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**An Bille um Thionóntachtaí Cónaithe (Leasú), 2021**  
**Residential Tenancies (Amendment) Bill 2021**

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*Mar a tionscnaíodh*

*As initiated*

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**AN BILLE UM THIONÓNTACHTAÍ CÓNAITHE (LEASÚ), 2021**  
**RESIDENTIAL TENANCIES (AMENDMENT) BILL 2021**

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*Mar a tionscnaíodh*

*As initiated*

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CONTENTS

Section

1. Short title, collective citation and commencement
2. Definition
3. Amendment of section 105 of Principal Act

ACTS REFERRED TO

Residential Tenancies Act 2004 (No. 27)

Residential Tenancies Acts 2004 to 2021



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AN BILLE UM THIONÓNTACHTAÍ CÓNAITHE (LEASÚ), 2021  
RESIDENTIAL TENANCIES (AMENDMENT) BILL 2021

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# Bill

*entitled*

An Act to amend the Residential Tenancies Act 2004 to modify evidential presumptions in a Tenancy Tribunal and to clarify where the burden of proof lies at such a Tribunal. 5

**Be it enacted by the Oireachtas as follows:**

## **Short title, collective citation and commencement**

1. (1) This Act may be cited as the Residential Tenancies (Amendment) Act 2021.
- (2) The Residential Tenancies Acts 2004 to 2021 and this Act may be cited together as the Residential Tenancies Acts 2004 to 2021. 10
- (3) This Act shall come into operation on such day or days as the Minister may appoint by order or orders.

## **Definition**

2. In this Act, “Principal Act” means the Residential Tenancies Act 2004. 15

## **Amendment of section 105 of Principal Act**

3. The Principal Act is amended in section 105, by the insertion of the following new subsections after subsection (4):
  - “(4A) In proceedings before the Tribunal, where a party makes a statutory declaration, including where such a statutory declaration was made other than in contemplation of proceedings before the Tribunal, the Tribunal shall consider such a declaration to constitute evidence of intention, and not strong evidence of intention. 20
  - (4B) In proceedings before the Tribunal in respect of a tenancy under Part 4, the burden of proof that the landlord had a *bona fide* intention to sell at the time that a notion of termination under section 34, shall rest on the landlord.” 25

An Bille um Thionóntachtaí Cónaithe  
(Leasú), 2021

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# BILLE

*(mar a tionscnaíodh)*

*dá ngairtear*

Acht do leasú an Achta um Thionóntachtaí Cónaithe, 2004 chun toimhdeana fianaiseacha i mBinse Tionóntachtaa mhodhnú agus chun a shoiléiriú cé air nó uirthi a bheidh an dualgas cruthúnais ag binse den sórt sin.

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*An Seanadóir Barra Mac an Bhaird a thug isteach,  
7 Bealtaine, 2021*

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Residential Tenancies (Amendment) Bill  
2021

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# BILL

*(as initiated)*

*entitled*

An Act to amend the Residential Tenancies Act 2004 to modify evidential presumptions in a Tenancy Tribunal and to clarify where the burden of proof lies at such a tribunal.

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*Introduced by Senator Barry Ward,  
7th May, 2021*

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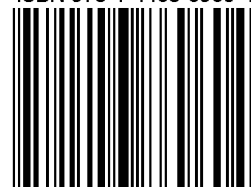
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