

Reform of Residential Rental Sector in Ireland: Residential Tenancies (Miscellaneous Provisions) Act 2026

Contact Us



Michael Walsh

Partner, Chair of Property
+353 1 691 5674

mwalsh@byrnewallaceshields.com



Alison O'Sullivan

Partner, Head of Property
+353 1 691 5632

aosullivan@byrnewallaceshields.com



Neil Dunne

Partner, Property
+353 1 691 5320

ndunne@byrnewallaceshields.com



Clair Cassidy

Partner, Property
+353 1 637 1543

ccassidy@byrnewallaceshields.com

DISCLAIMER:

This note is provided for general information purposes only and does not purport to cover every aspect of the subject matter discussed, nor is it intended to provide, and does not constitute, legal or any other advice on any particular matter. The information contained in this memo is accurate as at 24 February 2026, and the law is subject to change after that date.

OVERVIEW

The Residential Tenancies (Miscellaneous Provisions) Act 2026 introduces the most significant overhaul of the Irish rental market in decades. Effective 1 March 2026, these reforms replace the old Rent Pressure Zone (**RPZ**) system with a national framework aimed at balancing tenant security with landlord investment incentives.

This panel includes a high-level summary of the key changes:

1. Enhanced Security of Tenure

The Act introduces Tenancies of Minimum Duration (**TMD**) for new tenancies created on or after 1 March 2026.

- **The 6-Year Cycle:** Once a tenant is in place for 6 months, they gain a "Part 4" tenancy of unlimited duration, with additional restrictions on termination applying during consecutive six-year TMDs.
- **Tiered Landlord Rules:** The law now distinguishes between "Larger Landlords" (4+ properties or a company) and "Smaller Landlords" (3 or fewer properties).
- **Termination Restrictions:**
 - **Larger Landlords:** Cannot terminate a tenancy during the 6-year TMD to sell, move in, or renovate. They can only terminate for tenant breach or if the dwelling is no longer suitable.
 - **Smaller Landlords:** Retain more flexibility. They can terminate to sell if they can prove "undue hardship" or insolvency or to move in (themselves or close family).
 - **Post-6 Years:** After the TMD ends, smaller landlords can use "no-fault" grounds (like selling) to end the tenancy; larger landlords remain strictly restricted.

2. New National Rent Controls

The previous RPZ system expires on 28 February 2026, replaced by a permanent national cap.

- **The 2% Cap:** For most tenancies, annual rent increases are capped at the lower of the Consumer Price Index (**CPI**) or 2%.
- **Investment Incentives:** To encourage new builds, apartment schemes and Student Specific Accommodation (**SSA**) with commencement notices on or after 10 June 2025 are exempt from the 2% cap and can increase rent by the full CPI rate.
- **Market Rent Resets:** Landlords can reset rent to market rates every 6 years (at the end of a TMD) to ensure long-term yields don't fall too far behind the market.

3. Rent Resetting & “No-Fault” Protections

The Act prevents “eviction for profit”:

- **Tenant-Led Reset:** A landlord can only reset rent to market rates for a new tenant if the previous tenant left voluntarily, was evicted for a breach or if the dwelling no longer suited the tenant’s needs.
- **No-Fault Protection:** If a landlord ends a tenancy through no fault of the tenant, they cannot hike the rent for the next occupant.

4. Transparency & Compliance

Landlords now face stricter reporting requirements to the Residential Tenancies Board (RTB):

- **Disclosure:** Landlords must provide new tenants and the RTB with the previous rent amount and the calculation method for the new rent.
- **Evidence:** Landlords must provide three “comparable dwellings” from the RTB register to prove the new rent does not exceed market value.
- **Public Register:** The RTB will maintain a public database of rents and property details (excluding specific addresses and names).

5. Scope of the Act

- **Included:** Private rentals, SSA (but with some nuanced differences), HAP, and RAS tenancies.
- **Excluded:** Local authority housing, “Rent-a-Room” schemes, and existing tenancies (pre-March 2026) regarding security of tenure and resetting to market rent.

1. INTRODUCTION

Significant reforms to the regulation of the residential rental sector in Ireland have been introduced with effect from 1 March 2026.

Private residential tenancies in Ireland are regulated by the Residential Tenancies Act 2004 (as amended) (the **2004 Act**). The Residential Tenancies (Miscellaneous Provisions) Act 2026 (the **2026 Act**) amends the 2004 Act to improve security of tenure for certain tenants, while encouraging private investment in the rental market by changing the system of rent control.

The reforms were first announced by the Irish Government in June 2025. As an interim measure, legislation was enacted extending existing rent caps from designated areas known as Rent Pressure Zones (**RPZs**) to the entire country from 20 June 2025. The RPZ designation expires on 28 February 2026.

A new national system of rent control applies to both existing and new tenancies with effect from 1 March 2026. To incentivise development of new apartment schemes for rent and SSA, rent on such properties may be reset annually in line with inflation as measured by the Consumer Price Index (**CPI**).

Rent for other tenancies will be subject to a maximum annual increase of 2%. From 1 March 2026, landlords will be allowed to reset rents to market rates in certain circumstances.

New “**Part 4**” tenancies created on or after 1 March 2026 will provide enhanced security of tenure for tenants. The enhanced security of tenure does not apply to existing tenancies that are in place prior to 1 March 2026.

While the reforms were announced in June 2025, the 2026 Act was enacted merely days in advance of the 1 March deadline. This briefing note provides an overview of the reforms for investors, developers and landlords.

2. CHANGES TO SECURITY OF TENURE

2.1 Tenancies of minimum duration

The 2026 Act enhances security of tenure for tenants holding under new tenancies (i.e. first-time tenancies between parties) **created on or after 1 March 2026**. Tenancies of minimum duration (**TMD**) now arise for new tenancies created after that date and shall arise once a tenant is in place for 6 months (a “**Part 4**” tenancy). A TMD is a 6-year tenancy, providing security of tenure to tenants. A TMD may only be terminated by a landlord in a limited number of circumstances, which vary depending on the category the landlord falls within.

A new concept of larger landlords (four plus tenancies **or** a registered company) and smaller landlords (three or fewer tenancies) has been introduced. While not expressed in terms of institutional / professional landlords and “**mom and pop**” landlords, this is clearly designed to provide more flexibility to non-professional landlords.

2.2 During the six-year TMD

The grounds on which landlords may terminate tenancies are significantly restricted during a six-year TMD, resulting in greater security of tenure for tenants during this period. Different rules apply depending on whether the landlord is a smaller or larger landlord:

- **All landlords** may end a tenancy if the tenant is in breach of their obligations or the dwelling is no longer suitable for their needs (e.g. size, accessibility).
- **All landlords** may sell a dwelling at any time with tenants in-situ.
- **Larger landlords** will no longer be able to terminate a tenancy because they want to sell the dwelling, move in themselves or allow a family member to do so, substantially renovate the dwelling or change the use of the dwelling.
- **Smaller landlords** may end a tenancy if the landlord requires funds to purchase a home or to pay a debt or in case of insolvency, and prohibition on termination to sell the dwelling would cause undue financial or other hardship.
- **Smaller landlords** may terminate the tenancy if the landlord requires the dwelling for their own occupation or

occupation by an immediate family member (parent/step-parent/parent-in-law/child/stepchild/foster or adopted child/spouse/civil partner).

- **Tenants** may terminate the tenancy by complying with the appropriate notice requirements. Tenants are not committed to a six-year TMD. If a tenant leaves the dwelling of its own accord, the landlord may use the dwelling as it wishes.

2.3 On expiry of the six-year TMD

At the end of each six-year TMD, smaller landlords will have an opportunity to terminate tenancies on one of the legal grounds, but larger landlords are still significantly restricted:

- **All landlords** may end a tenancy if the tenant is in breach of their obligations or the dwelling is no longer suitable for their needs.
- **Larger landlords** will not be permitted to end the tenancy on any other grounds.
- **Smaller landlords** may end a tenancy on the legal grounds for termination that existed prior to 1 March 2026, including for sale of the dwelling, substantial refurbishment/renovation, occupation by the landlord or a family member, change of use of the dwelling.

2.4 Statutory requirements

The law regulating termination of residential tenancies is complex and the appropriate prescribed procedures must be followed in each case for a landlord to validly terminate a tenancy. Penalties and sanctions may apply for failure to comply with the statutory requirements.

Smaller landlords who wish to terminate a tenancy on grounds no longer available to larger landlords are now required to make certain additional statutory declarations confirming that they satisfy the relevant conditions.

3. RENT REFORMS

3.1 Rent controls

From 1 March 2026, a new national system of rent control has been introduced. This will apply to **both new and existing tenancies of private rental accommodation and SSA**. The overriding prohibition on increasing rent above market rent remains in place.

Rent may generally be increased annually, with increases capped in line with inflation, now calculated by reference to CPI. Prior to 1 March 2026 the index used was the All-Items Harmonised Index of Consumer Prices (**HICP**). In times of high inflation, a 2% cap will apply to rent increases for most tenancies. This means that the maximum rate of increase will be the lower of the increase in CPI or 2%.

To incentivise development of **new apartments and SSA**, where a commencement notice is lodged on or after 10 June

2025 the rent increases for these properties will **not** be subject to the 2% limit. Rent increases in these properties will be capped by reference to increase in CPI only.

A transitional provision ensures that a tenancy in an area that recently became a RPZ will not have a rent review for a period of two years from the last rent setting.

3.2 Resetting rent to market rent – first rent setting

The restrictions on rent increases continue to apply when one tenancy ends and a new tenancy is created, subject to limited exemptions when rent may be reset to market rent.

Prior to 1 March 2026, rent could be set to market value on:

- the first letting of a dwelling coming onto the rental market
- the first letting after a two-year period gap in tenancies (or one year in the case of a protected structure), and
- the first letting following a substantial change in the nature of rental accommodation.

These exemptions continue to apply.

For new tenancies created on or after 1 March 2026 (excluding SSA), landlords may reset rent to market rent if the previous tenancy was terminated:

- by the previous tenant, or
- by the landlord on the grounds that:
 - the tenant breached their obligations, or
 - the dwelling no longer meets the tenant's needs.

A rent reset will not be allowed after a *“no-fault eviction”*. This is being introduced to prevent landlords from evicting tenants to increase the rent.

3.3 Resetting rent to market rate – first rent setting - student-specific accommodation

The ability to reset to market rent on creation of a new tenancy will not apply to SSA for the first three years of the new rent controls. However, where a tenancy (including licence) of SSA is created **on or after 1 March 2029**, the landlord will be able to reset the rent to market rent on creation of the tenancy, provided that the dwelling was student-specific accommodation for the three years immediately preceding the tenancy, there was a tenancy in place for at least six months in each of those three years and the rent restrictions applied.

3.4 Resetting rent to market on review

Landlords who enter into a **new tenancy on or after 1 March 2026** will generally have the right to reset the rent to market rate at the end of each six-year TMD, or after three years in relation to a tenancy of SSA. This is intended to encourage investment in the rental sector by ensuring that rents payable under long-standing tenancies do not fall behind market rents for extended periods.

3.5 Information to be provided to new tenants

When creating a **new tenancy on or after 1 March 2026**, the landlord must provide both the tenant and the RTB with information on how the rent was set. This includes information on the rent last set under the most recent previous tenancy, the date it was set and the RTB reference number of the previous tenancy. Investors purchasing rented (or previously rented) residential properties with the intention of letting them, will need to obtain this information from the vendor.

The RTB's published register will include details of each tenancy, including the rent, the tenancy registration number, the local electoral area in which the dwelling is situated, the floor area where applicable, the BER, the number of bedrooms and the dwelling type. It will not disclose the address of the dwelling or the identity of the landlord or tenant.

Landlords will be required to provide a statement to their tenants and the RTB of how the rent set has been calculated and information from the published register on three comparable dwellings, as evidence that the rent set does not exceed market rent.

4. APPLICATION OF THE NEW RULES

The new rules on TMDs, rent control and rent resets apply to private rented housing including accommodation let under the social housing HAP (Housing Assistance Payment) and RAS (Rental Accommodation Scheme) supports.

Given that student tenancies/licences of SSA generally change every year, the new rent controls from 1 March 2026 have been tailored to account for this. The rent increase restriction will apply to all SSA tenancies / leases during the first three years of operation of the new national rent control and SSA providers are not permitted to reset rents upon the commencement of each new student tenancy/licence. The resetting of rent to market value can only be done starting on 1 March 2029 after three years of restrictions and after every three-year period thereafter.

The rules on TMDs will generally apply to Approved Housing Body (**AHB**) tenancies. The new rent control regime does not apply to either AHB or cost rental tenancies, which each have their own rules on rent setting.

The reforms do not apply to local authority tenancies or "rent a room" tenancies (where the landlord rents a room in their home).

If you wish to discuss any of the issues raised in this briefing, please contact Michael Walsh, Alison O'Sullivan, Clair Cassidy, Neil Dunne or your usual contact in the Byrne Wallace Shields LLP Property/Real Estate Team.

Contact Us

Byrne Wallace Shields LLP
88 Harcourt Street, Dublin 2, D02 DK18, Ireland
Tel: +353 1 691 5000
Email: info@byrnewallaceshields.com
www.byrnewallaceshields.com