



**An Bille um Thionóntachtaí Cónaithe (Díshealbhuíthe
Neamhdhleathacha) (Leasú), 2024**
**Residential Tenancies (Illegal Evictions) (Amendment)
Bill 2024**

Meabhrán Míniúcháin
Explanatory Memorandum



**AN BILLE UM THIONÓNTACHTAÍ CÓNAITHE
(DÍSHEALBHUITHE NEAMHDHLEATHACHA) (LEASÚ), 2024
RESIDENTIAL TENANCIES (ILLEGAL EVICTIONS)
(AMENDMENT) BILL 2024**

EXPLANATORY MEMORANDUM

Purpose of the Bill

The purpose of the Residential Tenancies (Illegal Evictions) (Amendment) Bill 2024 is to provide for the creation of an offence of the forcible ending of a tenancy. The Bill provides the Residential Tenancies Board with the power to award exemplary damages where an illegal eviction has been found to have occurred and provides for data exchange between Residential Tenancies Board, the Property Services Regulatory Authority and the Revenue Commissioners in order to establish the identity of landlord of a particular dwelling. The Bill provides for an expansion of the definition of improper conduct on the part of a landlord to include the use of force or intimidation to prevent a tenant from accessing a rented dwelling or the removal of a tenant's belongings from the dwelling.

Section 1 is a standard form provision and defines the Residential Tenancies Amendment Act 2004 as the Principal Act for the purposes of the Bill.

Section 2 provides for the creation of an offence of the forcible ending of a tenancy and provides a member of An Garda Síochána with a power to arrest without warrant a person whom the member suspects, with reasonable cause, to be guilty of the offence.

Section 3 provides the Residential Tenancies Board with the power to make an award of exemplary damages of up to €40,000 in circumstances where an illegal eviction from a tenancy is found to have occurred.

Section 4 provides that the Property Services Regulatory Authority, Revenue Commissioners and a Landlord's Agent or representative shall provide information to the Residential Tenancies Board for the purpose of identifying the landlord of a particular rented dwelling in order to allow the Board carry out its functions.

Section 5 provides for an amendment of Section 148U the Residential Tenancies Act 2004 to require the Residential Tenancies Board to cause an investigation to be carried out in circumstances where it has received a complaint of improper conduction on the part of a Landlord.

Section 6 provides for an amendment to Schedule 2 of the Residential Tenancies Act 2004 to include the use of force or intimidation by a landlord to prevent a tenant from accessing a rented dwelling or the

forcible removal of a tenant's belonging from the dwelling within the definition of improper conduct of the part of a landlord.

Section 7 contains standard provisions dealing with the title, collective citation and construction.

Eoin Ó Broin, TD,
Bealtaine, 2024.