

10 July 2022

New Tenant Regulations Will Exacerbate Exit of Private Landlords - New IPAV President Warns

At a time when non-institutional landlords, the main providers of rental accommodation in Ireland, are leaving the market in considerable numbers new regulations giving stronger powers to tenants while not extending any balancing requirements to landlords have been described by the incoming president of IPAV, the Institute of Professional Auctioneers and Valuers, as having the effect of “increasing the dysfunction of an already dysfunctional market”.

Speaking following his appointment this weekend (Saturday 9th July) at the IPAV AGM and annual conference held in Athlone, Gerry Coffey said new regulations giving greater powers to tenants were passed by the Oireachtas just over a week ago “with barely a whimper.”

These regulations extend the notice periods landlords must give tenants when vacating properties. The notice period for those with tenancies of less than six months duration has increased from 28 to 90 days; tenancies over than period and for less than a year now require 152 days’ notice, up from 90 days, and those with tenancies between one and three years require 180 days’ notice, up from 120.

Mr Coffey said the new regulations are likely to exacerbate an already difficult situation where RTB figures confirm the number of tenancies registered with the regulator had declined by almost 5 per cent (313,002 to 297,837) in the three years between Q 4 2017 and Q 4 2020.

“There are no balancing requirements to provide protection for landlords against tenants who refuse to pay rents or recompense for damage caused to property,” he said.

“While landlords may receive favourable decisions from RTB investigations, in reality they are often unable to collect a cent from those decisions, which typically take a prolonged period to execute,” he said.

“The latest regulations will not, unfortunately, help those for whom it is intended,” he said. “It merely gives the short-term perception that positive action is being taken. There is a total imbalance between tenant and landlord rights. The effect of these regulations is likely to be an acceleration of private landlords exiting the rental market,” he said.

IPAV recently published a joint study with the IPOA (Irish Property Owners’ Association) and authored by economist Jim Power that found the constantly changing and very challenging regulatory and taxation environment that treats private landlords very differently from institutional landlords, is largely responsible for private non-institutional landlords leaving the market.

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