Housing Services) of Part 2, and
- Section 35 (Anti-social behaviour strategy).

Copies of the Order may be purchased from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2, or by mail order from Government Publications, Postal Trade Section, Unit 20, Lakeside Retail Park, Claremorris, Co. Mayo.

HOUSING ACT 1966

SERVICE OF NOTICES, ETC.

3. —(1) Where a notice, copy of an order, or demand is required or authorised by this Act or any order or regulation made thereunder to be served on, given to or made of a person, it shall be addressed to him and shall be served on, given to or made of him in someone of the following ways:

(a) where it is addressed to him by name, by delivering it to him;

(b) by leaving it at the address at which he 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 addressed to him at the address at which he ordinarily resides or, in a case in which an address for service has been furnished, at that address, **or where such registered letter is returned undelivered to the sender, by ordinary prepaid post.** [Housing (Miscellaneous Provisions) Act 1997]

(d) where the address at which he ordinarily resides cannot be ascertained by reasonable inquiry and the notice, copy or demand is so required or authorised to be served, given or made in respect of any land or premises or works thereon, by delivering it to some person over sixteen years of age resident or employed on such land or premises or by affixing it in a conspicuous position on or near such land or premises.

(3) For the purposes of this section, a company within the meaning of the Companies Act, 1963, shall be deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body shall be deemed to be ordinarily resident at its principal office or place of business.

(4) Where a repairs notice, a notice mentioned in subsection (4) of section 66 of this Act, a notice to treat within the meaning of Part V of this Act or a notice mentioned in subsection (4) of section 117 of this Act is served on or given to a person by affixing it under paragraph (d) of subsection (1) of this section, a copy of the notice shall, within two weeks thereafter, be published in at least one newspaper circulating in the area in which the person is last known to have resided.

(5) A person who, at any time during the period of three months after a document is affixed under paragraph (d) of subsection (1) of this section, removes, damages or defaces the document without lawful authority shall be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding ten pounds.

(6) Where the Minister is satisfied that reasonable grounds exist for dispensing with the publication, serving or giving under this Act or under any order or regulation made thereunder, of a notice, copy of an order, or demand and that dispensing with the publication, serving, giving or making of the notice, copy or demand will not cause injury or wrong, he may dispense with the publication, serving or giving of the notice or copy and every such dispensation shall have effect according to the tenor thereof.

(7) A dispensation under the foregoing subsection may be given either before or after the time when the notice or copy would but for the dispensation, be required to be published, served or given and either before or after the doing of any act to which the notice or copy would, but for the dispensation, be a condition precedent.

OBLIGATION TO GIVE INFORMATION TO HOUSING AUTHORITY

4. —(1) A housing authority may for any purposes connected with this Act, by notice in writing require the occupier of any land or any person receiving, whether for himself or for another,

rent out of any land to state in writing to the authority within a specified period ending not less than twenty-one days after being so required, particulars of the estate, interest or right by virtue of which he occupies such land or receives such rent, as the case may be, and the name and address (so far as they are known to him) of every person who to his knowledge has any estate or interest in or right over or in respect of such land.

(2) Any person who is required under this section to state any matter or thing and either fails to state the matter or thing within the period specified under this section, or when stating such matter or thing makes a statement in writing which to his knowledge is false or misleading in a material respect shall be guilty of an offence under the section and shall be liable on summary conviction thereof to a fine not exceeding twenty-five pounds.

PROSECUTIONS AND OFFENCES

116. — (1) An offence under this Act may be prosecuted by the housing authority in whose functional area the offence is committed and in case the offence relates to a function being performed by or on behalf of the Minister under section 111 of this Act, or by a housing authority outside their functional area, the offence may be prosecuted by:

- (a) in case the function is being performed by or on behalf of the Minister—the Minister,
- (b) in case the function is being performed by a housing authority—that authority, or
- (c) in case the function is being performed by a person—that person.

(2) Where an offence under this Act is committed by a body corporate and is proved to have been so committed with the consent or connivance of or to be attributable to any neglect on the part of any director, manager, secretary or other officer of such body corporate, such director, manager, secretary or other officer or any person purporting to act in such capacity shall also be deemed to have committed the said offence and he as well as the body corporate shall be deemed to be guilty of the offence.

POWER OF AUTHORISED PERSON TO ENTER ON LAND

117. — (1) An authorised person may, subject to the provisions of this section, enter on any land at all reasonable times for any purpose connected with this Act.

(2) Without prejudice to the generality of subsection (1) of this section, an authorised person may enter on land in accordance with the said subsection (1) for the purpose of—

- (a) survey or valuation, in the case of any house, building or other land which the housing authority by whom the authorised person was appointed may be authorised to acquire for the purposes of this Act,
- (b) survey or valuation, in the case of any house, building or other land which the housing authority by whom the authorised person was appointed may be authorised to acquire for the purposes of this Act,
- (c) survey and examination where it appears to the housing authority by whom the authorised person was appointed that survey or examination is necessary in order to determine whether any function under this Act ought to be performed in respect of any house, building or other land.

(3) An authorised person entering on land under this section may do thereon all things reasonably necessary for the purpose for which the entry is made.

(4) Before an authorised person enters, under this section on any land, the housing authority shall either obtain the consent, in the case of occupied land, of the occupier, or, in the case of unoccupied land, the owner or shall give to the owner or occupier, as the case may be, not less than fourteen days' notice in writing of the intention to make the entry.

(5) A person to whom a notice of intention to enter on land has been given under this section by the housing authority may not later than fourteen days after the giving of such notice, apply, on notice to such authority, to the justice of the District Court having jurisdiction in the district court district in which the land is situate for an order prohibiting the entry, and, upon the hearing of the application, the justice may, if he so thinks proper, either wholly prohibit the entry or specify conditions to be observed by the person making the entry.

(6) Where a justice of the District Court prohibits under this section a proposed entry on land, it shall not be lawful for any person to enter under this section on the land, and where a justice of the District Court specifies under this section conditions to be observed by persons entering on land, every person who enters under this section on the land shall observe the conditions so specified.

(7) Every person who, by act or omission, obstructs an authorised person in the lawful exercise of the powers conferred by this section shall be guilty of an offence and be liable on summary conviction to a fine not exceeding twenty-five pounds; and, if in the case of a continuing offence the obstruction is continued after conviction, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding five pounds for each day on which the obstruction is so continued.

(8) In this section, "authorised person" means a person who is appointed by the housing authority to be an authorised person for the purposes of this section.

LOCAL GOVERNMENT ACT 2001 (as amended by the Local Government Reform Act 2014 (1/2014))

Chief Executive acting by signed order

151.— (1) The chief executive shall in carrying out the executive functions for each local authority for which he or she is chief executive act by a written order signed and dated by him or her in respect of the functions to which this section applies.

(2) This section applies to every executive function which—

- (a) is required by this or any other enactment to be done by order of a chief executive,
- (b) is mentioned in Schedule 15,
- (c) is designated by order made by the Minister under subsection (9), or
- (d) is considered by the chief executive to be of sufficient importance to be done by order.

(3) Every chief executive shall keep, in respect of each local authority for which he or she is chief executive, a register in which is entered a copy of every order made by him or her in accordance with this section for such local authority.

(4) At every meeting of a local authority, there shall be available for inspection by the elected council so much of the register referred to in subsection (3) as contains any orders made by the chief executive since the last previous meeting of the local authority.

(5) Any member of a local authority is entitled on request to be furnished by the chief executive for the local authority with a copy of a particular order made by the chief executive.

(6) Every document claiming to be an order made and signed by a chief executive shall—

- (a) be received in evidence without proof of the signature of the person claiming to sign such document or that such person was such chief executive, and
- (b) until the contrary is proved, be deemed to be an order duly made and signed by such chief executive in accordance with this section and to have been so signed on the date stated in that document.

(7) Every document claiming to be certified in writing—

- (a) by a chief executive to be a true copy of an order made by a chief executive in accordance with this section, or
- (b) by a delegated employee in accordance with section 154 to be a true copy of an order made by a delegated employee in accordance with that section, shall—
 - (i) be received in evidence without proof of the signature of the person claiming so to certify or that such person was such chief executive or such delegated employee, as the case may be, and
 - (ii) until the contrary is proved, be deemed to be evidence of the contents of the order of which it claims to be a copy and of the fact that such order was duly made and signed by such chief executive in accordance with this section or by such delegated employee in accordance with section 154, as the case may be, on the date stated in the certified copy.

(8) The failure or omission to act by signed order in accordance with this section does not of itself operate to invalidate any action or decision taken by a chief executive or a local authority.

(9) The Minister may by order designate an executive function to be a function to which this section applies.

(10) Subject to the provisions of any other enactment, nothing in this section shall be read as precluding the revocation or amendment of an order made by a chief executive by a subsequent such order.

(11) Nothing in Schedule 15 shall be read as prejudicing the functions conferred on an elected council by this Act.

SCHEDULE 15

FUNCTIONS TO BE DONE BY CHIEF EXECUTIVES'S ORDER

1. A decision on an application under any enactment for the grant of a permission, approval, permit, consent, certificate, licence or other form of statutory authorisation.
2. A statutory notice served under the provisions of any enactment requiring compliance with such enactment.
3. A decision to take legal proceedings.
4. The acquisition or disposal of land or an agreement regarding the use of land.
5. The letting of a dwelling.
6. The acceptance of a tender.
7. The award of grants, loans or other financial assistance.
8. The appointment of staff.

S.I. No. 146 of 1993

HOUSING (RENT BOOKS) REGULATIONS 1993

CONTENT

1. Citation.
2. Commencement.
3. Interpretation.
4. Application.
5. Provision of Rent Book.
6. Entries in Rent Book.
6. Entries in Rent Book.
7. Recording of rent and other payments.

In exercise of the powers conferred on the Minister for the Environment by section 5 of the Housing Act, 1966 (No. 21 of 1966), as amended by section 24 of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992), and by section 17 of the Housing (Miscellaneous Provisions) Act, 1992 , which powers are delegated to me by the Environment (Delegation of Ministerial Functions) (No. 2) Order, 1993 (S.I. No. 128 of 1993), I, EMMET STAGG, Minister of State at the Department of the Environment, hereby make the following Regulations:—

CITATION.

1. These Regulations may be cited as the Housing (Rent Books) Regulations, 1993.

COMMENCEMENT.

2. These Regulations shall come into operation on the 1st day of September, 1993.

INTERPRETATION.

3. (1) In these Regulations—

"address", in the case of a landlord or agent, means place of abode or place of business or, where the landlord or agent is a company, the address of the company's registered office;

"house" includes any building or part of a building used or suitable for use as a dwelling and any outoffice, yard, garden or other land appurtenant thereto or usually enjoyed therewith.

(2) In these Regulations any reference to an article or Schedule is a reference to an article or Schedule of these Regulations.

APPLICATION.

4. These Regulations shall apply to every house let for rent solely as a dwelling unless the house—

(a) is let to a person only for the purpose of conferring on that person the right to occupy the house for a holiday, or

(b) is a dwelling to which Part II of the Housing (Private Rented Dwellings) Act 1982 (No. 6 of 1982) applies.

PROVISION OF RENT BOOK.

5. (1) The landlord of a house to which these Regulations apply shall—

(a) on the commencement of a tenancy, or

(b) where a tenancy exists on the date on which these Regulations come into operation, within two months from such date, provide the tenant of such house with a rent book or other documentation to the like effect (referred to in either case in these Regulations as "the rent book").

(2) The landlord shall, on provision of the rent book, enter therein in clearly legible writing—

(a) the address of the house,

(b) the name and address of the landlord and, if the landlord has duly appointed an agent, of such agent,

(c) the name of the tenant,

(d) the term of the tenancy,

(e) the rent reserved under the tenancy and when and how it is to be paid,

(f) the amount and purpose of any payments to be made by the tenant to the landlord, in addition to the rent, for services provided by the landlord or otherwise, and when and how each such payment is to be made,

(g) the amount of any rent paid in advance,

(h) the amount and purpose of any deposit paid by the tenant and the conditions on which such deposit is repayable, and

(i) where the tenancy commences on or after the date on which these Regulations come into operation—

(i). the date of commencement of the tenancy, and

(ii) particulars of the furnishings and appliances provided by the landlord for the exclusive use of the tenant.

(3) The rent book shall include in clearly legible writing a statement of information as set out in the Schedule and the landlord shall enter in such statement, at the end of paragraph 11, particulars of the name, address and telephone number of the housing authority in whose functional area the house is situate.

ENTRIES IN RENT BOOK

6. (1) The tenant shall make the rent book available for the purpose of enabling the landlord to make therein any entry required by these Regulations.

(2) Where a change takes place in any of the particulars required under article 5 (2) to be entered in the rent book, the landlord shall, not later than one month after the operative date of such change, enter particulars of the change in the rent book.

RECORDING OF RENT AND OTHER PAYMENTS.

7. In respect of each payment of rent or amount referred to in Article 5 (2) (f)—

(a) where payment is handed in person by the tenant or by another person acting on behalf of the tenant to the landlord, the landlord shall, on receipt, either—

(i) record in the rent book the amount, purpose and date of the payment and the period to which it relates, or

(ii) provide the person making the payment with a receipt stating the amount, purpose and date of the payment and the house and period to which the payment relates, or

(b) where payment is made otherwise than in accordance with paragraph (a) of this article, the landlord shall, not more than 3 months after receipt, either—

(i) record in the rent book the amount, purpose and date of the payment and the period to which it relates, or

(ii) provide the tenant with a written statement of the amount, purpose and date of the payment, and

the landlord shall sign each record made and receipt provided in accordance with paragraphs (a) and (b) (i) of this article.

SCHEDULE

1. This statement of information is included in the rent book in accordance with the Housing (Rent Books) Regulations, 1993. It does not purport to be a legal interpretation.

2. The tenant of a house is entitled to enjoy peaceful and exclusive occupation of the house

3. Notice of termination of a tenancy must be in writing and must be made in accordance with the provisions of the Residential Tenancies Acts 2004 and 2009.

4. The landlord is prohibited from impounding the goods of a tenant to secure recovery of rent unpaid.

5. The landlord is obliged to provide a tenant with a rent book for use throughout the term of the tenancy. The landlord must enter the particulars relating to the tenancy in the rent book, and, in the case of a new tenancy, complete the inventory of furnishings and appliances supplied with the house for the tenant's exclusive use.

6. The landlord is obliged to keep the particulars in the rent book up to date. Where the rent or any other amount due to the landlord under the tenancy is handed in person by the tenant, or by any person acting for the tenant, to the landlord, the landlord must, on receipt, record the payment in the rent book or acknowledge it by way of receipt. Payments not handed over directly, for example those made by bankers order or direct debit, must, not more than 3 months after receipt, either be recorded by the landlord in the rent book or acknowledged by way of statement by the landlord to the tenant.

7. The tenant is obliged to make the rent book available to the landlord to enable the landlord to keep the particulars in it up to date.

8. The landlord of a rented house is obliged to ensure that the house complies with the minimum standards of accommodation laid down in the Housing (Standards for Rented Houses) Regulations 2008 (S.I. No. 534 of 2008). The Regulations do not apply to houses let for the purpose of a holiday, housing authority demountable houses and communal type accommodation provided by the Health Service Executive and certain approved non-profit or

voluntary bodies. With the exception of Article 8 — Food Preparation, Storage and Laundry — the Regulations also apply to houses let by housing authorities. The standards relate to structural condition, the provision of sanitary, heating and refuse facilities, food preparation, storage and laundry, availability of adequate lighting and ventilation, fire safety and the safety of electricity and gas installations.

9. The duties of a landlord referred to in paragraphs 5 to 8 above may be carried out on the landlord's behalf by a duly appointed agent. Any reference in this statement to 'house' includes a flat or maisonette.

10. Copies of the Housing (Rent Books) Regulations 1993, the Housing (Standards for Rented Houses) Regulations 2008 and the Housing (Standards for Rented Houses) (Amendment) Regulations 2009 may be purchased from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 or from the housing authority

11. Responsibility for the enforcement of the law relating to rent books and standards rests with the housing authority for the area in which the house is located. The name, address and telephone number of the relevant housing authority are as follows:

Name:

Address:

Telephone:

DATED this 10th day of June 1993.

EMMET STAGG,

Minister of State at the Department of the Environment.

EXPLANATORY NOTE

These Regulations apply to rented dwellings, with certain limited exceptions. With effect from 1 September, 1993, the Regulations require a landlord (including a local authority) to provide each new tenant with a rent book (or other documentation serving the same purpose) at the commencement of the tenancy. Persons with tenancies which commenced before 1 September, 1993 must be given rent books before 1 November, 1993. All rent and other payments under the tenancy must be acknowledged in writing by the landlord. In addition, the rent book must contain specific particulars relating to the tenancy including, inter alia, the name and address of the landlord and of his agent (if any), the term of the tenancy, the amount of the rent and of any other payments to be made by the tenant to the landlord, details of any advance rent or deposit paid and, in the case of new tenancies, the date of commencement of the tenancy and particulars of furnishings and appliances provided by the landlord for the tenant's exclusive use. The rent book must also include a basic statement of information for the tenant which is set out in the Schedule to the Regulations.

S.I. No. 751 of 2004

HOUSING (RENT BOOKS) REGULATIONS 1993 (AMENDMENT) REGULATIONS 2004

The Minister for the Environment, Heritage and Local Government, in exercise of the powers conferred on him by section 5 of the Housing Act 1966 (No. 21 of 1966), as amended by section 24 of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992), and by section 17 of the Housing (Miscellaneous Provisions) Act 1992 , hereby makes the following Regulations:

1. These Regulations may be cited as the Housing (Rent Books) Regulations 1993 (Amendment) Regulations 2004.

2. The Housing (Rent Books) Regulations 1993 (S.I. No. 146 of 1993) are hereby amended by the deletion of paragraphs 2 and 3 from the Schedule thereto and the substitution therefor of the following paragraphs:

2. The tenant of a house is entitled to enjoy peaceful and exclusive occupation of the house.

3. Notice of termination of a tenancy must be in writing and must be made in accordance with the provisions of the Residential Tenancies Act 2004 (No. 27 of 2004).

GIVEN under the Official Seal of the Minister for the Environment, Heritage and Local Government this 24th day of November 2004.

DICK ROCHE

Minister for the Environment, Heritage and Local Government.

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

These Regulations amend the Schedule to the Housing (Rent Books) Regulations 1993 for compatibility with the Residential Tenancies Act 2004

S.I. No. 357 of 2010

HOUSING (RENT BOOKS) (AMENDMENT) REGULATIONS 2010

Notice of the making of this Statutory Instrument was published in "Iris Oifigiúil" of 20th July, 2010

I, MICHAEL FINNERAN, Minister of State at the Department of the Environment, Heritage and Local Government, in exercise of the powers conferred on me by section 5 of the Housing Act 1966 (No. 21 of 1966) and by section 17 of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992) (as adapted by the Environment and Local Government (Alteration of Name of Department and Title of Minister) Order 2003 (S.I. No. 233 of 2003)) and the Environment, Heritage and Local Government (Delegation of Ministerial Functions) (No. 2) Order 2009 (S.I. No. 407 of 2009), hereby make the following regulations:

1. These Regulations may be cited as the Housing (Rent Books) (Amendment) Regulations 2010.

2. The Housing (Rent Books) Regulations 1993 (S.I. No. 146 of 1993) are amended—

(a) by substituting for paragraph 3 of the Schedule thereto the following:

“3. Notice of termination of a tenancy must be in writing and must be made in accordance with the provisions of the Residential Tenancies Acts 2004 and 2009.”

(b) by substituting for paragraph 8 of the Schedule thereto the following:

“8. The landlord of a rented house is obliged to ensure that the house complies with the minimum standards of accommodation laid down in the Housing (Standards for Rented Houses) Regulations 2008 (S.I. No. 534 of 2008). The Regulations do not apply to houses let for the purpose of a holiday, housing authority demountable houses and communal type accommodation provided by the Health Service Executive and certain approved non-profit or voluntary bodies. With the exception of Article 8 — Food Preparation, Storage and Laundry — the Regulations also apply to houses let by housing authorities. The standards relate to structural condition, the provision of sanitary, heating and refuse facilities, food preparation, storage and laundry, availability of adequate lighting and ventilation, fire safety and the safety of electricity and gas installations.

(c) by substituting for paragraph 10 of the Schedule thereto the following:

“10. Copies of the Housing (Rent Books) Regulations 1993, the Housing (Standards for Rented Houses) Regulations 2008 and the Housing (Standards for Rented Houses) (Amendment) Regulations 2009 may be purchased from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2 or from the housing authority.



GIVEN under my hand,
8 July 2010.

MICHAEL FINNERAN,
Minister of State at the Department of the Environment, Heritage and Local Government.

EXPLANATORY NOTE

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

These Regulations amend the Housing (Rent Books) Regulations 1993 for compatibility with the Housing (Miscellaneous Provisions) Act 2009 and the Housing (Standards for Rented Houses) Regulations 2008.

RESIDENTIAL TENANCIES ACT 2004

CHAPTER 4

DATA EXCHANGE — PRIVATE RESIDENTIAL TENANCIES

146. —(1) A local authority shall, at such intervals as are specified by the Board, supply to the Board such information in its possession as falls within any class of information specified by the Board for the purpose of this subsection, being a class of information the supply of which to the Board is reasonably necessary for the performance by the Board of its functions.

(2) The Minister for Social and Family Affairs shall, at such intervals as are specified by the Board, supply to the Board such information in his or her possession as falls within any class of information specified by the Board for the purpose of this subsection, being a class of information the supply of which to the Board is reasonably necessary for the performance by the Board of its functions.

(3) The Board shall, at such intervals as are specified by a local authority, supply to the local authority such information in the possession of the Board as falls within any class of information specified by the local authority for the purpose of this subsection, being a class of information the supply of which to the authority is reasonably necessary for the performance by the authority of its functions relating to houses, dwellings or other structures (either generally or those which have been provided by it).

(3) The Board shall, at such intervals as are specified by a local authority, supply to the local authority such information in the possession of the Board as falls within any class of information specified by the local authority for the purpose of this subsection, being a class of information the supply of which to the authority is reasonably necessary for the performance by the authority of its functions relating to houses, dwellings or other structures (either generally or those which have been provided by it).

(4) The Board shall, at such intervals as are specified by the Minister for Social and Family Affairs, supply to that Minister of the Government such information in the possession of the Board as is reasonably necessary for the performance by that Minister of his or her functions under Chapter 11 of Part III of the Social Welfare (Consolidation) Act 1993

EXCHANGE OF PUBLIC SERVICE DATA

147. —(1) A local authority shall, at such intervals as are specified by the Minister for Social and Family Affairs, supply to that Minister of the Government such information in its possession as falls within any class of information specified by that Minister for the purpose of this subsection, being a class of information the supply of which to that Minister is reasonably necessary for the performance by that Minister of his or her functions under Chapter 11 of Part III of the Social Welfare (Consolidation) Act 1993 .

(2) The Minister for Social and Family Affairs shall, at such intervals as are specified by a local authority, supply to the local authority such information in his or her possession as falls within any class of information specified by the local authority for the purpose of this subsection, being a class of information the supply of which to the authority is reasonably necessary for the performance by the authority of its functions relating to houses, dwellings or other structures (either generally or those which have been provided by it).

DISCLOSURE OF CERTAIN INFORMATION TO REVENUE COMMISSIONERS

147A.— The Board shall, at such intervals as are specified by the Revenue Commissioners, disclose to the Revenue Commissioners information contained in the register the disclosure of which to the Revenue Commissioners is reasonably necessary for the performance by the Revenue Commissioners of their functions. *Inserted by Housing (Miscellaneous Provisions) Act 2009 (22/2009)*

