

Notice of Termination
(Landlord intends to sell the dwelling)

Where a Part 4 tenancy is in place, regardless of the expiry of a fixed term lease, the tenancy may only be terminated by the landlord pursuant to Section 34 of the Residential Tenancies Act (as amended) for the below listed reasons:

1. The tenant has failed to comply with the obligations of the tenancy (having first been notified, in writing, of the failure, and given an opportunity to remedy it)
2. The landlord intends within three months to enter into a binding contract for sale of the termination of the tenancy and transfer for full consideration of his or her interest in the premises.
3. The dwelling is no longer suited to the needs of the occupying household
4. The landlord requires the dwelling for own or family member occupation (*not applicable to Approved Housing Bodies*)
5. Vacant possession is required for substantial refurbishment of the dwelling
6. The landlord intends to change the use of the dwelling

For the last 3 listed grounds, the termination notice must contain certain additional details as specified in the Act relating to the tenant being given first refusal to resume the tenancy should the dwelling become available for re-letting.

Landlord intends to sell the dwelling

A Landlord is entitled to terminate a Part 4 tenancy where they intend, “*within three months to enter into a binding contract for sale of the termination of the tenancy and transfer for full consideration of his or her interest in the premises*”.

In order to allow the tenants an opportunity to fix any issues you may have with regard to the property i.e. cleaning, repairs and replacements in excess of normal wear and tear, it is recommended that you carry out an inspection a few days / weeks before the tenants are due to vacate and on the day they vacate the dwelling.

In respect of a Notice of Termination, for counting purposes Day 1 begins on the day immediately following the date of service of the notice. The RTB recommend that you give additional days when calculating the required notice period to ensure sufficient notice is provided.

NOTICE OF TERMINATION - Landlord intends to sell the dwelling

To: **(INSERT NAME)**

The tenancy of the dwelling at **(Insert Address of Rented Dwelling)** will terminate on **XX/XX/XXXX**. You must vacate and give up possession of the dwelling on or before the termination date.

The reason for the termination of the tenancy is due to the fact that the landlord intends to enter into a binding contract for sale within three months of the termination of the tenancy and to enter into an enforceable agreement for the transfer for full consideration of his or her interest in the premises.

You have the whole of the 24 hours of the termination date to vacate and give up possession of the above dwelling.

Any issue as to the validity of this notice or the right of the landlord to serve it, must be referred to the Residential Tenancies Board under Part 6 of the Residential Tenancies Acts 2004 to 2015 within 28 days from the date of receipt of it.

This notice is served on **XX/XX/XXXX**.

Signed:

A. N. Other
Landlord

Please note - In order to ensure that there is no delay on returning the deposit, I would suggest carrying out inspections on **(Insert Date)** and **(Insert Date)** at **(Insert Time)**. Please let me know if this time is convenient for you.

Sample Statutory Declaration for Landlord intending to sell the dwelling

I, **[Insert Name]**, do solemnly and sincerely declare that I intend, within a period of three months after the termination date, to enter into an enforceable agreement to transfer to another, for full consideration, the whole of my interest in the dwelling or the property containing the dwelling and I make this solemn declaration conscientiously believing the same to be true and accurate.

[Declarant to Sign Here]

Declared before me a [practising solicitor] [notary public] [[commissioner for oaths](#)] [peace commissioner] [person authorised by [insert authorising statutory provision] to take and receive statutory declarations] by **[Insert Name of Declarant]**

Who is personally known to me / who has been identified to me by who is personally known to me and who has certified to me his/her personal knowledge of the declarant.

Or

The identity of the declarant has been established by me by reference to a **[Insert Identifying document*]** containing a photograph of the declarant.

This day of 2016 at [insert place of signature]

[Signature of Witness]

***Approved Identifying Documents**

1. Passport issued by the authorities of an issuing State that is recognised by the Irish Government [passport number, date of issue and issuing State must be inserted]
2. National Identity Card issued by the authorities of an issuing State which is an EU Member State, the Swiss Confederation or a Contracting Party to the EEA Agreement [national identity card number, date of issue and issuing State must be inserted]
3. Aliens Passport issued by the authorities of an issuing State that is recognised by the Irish Government [passport number, date of issue and issuing State must be inserted]
4. Refugee Travel document issued by the Minister for Justice, Equality and Law Reform [document number and date of issue must be inserted]
5. Travel document (other than a refugee travel document) issued by the Minister for Justice, Equality and Law Reform [document number and date of issue must be inserted]