



There has never been a statutory period of time for a notice to quit tenancy of urban lands in Ireland. The Landlord and Tenant Act, 1870 and The Notice to Quit Act, 1876 only applied to agricultural property.

This has now been amended by Section 10 of the Housing (Miscellaneous Provisions) Act, 1992 Section 16 which reads:-

- (1) Subject to sub-section (2) and (3), a notice by a landlord or a tenant to the other of termination of the tenancy of a house let for rent or other valuable consideration shall not be valid unless it is in writing and is served not less than 4 weeks before the date on which it is to take effect.
- (2) This section shall not apply -
 - a) to the tenancy of a house let to a person in connection with his continuance in any office, appointment or employment,
 - b) to the tenancy of a house let bona fide for the temporary convenience of or to meet a temporary necessity of the landlord or the tenant,
 - c) to a tenancy conferring on the tenant the right to occupy a house for a holiday, or
 - d) to such other class or classes of tenancies as may be prescribed for the purposes of this section by the Minister.
- 3) Nothing in this section shall prejudice any provision of a contract or rule of law whereby a notice by a landlord or a tenant to the other of termination of the tenancy of a house is to be served more than four weeks before the date on which it is to take effect.

The effect of it is to make 4 weeks' notice mandatory unless a greater period is provided for in the contract or by "Rule of Law", the most obvious example of this category being the 6 month period required for yearly tenancies.

"House" is defined in the Act as including "any building or part of a building used or *suitable for use* as a dwelling and out office, yard, garden or other land appurtenant thereto or usually enjoyed therewith".

It should be noted that the provision applies to a tenant giving notice of termination as well as to a landlord giving such notice.

NOTICES TO QUIT