



# **MINORITY REPORT**

on Pre-Legislative Scrutiny of the  
General Scheme of the  
Residential Tenancies (Amendment) (No. 2) Bill 2025

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from Opposition members of the  
Joint Oireachtas Committee on  
Housing, Local Government and Heritage

**January 2026**



## **Introduction**

The General Scheme of the Residential tenancies (Amendment) (No. 2) Bill 2025 was referred to the Joint Oireachtas Committee on Housing, Local Government and Heritage in October 2025.

The Committee undertook Pre-Legislative Scrutiny on the General Scheme from 18 November to 2 December 2025.

Following the scrutiny sessions Opposition members of the Committee submitted detailed amendments to the draft report setting out our analysis and proposals with respect to the impact of the bill on tenants.

The majority of these amendments were rejected by the Government members of the Committee. In light of this the Opposition members of the Committee voted against the report.

We have taken a decision to publish this Minority Report setting out our analysis of the impact of the Residential tenancies (Amendment) (No. 2) Bill and the changes we believe are required and the amendments tabled during the course of the Pre Legislative Scrutiny.

**Eoin Ó Broin TD**  
**Rory Hearne TD**  
**Richard Boyd Barrett TD**  
**Conor Sheehan TD**

# General Observations on the Draft Report

As Opposition members of the Committee and housing spokespersons for our respective parties we share a number of significant concerns with the General Scheme of the Residential tenancies (Amendment) (No. 2) Bill 2025 as proposed.

Our concern is that the evidence presented by experts at the committee PLS hearings demonstrated that the proposal will lead to dramatic increases in rents for private renters and student renters, effectively ending the limited protections of the Rent Pressure Zones over a number of years.

We are also concerned that tenants of new rental stock will have no rental protections whatsoever, either at the start of a tenancy or during the tenancy.

Furthermore, the proposed new security of tenure proposals will create three different sets of tenure rules for different categories of renters. This is deeply unjust and over complex, making the rules difficult to understand and near impossible to enforce.

Meanwhile, it does nothing to enhance the security of tenure for all existing tenants.

It is on this basis that we firmly believe that without radical amendment the Bill should be withdrawn.

It is our shared view that Government policy for the private rental sector should be focused on bringing rents down, not allowing landlords to increase rents to ever more unaffordable levels.

We share the concerns of a number of expert witnesses to the Committee sessions, a summary of which we set out below.

## 1. Rents- legislation will lead to higher rents

### ***Rents are already too high***

This legislation makes no reference to the fact that Ireland already has some of the highest rents in Europe and that current rents in Ireland are **unsustainable for renters**. It was pointed out by the tenants' union, CATU that there is no link between rents and incomes. CATU stated "Many of our members are paying up to and exceeding 60% of their income just to keep a roof over their head — money that should be circulating through local shops, services, and communities rather than being extracted into the pockets of developers, investment funds, and landlords".

### ***The new legislation is essentially removing rent controls***

Dr Michael Byrne stated that the proposed changes to rents are akin to removing rent controls and deregulating rents. He stated "Tenancies last, on average, three years. The vast majority of them do not end because of a notice of termination. There is a huge amount of churn. It will be similar to having an entirely deregulated rental sector in terms of rents, such will be the consistency or frequency of resetting to market rent. It will be so great that it will be similar to having completely (no rent controls)..It will be functionally quite similar. I expect to see very significant rent increases. One thing that could be considered is what we would do in the event that we are having a discussion in four years' time about annual average rent inflation being 10% or 12%, for example."

### ***The new rent measures will not lead to lower rents***

Both Dr Lorcan Sirr (TUD) and CATU pointed out problems with core assumptions underpinning the new legislation - that we need to attract institutional investment for the supply of new build-to-rent accommodation, and that this will lead to lower rents. Dr Lorcan

Sirr stated “The theory, of course, is that the increased supply we are looking for is going to bring down rents, but nobody can ever say when. In my history, and from looking at my trends, charts and data, it has never happened yet because the quantity that we would need to bring down rents is so great that it is never going to happen.” While CATU stated “There’s no guarantee this rent decrease will occur. Over the past several years, there has been enormous consolidation of ownership of the rental market through the growth of institutional investment and corporate landlords, and this has not led to reduced rents”

***Student rents will be among the worst affected***

It was noted that Students are very vulnerable to rent increases from market rent reset due to nature of student renting taking up new lease each year.

## **2. Security of tenure – legislation will lead to higher levels of evictions**

***The new rent reset measures are in conflict with increased security of tenure changes***

Dr Michael Byrne (housing policy expert from UCD) noted in his submission during the committee debate on December 2nd that that the rent resets and security of tenure changes are in conflict with each other: “The rent reform will create an economic incentive for shorter tenancies because rents can be reset to the market rate at the end of a tenancy under certain conditions, whereas the security of tenure reforms are attempting to create long-term, secure homes. The two are not working in harmony.”

CATU stated that “International research from a variety of different countries shows that deregulation of rent controls in cases of tenant turnover inevitably leads to huge increases in economic evictions, as landlords seek to profit from the ability to reset the rent when a tenant leaves.

According to examples seen in other cities, landlords may harass tenants into leaving through poor maintenance or intimidation, or provide ‘cash-for-keys’ payments to incentivise them to give up their home. None of these eventualities are sufficiently accounted for in the proposed legislation.”

It was discussed during the hearings and pointed out by Dr Michael Byrne that existing tenants will receive no additional protection from eviction in the new legislation.”

It was pointed out that there is a problem in the legislation as it does not cover existing tenancies in relation to security of tenure. They will get no additional protection as long as they stay in their current lease. The legislation will not solve the issue of high levels of ‘no fault evictions’ for current tenants – and therefore does not address security of tenure for all existing tenants.”

In order to address the lack of security of tenure for existing renters a proposal was made for a ban on no fault evictions such as during COVID. Dr Lorcan Sirr said the COVID ban on evictions worked very well. CATU stated: “Our union is inundated with HAP tenants being evicted. We are supporting them to overhold and protecting them against any illegal evictions. That is a start. The eviction ban should be re-implemented on all no-fault evictions immediately to end this crisis.””

CATU stated that “In the context of we see with the proposed legislation and how it will impact those on the ground, it will heighten matters and make the situation worse”. CATU recommended at a bare minimum that any landlord in receipt of HAP, a public subsidy, should be banned from issuing a no-fault eviction notice.”

In light of all of the above Opposition members of the Committee tabled the following amendments to the Committee’s report.

## Recommendations

1. The Committee does not support the Bill and calls on the Minister for Housing to withdraw the legislation
2. The Committee believes the Bill in its current form will lead to significant rent increases for private renters, particularly given the average length of a private tenancy is 3.5 years and 70,000 new private tenancies are created annually. This means that a majority of private rental accommodation could have their rent reset to 'market rent' within four to six years of the coming into effect of these proposals. In light of this the Committee calls on the Department of Housing to undertake an assessment of the impact of the proposed changes on rent levels to determine its impact on private renters before proceeding with any proposed changes to the current RPZ rent controls.
3. The Committee does not support the proposal to have different tenure arrangements for different categories of renters. Having three different tenure arrangements (for existing tenants, new tenants in properties owned by small landlords and new tenants in properties owned by large landlords) is unfair, unduly complex, difficult to understand and enforce. On these grounds the Committee urges the Minister to introduce a single security of tenure regime for all new tenancies where notices of termination can only be issued where a tenant breaches the terms of their tenancy agreement.
4. That the view was expressed by a number of committees witnesses that rents will rise significantly as a result of this legislation. It is not prudent to move forward with the changes when there is clear concern from stakeholders regarding negative effects of the resets, a lack of clarity how it will work in some cases (see section 4.4 of the PLS report), and a deficit of research and forecasting regarding the potential impacts of these changes. The committee therefore recommends that the decision to introduce market rent reset should be removed from the legislation and the current rent control mechanisms in RPZs be retained.
5. Prior to legislation being implemented - the modelling and forecasting of the impact that this proposal might have on rent levels should be provided. The provision to reset rents has not been subject to any research, stress testing or trial basis and therefore rent resetting to market rent should not be included in the heads of scheme as stands
6. The Committee believes that the Minister should not proceed with any changes to the regulation of rent in the Student Specific Accommodation without meaningful consultation with student representative bodies and a detailed assessment by the Department of Housing on rents paid by students of any proposed changes to the current RPZ regime as it applies to Student Specific Accommodation."
7. In order to the address huge number of 'no fault' evictions on going, taking place

in part as a result of the confusion and lack of information regarding proposed legislative changes, the committee recommends that the legislation includes a three year no fault eviction ban for all properties on immediate basis.

8. The Committee urges the Minister to put a clear definition of 'rent' into law.
9. The Committee urges the Minister to remove the 'slip rule' from the current Residential tenancies Act
10. The Committee Recommends that notices of termination and documents should continue to be served by post.
11. Insert a new Head 9 – Creation of a definition of Rent (New provision establishing a definition of rent) Provide for the creation of section 24B(1) of Principal Act by adding the following paragraph - In this Part "rent", in relation to the tenancy of the dwelling means the rent for the dwelling that is inclusive of non-core price payments
12. Amendment of Section 35 (Interpretation of Termination Grounds) The definition of "at risk of homelessness" would needed to be specifically included in the Housing Act of 1988.
13. The Minister should adopt the European Typology of Homelessness (ETHOS framework). FEANTSA. "European Typology of Homelessness and Housing Exclusion". Feantsa.org. <https://www.feantsa.org/download/ethos2484215748748239888.pdf>. This typology was developed by the Fédération Européenne des Associations Nationales Travaillant avec les Sans-Abri (FEANTSA) as a means of improving understanding and measurement of homelessness in Europe. Adopting this typology would allow Irish policymakers to see the full picture of homelessness and housing need in Ireland, which would inform homelessness prevention services, homeless services and housing delivery.
14. Insert a new Head 43 - Disclosure of information by Failte Ireland to Board (New provision enabling RTB to obtain data from Failte Ireland) Where the Board considers that it is necessary and proportionate for the performance by the Board of its functions, the Board may request Failite Ireland to provide the Board with some or all of the following information: • Proof of requisite planning permission.
15. The Committee recommends including Failte Ireland in new data sharing agreements, along with the RTB, Sustainable Energy Authority of Ireland (SEAI) and Revenue. This is based on recommendations from witness Threshold that there is a unique opportunity to facilitate the regulation of short-term letting through data sharing agreements.

