

EVICTION NATION

Evictions in Ireland from 2015 to 2024



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1. Executive Summary

Background

Evictions are one of the most harmful consequences of the current housing emergency in Ireland. Yet there is a notable lack of accessible information about evictions, especially about those responsible. For this project we have used publicly available information from the Residential Tenancies Board (RTB) disputes database to collect data about evictions, both legal and illegal, from the beginning of 2015 to mid-2024. The aim is to provide resources which can be used to resist evictions and to expose some of the landlords, investors and speculators who are responsible for the eviction crisis. This report provides figures which show the extent of legal and illegal evictions, analysis of enforcement procedures and regulations, as well as details of landlords responsible for the greatest number of evictions.

Key findings

- There have been 353 officially recorded illegal evictions between January 2015 and May 2024.
- This is only a tiny proportion of the total number of people who have faced unfair and even violent forms of displacement from their homes due to the limited and ineffective protections offered by the RTB and the Residential Tenancies Act.
- There is no consistent definition of what constitutes an illegal eviction, meaning many cases where tenants are intimidated into leaving their homes do not count from an official perspective.
- Illegal evictions are disproportionately carried out by small-scale landlords.
- There is extensive evidence of landlords taking advantage of no-fault eviction loopholes to illegally evict tenants and increase rents.
- The legislation governing no-fault evictions includes a variety of further loopholes through which landlords can evade any consequences for their actions.
- The average damages awarded to tenants who have been illegally evicted since 2015 is €3,912, far below the upper limit of €20,000.

- The damages system puts emphasis on proven material and financial losses suffered by tenants as a direct result of being evicted. If these are not established, landlords escape with minimal punishment.
- The RTB has issued 4,524 eviction orders between January 2015 and August 2024 relating to evictions which have become the subject of an RTB case because the tenant was overholding or challenged the validity of the eviction notice.
- An increasing proportion of evictions are linked to company landlords and approved housing bodies (AHBs). The proportion of RTB eviction orders linked to company landlords has increased from 1% in 2015 to 22% in 2024.
- AHBs are responsible for 7% of all legal evictions in this database (312 of 4,524). One important contributing factor is the fact that AHB tenants have less security of tenure and legal protection compared to those renting from a local authority.
- Irish Residential Properties Ltd. (IRES REIT) has secured 128 eviction orders through the RTB, the highest number of any landlord in Ireland. Based on the data collected we estimate that IRES REIT could have been responsible for up to 1,700 evictions since 2015.
- The ten landlords responsible for the greatest number of evictions include company landlords, receivers and AHBs. These ten are collectively responsible for 12% of all eviction orders issued by the RTB since 2015.

Demands

None of the problems identified here will be resolved until there is fundamental change in the housing system. The following steps must be taken:

Enforce existing regulations and stop illegal evictions: In 2022 the RTB recommended that illegal evictions should be made a criminal offence and that the maximum amount of damages that can be awarded to tenants should be doubled. No action has been taken to progress these recommendations.¹ There is, at a bare minimum, an urgent need for action to ensure landlords cannot continue to act with impunity when violently and illegally evicting tenants from their homes.

Ban no-fault evictions: Existing provisions which allow no-fault evictions are routinely exploited by landlords. It is inherently very difficult to disprove a landlord's stated intention, which can often only be judged long after the

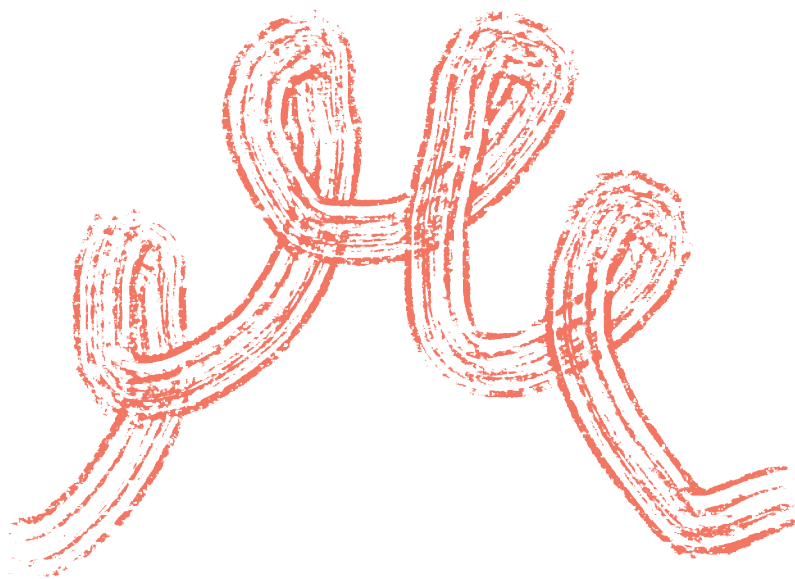
¹Neylon, L. (2023). RTB has proposed giving Gardaí powers to arrest anyone illegally evicting a tenant. Dublin Inquirer, May 2023.

eviction has been carried out, and an unreasonable onus is placed on the evicted tenants themselves to discover the abuse. It's obvious that as long as these loopholes exist they will be exploited. There is a need for a total ban on no-fault evictions to eliminate these loopholes.

Stop the growth of corporate landlords: The data we have collected shows the harmful effects of the growth in company landlords and institutional investment in the rental market. There is a need for urgent measures to reverse this process including a ban on build-to-rent developments, an end to tax exemptions for institutional investors and, ultimately, for properties that are held by large company landlords to be expropriated and made available as public housing.

Stop outsourcing social housing: The fact that AHBs are responsible for large numbers of evictions shows the need to reverse the trend of outsourcing the provision of social housing from local authorities to AHBs.

Universal public housing: Ultimately many of the problems tenants and working class people are facing with the housing system in Ireland will only be addressed through the provision of universal public housing. CATU supports a system of universally accessible, culturally appropriate and high quality public housing to provide a real alternative to the uncertainty and exploitation which tenants must face in the private market.



2. Introduction

The current housing emergency in Ireland has many socially destructive consequences. Evictions are just one of the most visible and widely recognised - but certainly among the most harmful - of these consequences. Ireland has a long history of evictions and displacement in various forms, including evictions of tenant farmers, Travellers and council tenants forced out by 'regeneration' projects that have led to long-term displacement and the privatisation of public housing. In the period after the financial crisis, from 2010-2015, there was a six-fold increase in eviction-related cases.²

In recent times most evictions have been of private rental sector (PRS) tenants. As described by one researcher, tenants in the PRS in Ireland live in an 'ultra-low residential security regime'.³ In an era of ever-increasing homelessness figures, evictions from the PRS, primarily due to rent increases, are the leading cause of family homelessness.⁴ The direct consequences of evictions include homelessness, being forced into alternative, precarious and unsuitable forms of housing, problems accessing or staying in employment, physical and mental health effects and the break up of families and relationships. Beyond these individual effects, evictions have wider consequences through breaking up communities and making it impossible for tenants to feel secure enough to put down roots.⁵

Evictions are intrinsically linked to many of the underlying processes driving the housing crisis, including the commodification and privatisation of housing, the selling-off of publicly owned homes and land, the increasing financialisation of the housing system associated with the involvement of institutional investors,⁶ who have themselves become large-scale evictors, and gentrification/touristification through the spread of hotels and Airbnbs. Ultimately this all adds up to a system where landlords and investors can treat housing as a financial asset from which they aim to extract as much profit as possible, even if it means pushing their tenants out onto the street.

² Kenna, P. (2018). Evictions in Ireland. In P. Kenna, S. Nasarre-Aznar, P. Sparkes, & C. U. Schmid (Eds.), *Loss of Homes and Evictions across Europe*. Edward Elgar Publishing.

³ Jordan, M. (2020) *Elements of Residential Security in Comparative Focus: Renting Homes in Great Britain and Ireland*. PhD Dissertation. University of Southampton.

⁴ Kenna (2018). Evictions in Ireland.

⁵ McArdle, R., & Byrne, M. (2022). Rootlessness: How the Irish private rental sector prevents tenants feeling secure in their homes and tenant's resistance against this. *Geoforum*, 136, 211-218.

⁶ Lima, V., Hearne, R., & Murphy, M. P. (2023). Housing financialisation and the creation of homelessness in Ireland. *Housing Studies*, 38(9), 1695-1718.

2.1. Eviction data

There is a notable lack of accessible information about evictions in Ireland, especially about the landlords responsible.

The Residential Tenancies Board (RTB) is the public body responsible for regulating the PRS and handling disputes between tenants and both private landlords and AHBs. The RTB publishes some information on the numbers of eviction notices served and dispute cases received via its online Data Hub⁷ and annual reports, but does not provide information about who is responsible, whether corporate or individual landlords, detailed breakdown by area or analysis of disputes. The RTB makes records of disputes available to the public by publishing the outcomes of cases (in the form of ‘determination orders’ and, where applicable, ‘tribunal reports’) on their website through their disputes database.⁸ Records of all disputes between 2015 and the present are available online. For this project we have collected data about evictions from 2015 up to mid-2024.

However, the information on the RTB website is made available in individual scanned PDFs which are non-text-searchable. The overall quality of the interface for browsing and searching these documents is not user-friendly, and information within the documents can be limited and unclear. The time, effort and other resources required to obtain useful information from this data undermines its status as a public resource.

In addition, previous research on evictions in Ireland has been patchy and insufficient and has not gone far enough in asserting the scale and severity of the issue and its wide-reaching consequences. The RTB has made occasional efforts to analyse its own eviction data. For example, a report published after the Berkeley Road eviction analysed 78 illegal eviction cases.⁹ It showed that landlords had forcibly evicted their tenants in 73% of these, by removing their belongings, changing locks or physically removing them from the house.

However, the report only analysed a relatively small number of cases and on this basis claimed that “illegal evictions are not a wide-scale problem and occur in relatively small numbers”. In contrast, our report shows that, according to the RTB’s records, there have been 353 officially recorded illegal evictions since 2015 and, as discussed in Section 3, this is likely to only be a tiny fraction of the real number of tenants who have experienced forcible and violent forms of displacement.

This RTB report and other reporting on the topic also tends to see illegal

⁷ <https://www.rtb.ie/about-rtb/data-insights/data-hub>

⁸ <https://www.rtb.ie/dispute-resolution-services/dispute-case-outcomes>

⁹ RTB (2022). Report to the Minister of Department of Housing, Local Government and Heritage on the Berkeley Road case and illegal evictions in the private rental sector.

evictions as an exceptional circumstance, an anomaly to an otherwise functioning system in which legal evictions are normal and unproblematic. This ignores the often blurred lines between illegal and legal evictions, which is also discussed in Section 3. The current report analyses both illegal and legal evictions to avoid feeding into the idea that problems in the private rental sector are the fault of ‘a few bad apples’.

2.2. What is the eviction database project about?

The Community Action Tenants Union Ireland (CATU) is a community and tenants’ union made up of private renters, council tenants, people in Direct Provision and emergency accommodation, mortgage holders and anyone else not profiting from the housing crisis. It is based on the idea that change will only come when we unite and take action together.

One of the union’s most basic activities is fighting back when someone tries to evict one of our members. But in order to resist we need information about who is responsible. Sometimes it’s clear as day who the landlord is, but other times they hide behind estate agents or complex corporate networks. For example, it’s common for tenants to be unable to lodge a case with the RTB because they do not have access to their landlord’s contact details.¹⁰

The current project began with a group of CATU members coming together to find ways to gather data about evictions and landlords to support our campaigns and member defence work. It followed from a previous CATU landlord research guide on how to gather information on property ownership and corporate networks. This guide provides instructions for members on how to find information about landlords such as other properties they own or other business interests.

This report and the associated website aim to build on this by systematically collecting data about landlords and evictions and making it publicly available. We want to provide a resource which can be used by our members and others to fight evictions. Another key aim is to expose some of the landlords, investors and speculators who are responsible for the distress and hardship that people are enduring as a result of the housing crisis, and to redirect people’s anger away from scapegoats like migrants and other vulnerable groups.

In the past, we have faced legal threats for naming landlords who are evicting our members, so for this project, the main source of information we have used is publicly available case files from RTB disputes. This means we are simply reporting and describing what the RTB has already decided. As discussed in more detail in Section 3, there are problems with relying on this type of data. While this report is a start, there is much more work to be done.

¹⁰ Neylon, L. (2021). Tenants find they can’t take their landlords to the RTB because they can’t find them. Dublin Inquirer, October 2021.

3. Illegal evictions in Ireland from 2015 to the present

Research conducted for the CATU eviction database project found records of 353 officially recorded illegal evictions between 2015 and 2024. These denote cases where the RTB has determined that an illegal eviction took place and issued a publicly available determination order to this effect.

This figure includes 35 cases where the RTB found that the landlord had 'unjustly deprived' the tenant of their home by abusing the legal process for no-fault evictions, for example by claiming that they would be selling the house and then not doing so. The CATU eviction database website (topevictors.ie) has an illegal eviction map showing details of each case.

The research in this report is the most complete research on illegal evictions using RTB case files thus far. After the high-profile Berkeley Road eviction in 2020, the RTB did some research on this issue and collected data about 78 illegal eviction cases between 2017 and 2020. Based on this very limited sample they concluded that illegal evictions were not a widespread problem and recommended that no further legislation or enforcement action was needed to address them.¹¹

Our finding of 353 officially determined illegal evictions is based on a comprehensive review of 1,387 disputes available through the RTB disputes database where 'unlawful termination of tenancy' was one of the reasons for the case being lodged. This included all unlawful termination cases between 2015, the earliest year for which data is publicly available, and May 2024.

Our analysis shows that only about 25% of cases where unlawful termination was one of the reasons for the dispute were found by the RTB to be illegal evictions. This does not, however, mean there was no wrongdoing on the part of the landlord in the others. Out of the 1,034 cases where the RTB decided an illegal eviction had not taken place, 406 involved some other finding against the landlord. These included 107 cases of 'interference with the tenant's right to peaceful and exclusive occupation', which can cover various forms of intimidation and harassment, including those which leave the tenant no option except to leave their home.

In many of the cases where the RTB decided the landlord had illegally evicted their tenant, there were also other forms of wrongdoing and exploitation. For example, in 93 cases the RTB found that the landlord had added insult to injury by not only illegally evicting their tenant but also refusing to return their deposit.

¹¹ RTB (2022). Report to the Minister.

There is no consistent data available about illegal evictions for the years before 2015. However, an RTB report from 2008 notes that there were 43 cases concerning unlawful terminations in 2005 and 26 in 2006, which is much lower than the norm in recent years.¹² Other research has highlighted that the number of disputes regarding eviction notices and illegal evictions rose by 65% between 2014 and 2019.¹³

Figure 1 below shows the number of cases relating to illegal evictions lodged by tenants and the number of cases in which the RTB decided an illegal eviction had actually taken place for each year since 2015. The main pattern apparent here is a large spike in cases in 2019 followed by a sharp drop during the series of eviction bans in place until early 2022. This indicates that the pandemic emergency legislation and eviction ban were successful in reducing the number of illegal evictions, potentially alongside factors such as reduced demand for new rental accommodation during this period.

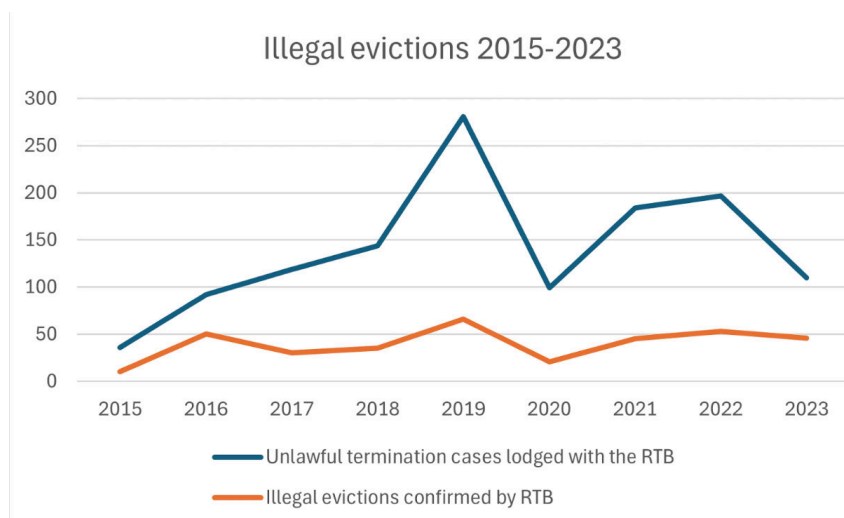


Figure 1: Number of illegal eviction cases lodged by tenants and number of illegal evictions confirmed by RTB.

Similar to figures for legal evictions (see Section 7), the decrease in case numbers during the pandemic has been followed by a gradual recovery. It is important to note that the low number of cases in 2023 is due to an error with how disputes were categorised in the RTB disputes database and does not indicate a downward trend. In fact, the RTB’s Annual Report for 2023 indicates

¹² Freely, N. (Centre for Housing Research) / PRTB (2008). Analysis of Determination Orders and Disputes referred to the PRTB 2005 & 2006.

¹³ Lima et al. (2023). Housing financialisation and the creation of homelessness in Ireland.

that the number of illegal eviction cases in 2023 was 140% higher than 2022.¹⁴ It remains to be seen how the situation will develop in 2024 and the coming years, but there is no reason to think the figures will fall.

Problems with the RTB process and statistics

Our figure of 353 illegal evictions is based on a comprehensive analysis of RTB case files. This is also the first effort anyone has made to properly measure the extent of the problem. However, this is still only a tiny proportion of the total number due to the limited and ineffective protections offered by the RTB and the Residential Tenancies Act.

Firstly, people who are judged to be ‘licensees’ or lodgers—including people living with their landlord (or where a landlord claims this is the case) as well as people living in student accommodation and co-living developments—are not protected by the Residential Tenancies Act and the RTB doesn’t have jurisdiction to investigate these cases. Out of the total of 1,387 unlawful termination cases, there were 84 instances where the RTB decided that it did not have jurisdiction to investigate or make a decision, which generally means cases involving licensees. It is also to be expected that many licensees won’t take a case to the RTB in the first place because they’re well aware of their lack of protection, so they will never show up in any statistics. These cases may have involved forcible or even violent evictions, but these evictions do not count from an official perspective because people renting in these circumstances have no protections and no recourse to justice.

Secondly, many tenants who have been illegally evicted won’t take a case to the RTB for a range of reasons. These include the fact that taking a case is a long-drawn process, likely requiring time off work, travel costs and other difficulties. Tenants are less likely than landlords to have support, such as legal representation, in RTB cases. For example, our data shows that landlords were over 2.5 times more likely to have a solicitor or barrister representing them at an RTB Tribunal hearing (landlords had a solicitor or barrister in 101 cases compared with only 40 where tenants had legal support).

In addition, a report published by the RTB in 2023 found that only 13% of tenants said they had a good level of knowledge about their rights relating to evictions,¹⁵ which means many people are unaware of the fact they may have been illegally evicted or that they could dispute this with the RTB.

Another report by Living Rent in Scotland found that only 2.5% of tenants who had been illegally evicted took their case to a tribunal. This was for different reasons including: they did not want the added stress, they felt they would not win, they were worried their ex-landlord would retaliate, and it would take too

¹⁴ RTB (2024). Annual Report and Accounts 2023.

¹⁵ RTB (2023). Tenants Research Report December 2023.

much time.¹⁶ All of these issues also apply to Ireland and are reasons why tenants here might not take a case in the first place, meaning they will never show up in official statistics and in the data we've collected for this report.

Even if a tenant does win a case over an illegal eviction, there is no guarantee of any positive or meaningful outcome. The main potential benefit to the tenant is the possibility of an award of damages but there are a whole range of problems with how damages are calculated (as discussed in Section 6) and no guarantee the landlord will pay up. There are many examples of tenants not being paid damages even after their landlord was found to have carried out an illegal eviction.¹⁷ Our research shows that the RTB took action to enforce the payment of damages in only 16 of the 353 cases where they found an illegal eviction had taken place. Again, awareness of the limited powers of the RTB to enforce its decisions means many tenants will not go through the stress and difficulty of pursuing a case.

A final important reason why the illegal eviction figures we've collected most likely massively underestimate the real scale of the problem is the fact that, surprisingly, the RTB itself has no clear and consistent definition of what an illegal eviction is. Specifically, there is no clear agreement regarding whether a landlord intimidating or harassing a tenant into leaving should be regarded as an illegal eviction, or if it only counts if the landlord changes the locks and/or the tenant is forcibly removed.

The different definitions of illegal evictions in RTB materials reflect this confusion. For example, the definition given in a 2008 report is that an "illegal eviction... refers to cases where the tenant was forcibly removed from the dwelling for example, changing of locks", which indicates that actual physical intervention or force is required.¹⁸ More recent definitions suggest that cases of intimidation may also count as illegal evictions. For example, a report on the 2020 Berkeley Road eviction stated that "an illegal eviction... may occur where a landlord, through force, intimidation or otherwise prevents a tenant from accessing a rented dwelling or removes the tenant's belongings from the dwelling."¹⁹

This more nuanced definition is not, however, always reflected in RTB judgements. Instead, many cases which involve tenants being intimidated into leaving are determined to be instances of the landlord 'interfering with the

¹⁶ Living Rent (2024). Pushed to the edge: Living Rent survey of tenants in Scotland.

¹⁷ Neylon, L. (2022). Former Garda, Previously Convicted for Breaching Fire-Safety, Rented Out Homes Using a False Name. Dublin Inquirer, November 2022.

¹⁸ Freely, N. & PRTB (2008). Analysis of Determination Orders and Disputes.

¹⁹ RTB (2022). Report to the Minister of Department of Housing, Local Government and Heritage on the Berkeley Road case and illegal evictions in the private rental sector.

tenant's right to peaceful and exclusive occupation', which generally involves lower damages. For example, in one case (TR0920-004423)²⁰ the landlord, Marc Godart, entered a tenant's bedroom, took his phone, tried to force him out of the house and only left when the Gardaí arrived. This, understandably, caused the tenant to move out as soon as he could because he felt unsafe, seemingly a clear case of being intimidated into leaving. Shockingly, the RTB found that this was not an illegal eviction because the tenant was not physically removed, and also decided that the tenant owed extra rent because he left without giving notice.

Another case that reflects this issue is TR0219-003535, where the landlord, Noel Healy, entered the house uninvited and shouted at the tenants that he wanted them out. The tenant moved out later the same day due to these threats but the RTB found this did not represent an illegal eviction because the landlord "did not forcibly take possession of the dwelling". In one final example (TR0422-005413), the RTB accepted that the landlord, Sean Whelton, had harassed his tenant into moving out ("the Tribunal accepts on the balance of probabilities that some statement such as "I'll finish you" or words to that effect were said by the landlord to the tenant"). Again this was not regarded as an illegal eviction because the RTB concluded the landlord was entitled to retake possession of the house after the tenant was forced to leave, all despite the fact the tenant maintained he had not moved out and was actually still living there.

As we see here, there are a whole range of reasons why the figure of 353 illegal evictions, although far higher than it should be, is still a massive underestimation of the real scale of the problem. The fact that the RTB does not have a consistent definition of an illegal eviction that is applicable across all cases is particularly shocking. Overall, this situation shows how much information is unavailable and the extent to which evictions are hidden from view. There is much more work to be done to document and reveal the true extent of the problem.



²⁰ Throughout the report specific cases are referred to using the tribunal reference (TR) or determination reference (DR) number attributed to each case by the RTB. Full reports can be found by searching this number on the RTB dispute outcomes site: rtb.ie/dispute-resolution-services/dispute-case-outcomes

4. 'A culture of widespread non-compliance:' Small landlords and illegal evictions

Our research shows that the vast majority of illegal evictors are those who would often be classified as 'small landlords'. Out of 353 illegal evictions, over 90% involved landlords who were individuals rather than companies or receivers and the majority of illegal evictors (70%) had not been involved in any other RTB cases. In addition, there were a relatively small number of repeat offenders, with the notable exceptions of brothers Noel and Pat Martin, who have seven illegal evictions to their names, and Marc Godart with five (see topevictors.ie for profiles of these three).

Small landlords account for a large proportion of the Irish rental market and have been recipients of generous tax breaks from the government, amidst the disproven narrative that they are "fleeing the market."²¹ They also often receive sympathetic treatment from the media when compared to institutional investors. However, as described by one researcher there is "a culture of widespread non-compliance" with tenancy law amongst small-scale landlords.²² Our research shows that small landlords pursue profit just as aggressively as the larger operators at huge cost to their tenants.

There are multiple cases of such landlords evicting tenants into homelessness (e.g. TR0816-001932). One such case involved the landlord placing a tenant's belongings in black bin bags and leaving them on the street (TR0319-003603), and another involved the landlord removing the front and back doors of the home and then placing the tenant's possessions in front of the house, before evicting the tenants, one of whom was pregnant, into homelessness (DR0521-69604). There is further shocking evidence of:

- A landlord running at a tenant brandishing a battery drill (TR1019-004025)
- A brother of the landlord screaming abuse at the tenants through the window of the property (TR0218-002829)
- A landlord interfering with the locks of tenants' cars, removing doors of the house and cutting off the gas (TR0315-001104)

²¹Neylon, L. (2023). Census data raises questions about narrative that landlords are fleeing the market. Dublin Inquirer, August.

²²Nic Lochlainn, M. (2023). Corporate landlords and disruption through consolidation in post-crash Dublin's private rental sector. Digital Geography and Society (5).

- Landlords calling in the guards to assist them with their illegal eviction (TR1015-001391)

There are also many examples of small landlords constructing lies to illegally evict tenants, with a common tactic being to lie about a family member moving in and then re-let the property at a higher rent (e.g. DR0617-35184). Using this excuse, one landlord evicted a family of four, including two young children, weeks before Christmas. See Section 5 for more analysis of this type of eviction.

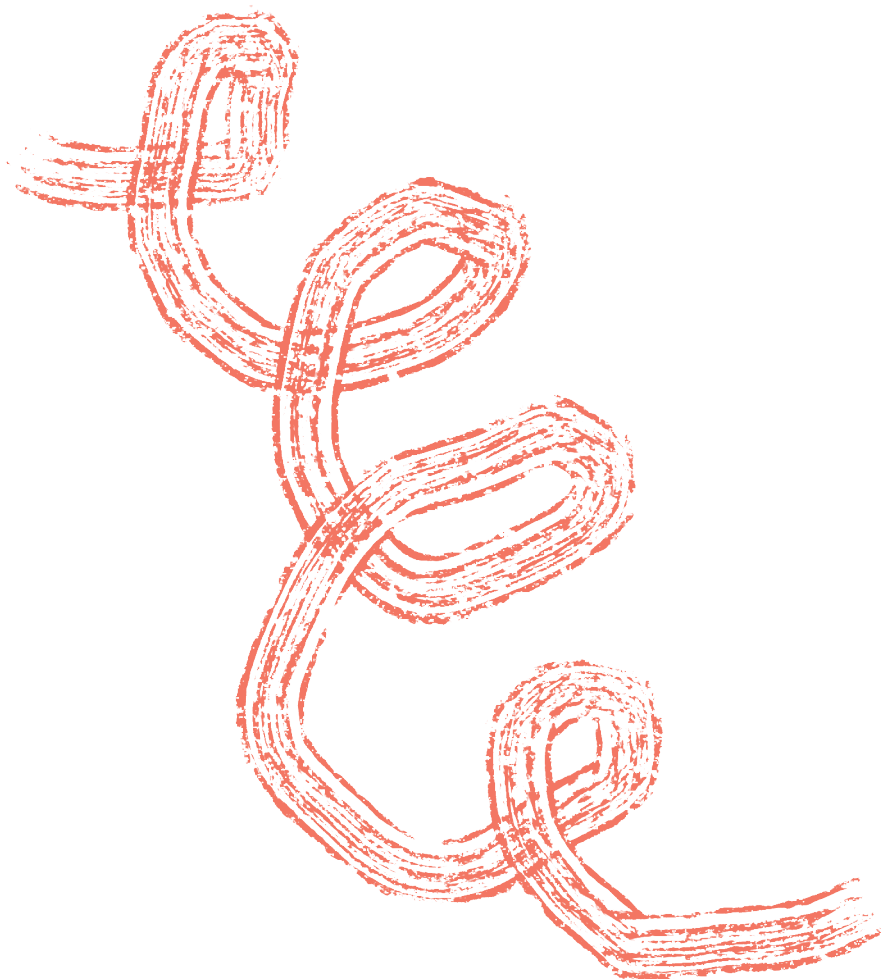
One particularly creative landlord asked a tenant to move out temporarily so they could make fire safety improvements, which would supposedly take only three or four days. The tenant obliged, and whilst he was away the landlord moved another tenant in at a higher rent and changed the locks (DR0516-26301).

Landlords also frequently resort to illegally changing locks. We found records of this occurring while:

- COVID-19 lockdowns were ongoing, causing a tenant to have to stay with friends (DR0821-71744).
- The tenant was at work and her children were at school. This landlord also put the tenants' belongings onto the street and allowed passersby to take them (DR0516-26559).
- The tenant was at work, and her children were at school. The landlord put the tenants' belongings in the front garden (DR1115-22574).
- The tenant was visiting his partner in hospital (TR0717-002495)
- The tenant was in hospital (DR0621-70117).
- The tenant was away, meaning he was evicted into homelessness (TR0119-003518).
- The tenants were in the process of moving out and had a van on the street ready to move their belongings (TR0419-003687).
- A landlord brought along a gang of eight others to gain entry to the property, and drill through the locks (DR0216-24439).
- A landlord brought two men to change the locks whilst the head tenant—who had lived in the home for 10 years—was out, and his wife was at home with their small child (TR0519-003731).

From the above instances, we can see that small landlords have caused a disproportionate amount of distress and hardship. Thus a narrative that highlights only large corporate landlords as the cause of suffering for tenants in the current rental market is not accurate.

As highlighted in Section 7, the picture is very different when it comes to legal evictions. A growing proportion of legal evictions are linked to company landlords and approved housing bodies (AHBs), who are less likely to resort to egregious and violent tactics because they have the resources to follow the simple procedure to legally evict their tenants. In contrast, it seems that small landlords are more likely to lack experience in carrying out evictions legally, or are more likely to simply not care about following the legal process.



5. The Section 34 termination procedure: Sello-victions, nepo-victions and reno-victions

Section 34 of the Residential Tenancies Act outlines the process that must be followed when terminating a tenancy (i.e. carrying out an eviction) in the PRS.²³ Once a tenancy has lasted longer than 6 months (when it becomes a 'Part 4 Tenancy') tenants can only be evicted for a set of specified reasons. One of these is if the tenant is deemed to have breached their tenant obligations. However, there are also exceptions which a landlord can use to carry out no-fault evictions if:

- 1) the landlord intends to enter into an agreement to sell the property (within 9 months),
- 2) the landlord requires the use of the property for their own occupation or that of a relative,
- 3) the landlord intends to carry out 'substantial renovations' to the property or to change the use of the property (e.g. from a residential to a commercial property).

For an eviction notice to be valid under Section 34, it needs to be accompanied by a statutory declaration detailing the intended sale, move or renovation. This must include a commitment to offer the tenancy back to the evicted tenants if the property becomes available to let (e.g. if the landlord does not follow through with their intention). A copy of the notice has to be sent to the RTB on the same day it is served to the tenant. When these criteria are met, the eviction qualifies as lawful.

There are many cases of evictions on these grounds, or what we call 'sello-victions', 'nepo-victions' and 'reno-victions', referring, respectively, to evictions where the landlord is selling the property, evictions to facilitate themselves or a family member moving in and evictions in the case of renovations. According to RTB data, a total of 4,810 eviction notices were received in the first quarter of 2024. 2,766 (58%) cited an intention to sell the property, 848 (18%) an intention for the landlord or family member to move in, with a further 102 citing intentions for substantial renovation and 30 citing change of use.²⁴

²³ <https://www.irishstatutebook.ie/eli/2004/act/27/section/34/enacted/en/html#sec34>

²⁴ <https://www.rtb.ie/about-rtb/data-insights/data-hub/notices-of-termination-nots-received-by-the-rtb-from-q3-2022>

All three categories of evictions depend upon the declared intention of the landlord. So long as landlords follow the procedure as set out in the Act when issuing a notice of termination on a tenant, the notice will be valid until proven otherwise.

If the landlord does not follow through with their intention (or had never actually intended it in the first place), then by the time this is discovered it is often too late—tenants have been evicted and have been forced to move on and find accommodation elsewhere, whilst being subjected to serious impacts on their financial stability, mental and physical health. The onus of proving a landlord's intentions to be false is placed firmly on the tenant being evicted. We analysed a sample of RTB disputes to understand the consequences of this law.

Data sources

The information presented here has been obtained in two ways: firstly, a manual trawl of the 353 RTB illegal evictions found through the project (searching for cases involving Section 34); and secondly, a keyword search for Section 34 within the wider database of RTB dispute outcomes. In both cases, where Tribunal reports were available these have been analysed. The aim was to investigate how Section 34 is used by landlords and to record the nature of and reasons for judgements relating to this section.

However, these methods only give a small sample of the overall number of cases involving Section 34. Often Section 34 is not named explicitly, with cases referring instead to the more general subject of validity of an eviction notice. Where tribunal reports are available, the role of Section 34 can sometimes be identified. However, where only a determination order is available this is often impossible. For context, in the first quarter of 2024 alone, 406 dispute cases were received by the RTB citing validity of an eviction notice as a subject matter.²⁵

Findings: Section 34 in illegal eviction cases

It is a common trend in illegal eviction cases for use of the Section 34 nepo-viction, reno-viction and sello-eviction clauses to function as a veil for ulterior motives. The most prominent motivation is to allow the landlord to hike up rents, evicting the current tenants if they are either unwilling or unable to pay.

For example, in TR0718-003127, the tenants' testimony described how they had received a text message from their landlords Trevor and Bridgette Carter seeking to increase the rent in breach of the maximum permitted increase in a Rent Pressure Zone (RPZ). The tenants pointed out that this was not legal, and

²⁵ <https://www.rtb.ie/about-rtb/data-insights/data-hub/dispute-resolution-statistic>

soon after received an eviction notice claiming the landlords wanted to move into the property themselves. The Tribunal found that the landlords never re-occupied the property and that it had been re-let to new tenants at a higher rent.

Even before Section 34 is officially invoked to evict, the vague mention of a possible desire to sell—without the need for any material evidence—can be used to threaten the tenant, implying that if they do not agree to rent rises, they could be evicted. In such cases Section 34 functions as one of a range of tools for intimidating, harassing or controlling tenants and reminding them of their precarious status. This is a constant reminder that, if tenants cause any form of problem or inconvenience for the landlord, they risk being evicted.

For example, in TR0916-001947, the landlord, Michael Nealon, was found to have had a vague intention to sell the property since the commencement of the tenancy, a period of five years. However, it was only when the tenants raised the issue of a flea infestation in the property that the landlord quickly served an eviction notice claiming that he was planning to sell.

In this way Section 34 provides both an ‘easy way out’ for landlords to evict, and provides a convenient means of harassing tenants.

In many of the cases in which illegal evictions were found to have taken place, the use of invalid notices invoking Section 34 were accompanied or followed by more obvious shows of force such as changing the locks. Where this is not the case, abuse of Section 34 can be very difficult to detect. Often, those who were evicted only discovered abuses by bumping into new tenants occupying the property. For example in TR0718-003127, where former tenants of a property went to collect post from their old address, or in a case such as TR1117-002686 where friends or old neighbours provide information about the new occupants.

Section 34 in other disputes

There were a total of 46 other (non-illegal eviction) cases containing the keyword ‘Section 34’.

In 23 of these cases the RTB found the landlord had breached the Section 34 termination procedure and found in favour of the tenant. 20 cases were found in favour of the landlord, where a tenant’s claim that a landlord had abused Section 34 was not upheld. Three of those cases were unclear, such as where a notice was found to be invalid but no damages were awarded to the tenant and the landlord was permitted to serve a valid ‘remedial notice’.

20 of the 46 cases were taken to a Tribunal, which means there is much more detail available on the arguments put forward and the reasoning for the final decision. RTB Tribunals occur when either a landlord or tenant appeals the

decision made by an RTB adjudicator as provided in a Determination Order. Tribunals hear evidence from both landlords and tenants and can decide to either uphold the adjudicator's original decision, to overturn or change this decision, or to soften or harden the severity of the decision (e.g. by awarding more or less damages). This means that even where a Tribunal finds in favour of the tenant, the decision may be more favourable to the landlord than that previously made by the adjudicator.

Of the 20 Tribunal cases, 18 made a judgement on a previous determination. Of these 18 cases, 14 judgements were upheld or changed (reversed, softened, or hardened) in favour of the landlord, whilst four judgements were upheld or changed in favour of the tenant. This is only a small sample of cases, but the way Tribunals impact previous judgements shows a concerning pattern. Tribunals are not a level playing field, especially since landlords more frequently have access to resources such as legal representation and agents. In the 20 cases here, the landlord had legal representation seven times, whereas the tenants only had legal representation on three occasions, highlighting inequalities in power and resources.

Reasons for Tribunal decisions

The content of Tribunal Reports show some of the different ways in which landlords abuse Section 34, and the arguments and loopholes which lead to judgements being softened, for instance with damages being reduced or not awarded.

It is crucial to recognise that Section 34 permits landlords to evict tenants not on the basis that a property is being sold, re-occupied, or renovated, but on the basis of a stated intention to do one of these things. A failure to follow through on this intention does not in itself constitute an abuse of the Act. This is a clear loophole landlords can and do exploit. Therefore a key factor in decisions is judging—months after the fact—whether a landlord truly 'intended' to sell, occupy, or renovate as per the eviction notice. This is an extremely difficult thing to prove and leads to subjective and inconsistent judgements.

In one case (TR0218-002816) the landlord, Helen Farrelly, evicted the tenants on the basis of an intention to sell, only to advertise the tenancy for re-letting five days after the eviction at a significantly higher rent. This forced the tenants to take their child out of school and move back to Poland. Despite the judgement of abuse of Section 34 being upheld, damages were reduced from the original determination of €8,000 to €3,000. In part, this was because the landlord's agent Philip Grimes convinced the Tribunal that the landlord was not seeking higher-paying tenants by arguing that four months after the eviction the fixed term lease was due to expire, at which point the landlord could have lawfully asked for a higher rent. The Tribunal duly awarded lower damages because the upcoming rent review might have forced the tenants out of their home.

The 2019 Amendment to the Residential Tenancies Act extended the period in which landlords must enter into an agreement for sale from three to nine months. This change makes it even more difficult to disprove a landlord's intentions and even less likely that tenants will be able to bring a case.

A loophole within a loophole: Section 35(5)

Even re-letting the property does not in itself constitute an abuse of Section 34, so long as the landlord offers the property back to the evicted tenants first. However, even when landlords do not abide by this, they can sometimes escape punishment. In several cases the landlord successfully escapes the obligation to re-offer the property back to the evicted tenants by claiming that they had not supplied their contact details for this purpose, a reference to Section 35(5) of the Act.

Section 35(5) means that, when being served an eviction notice, tenants must explicitly express an interest in re-occupying the tenancy if it becomes available again within a specified time period. Under this clause, the onus is on tenants to provide their contact details in writing within 28 days of receiving the eviction notice. This applies even if the landlord already has contact details for them and even if they have no reason to suspect the landlord will not follow through on their intention to sell or move in.

For instance, in one case (TR0818-003203) a tenant of five years was evicted when the landlord's wife's sister-in-law wanted to move into the dwelling. The family member stayed only briefly and the apartment became vacant within six months, but was not offered back to the original tenant. When evicted, the tenant had moved to an apartment in the same block, but this was not considered as the landlord having been given their contact details and the Tribunal decided that the landlord was absolved from the obligation to offer the former tenants re-occupation when it became available. In the Tribunal's own words: "The Tribunal is of the view that it is not sufficient for the former Tenant to assume that just because the Respondent Landlord knew his address that such was sufficient to satisfy the very specific requirements of section 35(5)."

In another case (TR0818-003185), the tenants were still at the same address within 28 days of the eviction notice because they had not yet vacated. The landlord's daughter also had the tenant's number, and the tenants were contactable via Threshold. However, the landlord's daughter said they decided to delete the number when the tenants were evicted and the tenants did not explicitly update their contact details after moving out. They were therefore found not to comply with Section 35(5) and the landlord was not required to offer the tenancy back when re-letting.

These cases are, however, contradicted by other Tribunal decisions (e.g. TR0819-003907), where it is asserted that the purpose of the clause is to enable the landlord to contact the tenant, and that to penalise the tenant for

not supplying contact details which the landlord already possesses would be “an absurd interpretation”:

“The purpose of the section is clearly to make sure that the landlord knows where to send the offer of a new tenancy. It is not the purpose of the section to put an obstacle in the way of the tenant but rather to ensure that the tenant is not disadvantaged. To interpret the section as absolving a landlord from making an offer of a new tenancy to a tenant unless that tenant notifies the landlord with contact details which the landlord already has would be an absurd interpretation.”

This “absurd interpretation” is, however, exactly the position taken by the RTB in the cases discussed above, illustrating a lack of consistency in how decisions are made.

There are also multiple cases in which the landlord claims that they did not try to contact the tenants to allow them to re-occupy the tenancy because ‘the relationship had soured’ (e.g. TR0822-005637) or ‘communications had broken down’ (e.g. TR0818-003203).

Where an eviction notice has been served on the tenants, it hardly seems surprising that there could be a degree of upset or anger and a breakdown in communication given the distress caused. For this then to be used as a justification for an abuse of Section 34 where the tenancy is re-let constitutes a strange self-fulfilling situation. The landlord’s actions in evicting the tenant causes communication to break down, and that breakdown in communication then means the landlord is absolved from following the termination process, and the tenants are penalised further.

The Section 35(5) clause requires an unreasonable degree of foresight and cold calculation on the part of tenants in a moment where their home is being taken away from them.

Ignorance of this point is typified by the argument made by the landlord’s legal representative in TR0818-003203. They argue that, while the landlord has many strict legal obligations to abide by when terminating a tenancy, the tenant only has one job: to supply contact details in writing. This line of argument conveniently ignores the fact that the landlord takes the decision to terminate a tenancy, that they can plan this decision, review the legal requirements, and often have professional legal representation to help them do this. It also ignores the fact that, while landlords can afford to get this wrong—as cases with multiple invalid notices prior to a valid notice prove—tenants only have one chance: a 28 day period. In addition, if they fail to follow the correct procedure to the letter, they forfeit the right to compensation for its abuse.

Eviction is a deeply destabilising experience for a tenant, potentially leading to multiple temporary addresses and contact details. Given no effort has to be

made by the landlord to find out contact details within reason, then it is clear that Section 35(5) functions as a loophole within a loophole for landlords to avoid the consequences of abusing Section 34.

Direction for Possession

In theory, there are two possible outcomes if an abuse of Section 34 is found. The RTB can award damages to the tenant, and it can also order that the landlord allow the tenant to move back into the property. However, it is extremely rare that the RTB orders repossession of a tenancy. Across the 46 cases analysed here, there was not a single case where this judgement was made.

Section 118 of the Act—‘discretion to refuse direction for possession’—also gives the RTB discretion to refuse taking this course of action in any case where a second party (i.e. new tenants) are now in possession of the tenancy.²⁶ This clause exposes the ineffectiveness and self-defeating quality of a law whose abuse often involves the very circumstance (re-letting of a tenancy) which would make the ordering of re-possession by the original tenants unworkable.

Conclusion

Even in this small sample of cases, it is clear that Section 34 provisions which allow landlords to carry out no-fault evictions function as loopholes which simultaneously facilitate abuses, make it difficult to detect those abuses, and put the burden on evicted tenants themselves to do the work of detection.

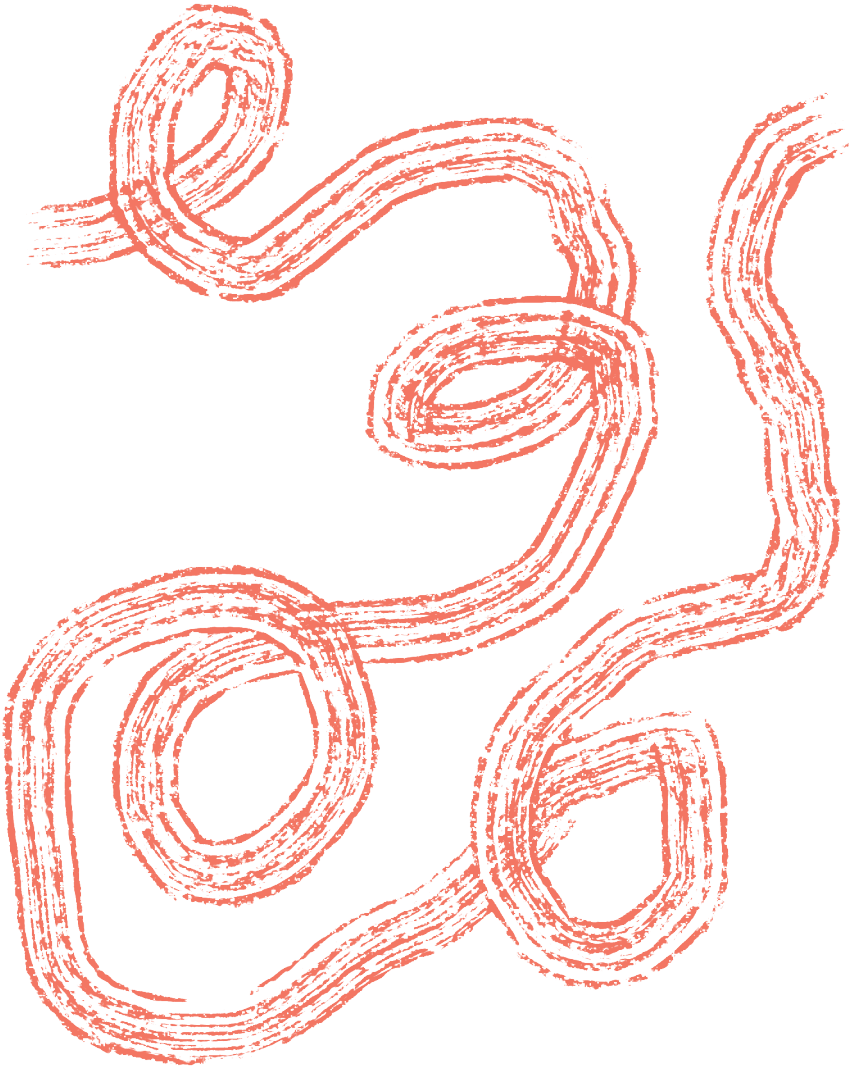
Since 2019 the RTB has powers to proactively investigate certain breaches of rental laws including Section 34 abuses. However, research shows that in recent years the number of RTB investigations has been dropping.²⁷ There is also the additional problem that when the RTB investigates something by its own initiative, rather than the tenant bringing a case, the tenant doesn't receive damages.²⁸

²⁶ <https://www.irishstatutebook.ie/eli/2004/act/27/section/118/enacted/en/html#sec118>

²⁷ Kapila, L. (2024). Each year since it got powers to look into breaches of rental laws, the RTB has launched fewer and fewer formal investigations. *Dublin Inquirer*, July 2024.

²⁸ Neylon, L. (2023). RTB has proposed giving Gardaí powers to arrest anyone illegally evicting a tenant.

Given these problems and the particular difficulty of investigating abuse of Section 34 cases—the inability to judge what constitutes a true intention, the fact that this can only be established after an eviction has taken place, and the lack of regulation to ensure compliance—it is clear that a system which allows no-fault evictions cannot provide effective security to tenants.



6. Damages awarded for illegal evictions: How much is your trauma worth?

When the RTB finds that a landlord has illegally evicted tenants or committed other wrongdoings, they have the power to award damages of up to €20,000 to tenants for the harms caused.

In theory, they also have the authority to order landlords to offer re-occupation of a tenancy where tenants have been illegally evicted but, in practice, this is extremely rare as highlighted in the previous section of the report. The most common outcome is an award of minimal financial compensation.

In this context, damages which are already monetary in nature are much easier to account for. This disadvantages tenants because the damages caused by an illegal eviction are likely to exceed straightforward financial costs. For tenants, the anguish, anxiety, and long-lasting mental and physical distress caused by eviction are immeasurable, leaving them at a distinct disadvantage in a system designed to prioritize financial calculations over human suffering.

For landlords—for whom these properties are primarily a financial asset—factors such as rent arrears can be presented as objective figures ready to be input into calculations of damages.

The way these damages are calculated is also inconsistent and often unclear. There are many cases where, despite a landlord being found to have carried out an illegal eviction, damages awarded are small or even non-existent.

The information in this section has been gathered by examining RTB judgements and case notes from 353 illegal evictions, including 108 Tribunal Reports. The amount of damages awarded was recorded in each case, along with factors which contributed to the calculation of these damages (e.g. whether the landlord used physical force or changed the locks). Cases with the lowest (<€1,000) and highest (€10,000+) awards of damages were examined in detail.

The amount of damages awarded is sometimes not fully clear in RTB judgements where there is more than one finding against the landlord. For example it can be hard to distinguish between how much has been awarded for the illegal eviction compared with other breaches like a stolen deposit. This means that the amounts awarded solely for illegal eviction are potentially even lower than what is stated in the figures below.

Findings

The mean average award across all illegal eviction cases was €3,912. The graph below shows that the vast majority of cases saw awards between €0 and €5,000, compared with the top amount of €20,000.

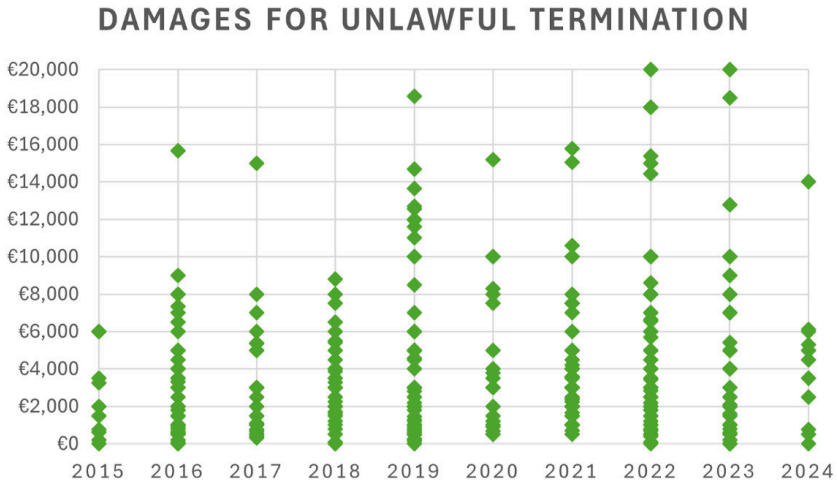


Figure 2: Damages awarded for illegal evictions

This shows a system in which a judgement of illegal eviction can sometimes be little more than a token gesture. For a number of reasons, the RTB finds many cases to be ‘on the low end’ of a scale of damages. It says a lot that there is a maximum limit to this scale, but no minimum. While landlords can rest assured that there is a maximum penalty that can be awarded against them, tenants are given no guarantees of compensation.

Unspectacular Evictions

The prototypical picture of an illegal eviction, often the one focused on in media reports, is of a landlord who changes the locks or physically removes tenants from a property in a dramatic show of force. Clearly these are severe cases that deserve to be publicised and punished. However, this does not mean that cases which lack such sudden and spectacular features are not violent and harmful, and it should not mean that they are treated less seriously.

Yet this is often the case. In one instance (DR0515-18498) the Tribunal awarded zero damages and called the illegal eviction a ‘technical breach’,

emphasising that “this is not a case where a landlord has illegally changed the locks or forcefully removed a tenant from his home”.

One reason why less visible or dramatic illegal evictions tend to be passed over is the fact that the RTB does not have the power to impose ‘exemplary’ or ‘punitive damages’.²⁹ In other words, awards can only be based on the direct harms proven to have been suffered by the tenant. This approach can lead to ‘no harm no foul’ judgements even when landlords have committed wrongdoing.

This can be because tenants are seen as having coped adequately with an eviction. For instance, in DR0818-47000, just €500 was awarded. The RTB’s decision was informed by the fact that the tenant had managed to find another property nearby, so had not had to find new schools for their children. It can also be because the situation is seen as complex, with other factors apart from the eviction seen as potentially causing harm to the tenant (e.g. DR1022-80306). Because it cannot be established that the eviction directly caused the harm, the RTB decides that an award of damages falls outside their jurisdiction.

Surely landlords should not get away lightly with illegally evicting their tenants because the tenants themselves were forced to leave quietly, or managed to find alternative accommodation.

Emphasis on material costs also puts emphasis on the need for tenants to prove how much their trauma is worth, often referring to high rents they are now being forced to pay, or presenting receipts for expenses for temporary accommodation or storage as a result of an eviction. These should obviously be reimbursed, but they hardly scratch the surface of the real consequences of evictions, both individually and for communities.

Expectations for tenants to provide receipts to justify damages is both unjust and unrealistic. This is particularly so in cases where the landlord has abused Section 34 of the Act to evict tenants because these abuses are often only discovered retrospectively and, taking it as a legal eviction at the time, tenants are therefore even more unlikely to have kept records of costs they incurred (see Section 5 of this report).

Attempted and Constructive Evictions

There are many cases in which landlords, intentionally or through negligence, create uninhabitable conditions which force tenants to leave. As highlighted in Section 3, RTB judgements on these situations are inconsistent, with a tendency to avoid identifying what happened as an illegal eviction. This has important implications for the level of damages awarded.

²⁹ RTB (2021). Annual Report 2020.

For instance, in one case (DR0116-23613) the landlord served an eviction notice to tenants based on the idea that the tenancy was no longer suitable for their occupation and she wanted to sell. The only issue: the tenancy wasn't suitable because of severe flooding in the home which the landlord had failed to properly address. Despite the RTB finding against the landlord, damages (€2,000) were awarded only for failures of standard and maintenance, with nothing for unlawful termination.

Lack of Enforcement

Similar to Section 34 cases where the onus is put on tenants to discover abuses of the law, the current system of damages puts the burden on the tenants themselves to prove the extent and monetary worth of the suffering caused to them by an eviction. As shown above, the amount of damages awarded is both inconsistent and insufficient.

Alternative ways of stopping and punishing evictions have been suggested but not followed up. For example, after the Berkeley Road eviction the RTB made a suggestion that exemplary damages of up to €40,000 should be introduced, but this has not been acted on.³⁰ Similarly, the suggestion to make illegal evictions a criminal offence and give Gardaí powers to arrest those involved has so far come to nothing.³¹

As it currently stands, even in cases where significant damages are awarded to a tenant, it is often the case that it takes a very long time for the landlord to pay, if they ever do at all. One of the main reasons for this, as discussed in Section 3 of this report, is that enforcement action is rarely taken by the RTB.

Clearly there needs to be a mechanism of assessment and enforcement which both recognises the multiple harms caused to tenants by eviction, and deals appropriate punishment to landlords who illegally evict even in cases where tenants do not have access to proof of material damages.



³⁰ RTB (2022). Letter to the Department of Housing, 23rd November 2022.

³¹ Neylon (2023). RTB has proposed giving Gardaí powers to arrest anyone illegally evicting a tenant.

7. Legal evictions: Who are Ireland's top evictors?

The data we have collected shows that between 2015 and August 2024 the RTB granted **4,524 eviction orders**.³² The majority of these eviction orders (approximately 75%) relate to cases of overholding, where a tenant refused to leave their home on the date specified in a notice of termination, and the landlord lodged an RTB case in order to get them out. Of the remainder, another significant proportion (approximately 16%) relate to cases where the tenant tried to challenge the validity of an eviction notice issued by their landlord, but the RTB decided the notice was valid and ordered them to vacate.

This is only a very small proportion of the total number of evictions that have taken place in the Republic of Ireland over that period – but determination orders issued by the RTB are the only publicly available data which give us the address/location where evictions have taken place and the name of the landlord responsible. Each eviction order can also apply to more than one individual tenant – so the number of people affected is likely to be much higher than the figures suggest.



Figure 3: Number of eviction orders issued by the RTB since 2015

³² A map with details of these eviction orders is available on the CATU eviction database website: topevictors.ie. The data was collected using a code developed in collaboration with Oliver Dawkins of the 'Data Stories' research project based in Maynooth University which automatically downloaded and categorised RTB determination orders based on keywords, followed by extensive manual data cleaning and verification.

The number of eviction orders per year is shown in Table 3 above. This shows a series of peaks and troughs due to the various eviction bans that were in place until spring 2022 and a subsequent spike in deferred cases in 2022, but overall it's clear that the numbers of evictions are increasing. Data was only collected up to the end of August 2024 but a projected figure for the full year based on the monthly average gives a total of 673, which would be the highest yearly total so far.

Who is responsible?

The data we have collected shows four main types of evictors, namely private/individual landlords, company landlords, receivers and approved housing bodies (AHBs).

Proportion of evictions by landlord type 2015-2024

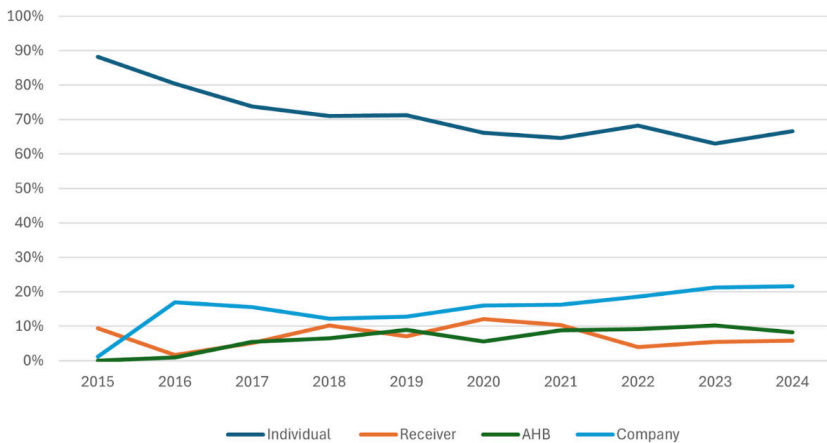


Figure 4: Proportion of evictions by landlord type, 2015-2024

Receivers are agents appointed by a financial institution when a landlord has fallen into arrears on their mortgage. After the financial crisis in Ireland a large proportion of buy-to-let (BTL) mortgages went into arrears and had receivers appointed either by NAMA or the original lender. Between 2015 and 2019, a total of 11,478 BTL rental properties had receivers appointed.³³

³³Lima et al. (2023). Housing financialisation and the creation of

Research has highlighted that this situation has been a key contributor to evictions and homelessness because in many cases receivers (and the financial institutions which appointed them) want to secure vacant possession by evicting the tenants so that they can sell the property and get the highest return possible. In fact, a large proportion of BTL properties that went into receivership were then sold to institutional investors, many of whom got their start in the Irish market by buying up properties in bulk from NAMA or developers in financial difficulties.³⁴

AHBs are independent, non-profit organisations tasked with providing rental housing to those who can't afford private sector rents. They have become an increasingly important feature of the Irish housing system since the early 1990s. Despite their stated mission to provide housing for a disadvantaged section of society, they often behave more like large company landlords.³⁵ In 2020 the RTB highlighted the increasing number of disputes involving AHBs of which the largest proportion concerned rent arrears, which indicates there are problems with affordability in this sector.³⁶ Importantly, AHBs are also responsible for a significant number of evictions. The proportion of evictions linked to AHBs increased from 1% in 2016³⁷ to 10% in 2023. See Section 8 for more about AHB evictions.

The proportion of evictions linked to each category of landlord is shown in Figure 4 above. This shows a general trend of a decreasing share of evictions linked to small-scale/individual landlords and an increase in the proportion associated with other types, especially corporate or company landlords. The proportion of eviction orders granted on behalf of corporate landlords has increased from 1.2% in 2015 to 22% in 2024. This is because many corporate landlords entered the Irish market in the mid-2010s, buying up distressed assets through NAMA acquisitions and amassing huge property portfolios at discount prices.³⁸

Our background research shows that several company landlords/investors, such as Bain Capital/Broadhaven, Orange Capital Partners and Lugus Capital, specialise in 'reno-victions', whereby tenants are evicted to facilitate renovations and subsequent rent increases. An investigation by the Dublin Inquirer has shown that another major company landlord, LRC Group, has evicted large numbers of tenants upon the expiry of a Part 4 tenancy to allow

homelessness in Ireland.

³⁴ Ibid.

³⁵ Neylon, L. (2020). Are Social Tenants of Approved Housing Bodies Less Secure Than Council Tenants? Dublin Inquirer, April 2020.

³⁶ RTB (2021). Annual Report 2020.

³⁷ AHBs were only brought under the remit of the RTB in late 2015 so AHB evictions are not included in figures for that year.

³⁸ Nic Lochlainn (2023). Corporate landlords and disruption through consolidation.

them to either sell or renovate and increase the rent.³⁹ Last, recent research on IRES REIT has also shown how company landlords use the RTB as part of their business model to swiftly and efficiently deal with ‘problem tenants’, such as those struggling to afford their extortionate rents: “For corporate landlords like IRES, the RTB essentially serves as a clearing house through which arrears are collected, rent reviews certified, and tenancies terminated”⁴⁰. These are all examples of how evictions are part of the business model of company landlords and illustrate the socially destructive consequences of the policy of recent governments to facilitate the involvement of institutional investors in the housing system.

At the same time, the evidence does not support the idea that ‘small landlords are leaving the market’ given that the number of evictions linked to small-scale/individual landlords is not going down. There were, for example, 337 evictions linked to individual/small-scale landlords in 2016 and 326 in 2023. Instead, the total number of evictions per year is increasing and other types of landlords are taking up a bigger share of the market.

Top evictors

The data we’ve collected allows us to identify the specific landlords responsible for the most evictions. Again it’s important to bear in mind that these are only cases where the evictions have been disputed through the RTB either because the tenant was overholding or because they tried to challenge the validity of the eviction notice. Each of these landlords has almost certainly evicted far more tenants than the figures we have collected suggest, but the data here still gives us an indication of some of the main patterns.

The top ten landlords on this list are collectively responsible for 522 evictions, or 12% of the total. We’ve also identified 42 landlords who have successfully used the RTB to evict more than five tenants or tenant households, who we’ve classified as top evictors. A small number of these are individuals but the vast majority are either corporate landlords, receivers or AHBs. These 42 are collectively responsible for 908 evictions, or 20% of the total number. Profiles of many of these top evictors can be found on the CATU eviction database website (topevictors.ie) and in Section 9 of this report.

³⁹ Kapila, L. (2024). Why is one of Ireland’s biggest landlords evicting so many of its tenants? Dublin Inquirer, October 2024.

⁴⁰ Nic Lochlainn (2023). Corporate landlords and disruption through consolidation.

Eviction leaderboard

Landlord names		Number of eviction orders between 2015 and August 2024
1	Irish Residential Properties REIT Plc	128
2	Tuath Housing Association	78
3	Stephen Tennant (receiver)	49
4	Clúid Housing Association	48
5	LRC Group	47
6	The Vestry Partnership	45
7	Oaklee Housing Trust	38
8	Tom O'Brien (receiver)	31
9	Ken Fennell (receiver)	30
10	Co-operative Housing Ireland	27
11	Focus Housing Association	27
12	Targeted Investment Opportunities ICAV	25
13	Broadhaven Group	24
14	Circle Voluntary Housing Association	22
15	Respond Housing Association	22
16	Luke Charleton (receiver)	19
17	Kennedy Wilson	18
18	Orange Capital Partners	16
19	James Anderson (receiver)	16
20	Finsbury Circle	14

Table 1: Eviction Leaderboard

Resisting evictions through the RTB

The data we've collected also provides interesting information about the extent and effectiveness of resistance to evictions through the RTB. The table below shows the numbers of notices of termination, disputes concerning the validity of eviction notices lodged with the RTB, and eviction orders since Q3 2022, the earliest point in time for which all this information is available. This indicates that, since mid-2022, approximately 17% of tenants who have received an eviction notice have refused to leave their home on the eviction date, meaning their landlord has had to go to the RTB to force them to vacate. It also indicates that roughly 22% of tenants who have been served an eviction notice have tried to fight back by challenging it through the RTB. The rate of success for tenants in disputes over eviction notices is fairly high at around 66%. Lastly, as stated above, the majority of eviction orders relate to cases of overholding. In contrast, the table shows there are fewer RTB disputes concerning overholding compared with those relating to the validity of eviction notices. This suggests that tenants have a far higher rate of success in challenging evictions in disputes over eviction notices than in overholding cases.

Year	Eviction Notices	Overholding Disputes	Validity of Notice Disputes	Eviction Orders
Q3-Q4 2022	3,701	503	719	301
2023	7,789	1,408	1,740	517
Q1-Q2 2024	3,594	669	846	308
Totals	15,084	2,580	3,305	1,133

Table 2: Eviction notices, disputes concerning validity of evictions and eviction orders since Q3 2022

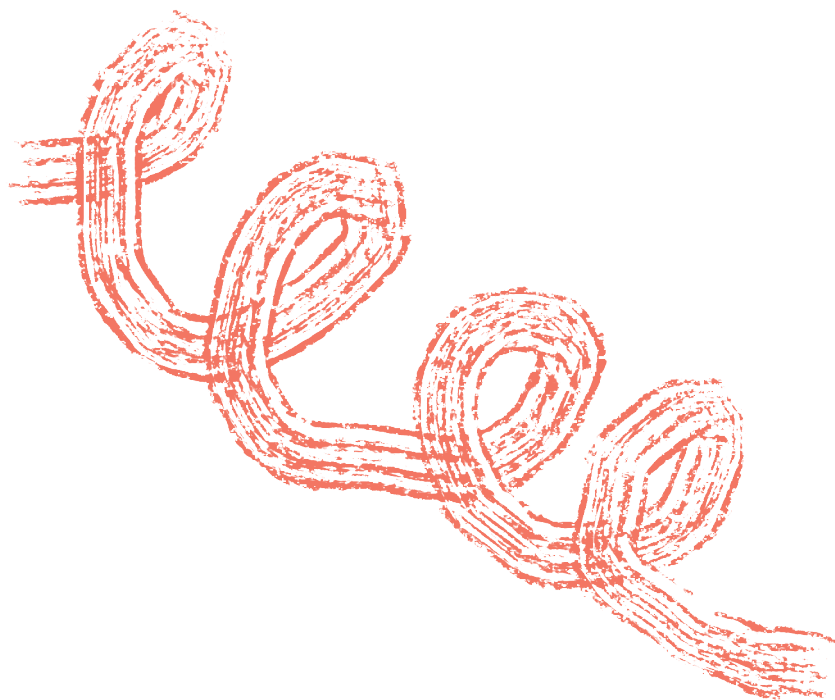
Issues with the data

Our figures only reflect a small proportion of the total number of evictions which have taken place in the Republic of Ireland since 2015. This is because they are derived from eviction orders issued by the RTB and therefore only include evictions which have been the subject of an RTB dispute. There were 15,084 eviction notices served by landlords between the end of June 2022 and the start of July 2024, while the total number of eviction orders for this period was 1,133.

On this basis, we can estimate that our data reflects roughly 7.5% of all evictions. If we applied this logic to our top evictor list, it would suggest that between 2015 and 2024 IRES REIT could be responsible for up to 1,707 evictions.

The data also doesn't include cases where tenants have left 'voluntarily' due to an unaffordable rent increase, a situation that activists in Spain call an 'invisible eviction'.⁴¹ Nor does it include cases where a landlord didn't serve a valid notice but the tenants still felt pressured into leaving. Lastly, it's unclear how accurate the data for 2015 may be, because the RTB doesn't make case files for this year available on their website in the same way as for subsequent years. AHBs also only came under the remit of the RTB in late 2015, so AHB evictions are not included in the statistics for that year.

Despite these issues, the data is still useful because it is the only publicly available information about where evictions have taken place and about who is responsible. There is a lot more research that could be done in future, for example by using FOI requests to collect more information about eviction notices lodged with the RTB and identify those responsible.



⁴¹ Guzmán, J. B. (2024). The repertoire of housing contention: the birth of the Stay Put campaign in Barcelona. *Housing Studies*.

8. Approved Housing Bodies: Evicting disadvantaged tenants

What are AHBs?

Approved Housing Bodies (AHBs) are non-profit and independent (non-government) organisations tasked with providing rental housing to those who cannot afford extortionate private sector rents. This includes specialist and supported housing catering to the needs of disadvantaged social groups such as senior citizens or disabled people. With local authorities building insufficient public housing, AHBs are beginning to play a significant role in social housing provision. While local authorities remain the primary social housing providers, the number of AHBs in Ireland has mushroomed in recent years, with the largest AHBs amassing large property portfolios and building new social housing at higher rates than local authorities.^{42, 43}

While AHBs often portray themselves as kind, caring and local, large AHBs often share a history with big, convoluted networks of other housing associations from the UK and elsewhere. In many ways, including how they treat tenants, they work more like a big company landlord than a public housing body.⁴⁴ Given that our research shows AHBs are responsible for large numbers of evictions, their growth evidently does not come without challenges for the especially precarious populations that they are meant to cater to.

AHB evictions

Seven of the top twenty legal evictors in Ireland are AHBs: Tuath, Clúid, Oaklee, Co-operative Housing Ireland, Focus, Circle, and Respond (see legal evictions section of this report). AHBs have been responsible for 7% of all RTB eviction orders since 2015 (312 out of 4,524). AHBs that have been responsible for at least four eviction orders since 2015 are shown in Table 3 below, alongside the number of units they own and manage.

⁴² Woods, K. (2024). 'Revealed: Ireland's 'Big Six' affordable housing bodies amass €7bn worth of property'. Business Post, October 2024.

⁴³ <https://mercyllaw.ie/2016/07/approved-housing-bodies-are-since-7-april-2016-within-the-remit-of-the-residential-tenancies-board/>

⁴⁴ Neylon, L. (2020). Are social tenants of approved housing bodies less secure than council tenants? Dublin Inquirer, April 2020.

AHB Name	Number of Eviction Orders	Portfolio Size (units owned and managed, 2023 ¹)
Tuath Housing Association	78	12,614
Clúid Housing Association	48	11,357
Oaklee Housing Trust	38	2,018
Co-operative Housing Ireland	27	5,187
Focus Housing Association	27	1,544
Respond Housing Association	22	7,761
Circle Voluntary Housing Association	22	1,812
Dublin Simon Community	9	757
Steer Housing Association	9	N/A
The Iveagh Trust	7	N/A
Clanmil Housing Association	5	461
Housing Association for Integrated Living	4	474
North & East Housing Association	4	745

¹Sourced from the 2023 end of year financial reports for all AHBs, except Steer Housing and Iveagh Trust who did not state the number of units owned

Table 3: All AHB Evictions between 2015 and August 2024, as recorded by the RTB

Table 4 below gives the reasons for eviction in cases involving AHBs, although this information is only available for cases that were appealed and where a Tribunal Report is available (53 out of 312 cases). This means there may be many more evictions for reasons such as rent arrears than are given here. See below for more information about the situation with tenancies of less than six months.

Reason for eviction	No. cases
Anti-social behaviour	25
Tenancy was less than 6 months - no reason for termination needed	10
Tenancy was longer than 6 months, but technically <6 months during Apr - Sept 2016	4
Rent arrears	2
Unclear as appeal was abandoned	8

Table 4: Reasons for AHB evictions as recorded in Tribunal Reports

Similar to the findings presented in Sections 3 and 5 of this report, there are obvious inequalities in access to legal representation between AHBs and their tenants. Again, this information is only available if a Tribunal Report is available but, of these, the AHB had legal representation in 23 cases compared with 15 where this was the case for tenants. This means AHB tenants are at a disadvantage when it comes to fighting their case in an uneven and complicated legal system.

Insecurity in the AHB sector

AHB tenants have a six month probationary period during which they can be evicted for no reason. After this, they have security of tenure through Part 4 tenancy rights. Local authority tenants do not have this probationary period, and have a secure tenancy as soon as they move in and sign their lease.

People may be on the social housing waiting list for years before being offered a home. In one case (TR0719-003835) a tenant was on the waiting list for 12 years until she was housed by an AHB, Respond Housing Association, and removed from the list. Respond then evicted her within the first 6 months of her tenancy without giving a reason for doing so. This meant the tenant lost

her home and her place on the social housing waiting list without being found at fault. For the tenant this meant 12 years of waiting for a suitable home wiped out, without her landlord having to provide a reason and justify their decision.

In 2016 AHBs first came under the remit of the RTB, and all previously existing leases between AHBs and their tenants switched to Part 4 tenancies. This resulted in a strange situation where long-term tenancies technically became new leases and created a six month period wherein AHBs could evict long-term tenants without cause. In a particularly shocking case (TR1016-002012), a tenant who had been living in her home since 2001 was evicted, along with her daughter, without reason. The RTB found this eviction was valid, stating that the “landlord [Co-operative Housing Ireland] was entitled to serve the Notice of Termination dated 25 July 2016 being within six months of the commencement of the tenancy in the dwelling without giving any reason for the Notice”. In another case, Circle Voluntary Housing Association evicted a tenant who had been living in her home since 2006 (TR1116-002067). In both cases we see AHBs using a loophole created by this legal change to remove tenants who had been in their homes for decades.

The frequent use of eviction is something that differentiates AHBs from local authorities. Local authorities follow a different procedure in evicting their tenants, which is more rigorous and more difficult for the landlord to carry out.⁴⁵ It involves going through the courts rather than the RTB and the judge must consider whether the eviction is proportionate, reasonable and fair in line with the European Convention on Human Rights (ECHR). AHBs, in contrast, are not subject to these considerations.

The RTB has found in multiple cases involving AHBs that it cannot consider proportionality (e.g. TR0822-005664, TR1016-002012; TR1116-002059; TR1118-003371). This means that legal arguments centred on human rights violations that may stem from the eviction, or whether the consequences of being evicted are out of proportion to any wrongdoing, cannot be considered. The RTB can only act within the procedure outlined by the Residential Tenancies Act, and has found that “if there is any element of the procedure of the Residential Tenancies Act that is incompatible with the European Convention on Human Rights, it is for a Court, and not this Tribunal, to make that determination” (TR0817-002547). As such, AHBs are not bound to consider the human rights of their tenants as set out in the ECHR, such as the right to the home provided for in Part 1 Article 8. Local authorities who evict through the courts, on the other hand, are bound to consider this.

⁴⁵ <https://www.citizensinformation.ie/en/housing/local-authority-and-social-housing/repossession-of-rented-social-housing>

Another restriction on the RTB is that they cannot consider changed or improved behaviour on the part of tenants after an eviction notice has been served. For example, in one case involving Clúid (TR0523-006292) an eviction order was served due to antisocial behaviour which occurred when a tenant was in a coercive relationship, which ended when her partner passed away. Multiple support workers spoke in support of the tenant, alongside her two children, remaining in their home. They gave evidence that the tenant’s former partner “had ruined their lives” and the tenant had now turned her life around. Both the tenant herself and the support workers spoke of the difficulty it would cause for her ongoing recovery and the stability of her children were she to be evicted. However, the RTB deemed the eviction legal, finding:

“The Tribunal fully accepts the evidence of the Applicant Tenant that during the course of her tenancy, she was in a coercive relationship but now she had secured a job and was living a much more stable life... The Tribunal must act within the confines of the Residential Tenancies Act, 2004... The Respondent Landlord was entitled to serve the Notice of Termination on 4 October 2022 and the Notice is in compliance with the act. The notice is valid.”

It is barely believable that a decision so major as taking somebody’s home away—a decision which risks undoing all the work a tenant has done to turn their life around in the face of incredibly difficult circumstances—could be made without taking the entire situation into account. It is not just the private rental sector then that entirely lacks a human face.



9. Top evictor profiles

Here you can find edited profiles of some of the landlords who have come to our attention, either through carrying out large numbers of evictions or due to their particularly obnoxious and violent methods of dealing with tenants. The full profiles and sources are available on the CATU eviction database website: topenvictors.ie.



IRES REIT



Irish Residential Properties REIT Limited (IRES REIT) owns a huge portfolio of 3,684 properties and is Ireland's biggest private residential landlord. It describes itself as the "leading provider of quality private residential rental accommodation in Ireland." It was founded in 2014 by CAPREIT Acquisitions which is "Canada's largest publicly traded provider of quality rental housing." Between 2015 and 2022 IRES were involved in over 250 RTB cases. Most of these were instigated by the company, often in pursuit of rent arrears. The Dublin Inquirer has reported that in 2023 IRES issued notices of termination of tenancy to 5% of its tenants. Our own research shows that the company has the dubious honour of having had the most evictions approved by the RTB of any landlord in Ireland, with 128 since 2015. This only covers cases where tenants have unsuccessfully fought an eviction notice through the RTB so is only a small proportion of the total. IRES also owns large numbers of units in some areas of Dublin which effectively gives it the power to set market rents. The case of IRES demonstrates that facilitating the entry of large-scale investors into the housing market so they can buy up available supply and manipulate their disproportionate market share translates, unsurprisingly, into mass evictions and unaffordable rent increases.

LRC Group



LRC is a real estate investment firm founded in 1995 by Israeli businessman Yehuda Barashi. As of 2024, they have real estate assets of €6 billion. They have been operating in Ireland since 2017 where they have amassed a large property portfolio, currently owning 2026 rented properties across the country. Their rental properties in Ireland are owned by a network of subsidiary companies registered in Cyprus including Xerico, Orkstake and Jersia Ltd. Their Irish rental empire is managed by an agency called Home Club Ltd, run by Michelle Savage, who often represents LRC companies in RTB cases. LRC companies benefit from the Housing Assistance Payment (HAP) which provides them with reliable long-term profits funded by the state. Their HAP income between the start of 2023 and October 2024 was €3,471,947. Between October 2022 and April 2024, they served at least 100 eviction notices by taking advantage of the loophole whereby tenants who moved in prior to 2022 can be evicted after six years without the landlord having to give a reason. Our research shows LRC companies have successfully secured RTB eviction orders against 47 tenants, the largest number of any company landlord other than IRES REIT.

Bain Capital & Broadhaven Credit Partners



Operating through multiple subsidiary companies such as Val Issuer DAC and Knight Issuer DAC and linked to over 800 other companies, Bain Capital is a US investment firm that was originally founded in the 1980s by former US presidential candidate Mitt Romney. Broadhaven Credit Partners is the “local arm” of Bain Capital in Ireland. Active since 2014, companies linked to Bain Capital have secured 24 RTB eviction orders against tenants. They specialise in reno-victions and are known to purchase run-down rental properties in sought-after areas of Dublin south city to renovate and rent out at high prices. Their strategy involves buying, renovating, evicting before finally selling at high margins. In one case in Rathmines, agents working on behalf of VAL issuer DAC started renovations on a building while one of the tenants was still living in his flat, which created unliveable conditions. The tenant was ultimately evicted and the rent for his flat was increased by 144%. In another case, Val Issuer DAC issued an invalid notice of termination to tenants on Richmond Street South and then, as reported in the Dublin Inquirer, proceeded to have the doors of the property removed..

Comer Group



Originally from Galway, Luke and Brian Comer have been active in the property market in the UK since 1985. They now run an international property company with holdings in the UK, Germany, Greece and Ireland. The Comer brothers returned to Ireland in 2011 after the property market crash and bought up large numbers of residential properties at discount prices. They now have 1,600 registered tenancies as well as stud farms, petrol stations, shopping centres and various derelict and unused buildings. Their rental properties in Ireland are managed by a variety of subsidiary companies including Sansovino, Morston and Durbar Property Company Ltd amongst many others. There are records of 45 RTB cases involving various Comer Group companies including 29 cases relating to evictions. In eight cases the eviction notices they served were judged to be invalid. The primary reason tenants have taken cases against them is for problems with the standards and maintenance of their homes, with various examples of tenants being left waiting for urgent repairs, like leaky ceilings, to be fixed. Our research shows that the Comer Group companies have successfully secured RTB eviction orders against 17 tenants while one of their subsidiary companies, Sansovino Property Company Ltd, was found to have illegally evicted one of their tenants in 2023.

Lugus Capital / Grayling Properties



Lugus Capital is an investment company founded by Peter Horgan and Tim Cahill that has been active in Ireland since 2013. Lugus Capital owns Grayling Properties, a property management company and letting agent that is also involved in the purchase and renovation of properties. Grayling Properties manages properties for two other company landlords on our top evictor list, Broadhaven and Orange Capital Partners, while another Lugus company, Belgrave Property Management, has handled evictions of over 50 tenants from properties owned by Broadhaven in Portobello and Rathmines in Dublin. Larea FA DAC is yet another company linked to Lugus Capital through which Horgan and Cahill have bought and flipped a lot of property. One tenant in Rathmines was evicted by Larea FA DAC in 2018 on the grounds of substantial renovations at which point he was paying €540. A flat in the same building was recently readvertised for €1,370 per month, an increase of over 153%. Because their business model is buy-evict-renovate-sell, Lugus/Grayling don't currently own a huge number of properties. They have evicted some tenants from properties they own, but in fact they've been involved in far more evictions as the property manager when the owner is a different company. Our research shows that they have secured eviction orders against six tenants but have been responsible for at least 19 others as a management company.

OCP Belgrave



OCP Belgrave is the Irish wing of Orange Capital Partners, a Dutch firm with a portfolio valued at approximately €5 billion. They first arrived in Ireland in 2018 and have purchased over 1,000 residential units for rent. Their properties include the 'Belgrave Portfolio' of 30 buildings subdivided in 265 apartments which they bought from another top evictor, Lugas Capital. Lugas had previously bought them, emptied them of tenants and carried out renovations before selling them on to OCP. OCP specialises in renting out small, expensive studio apartments for extortionate prices. In one recent case they evicted a tenant following some delays with his HAP payments and then re-advertised the same flat for €1,343 a month, a 7.5% increase well in excess of the 2% Rent Pressure Zone limit (which would be illegal unless substantial renovations have been carried out). Our research shows that OCP has secured RTB eviction orders against 16 tenants.

Ken Fennell



Ken Fennell is an ‘insolvency practitioner’ or receiver. As discussed in Section 7, receivers are agents appointed by a financial institution when a landlord has fallen into arrears on their mortgage, at which point they become responsible for managing the property and dealing with tenants. Despite not being a landlord, Fennell has been involved in nearly 100 RTB cases, making him one of the most frequently named individuals in RTB case files. Receivers are frequently bad news for tenants, and sometimes even for landlords. There are many examples when tenants have been caught in a struggle between a receiver and a landlord who is trying to retain control of their property. In one case involving Fennell, the RTB ordered a tenant to pay him €24,000 in rent arrears, despite the fact that the tenant had been paying rent to his previous landlord for the past four years. Our research shows he has secured RTB eviction orders against 30 tenants. He was found to have carried out one illegal eviction in 2023 when an agent acting on his behalf evicted a tenant who had travelled abroad for a family emergency without any attempt to give notice.

Noel Martin Snr and Pat Martin



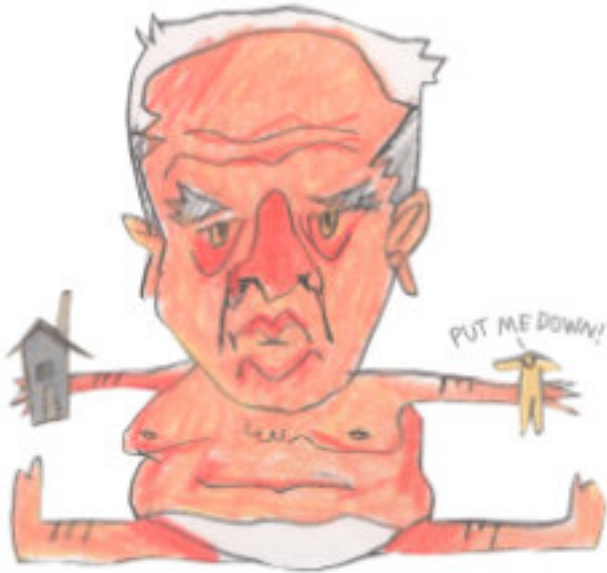
Brothers Noel and Pat Martin are prolific housebuilders and landlords. During the Celtic Tiger years they built housing estates across counties Monaghan, Louth, Laois and Offaly before their company, Mardon Property Developments, went into receivership and they were declared bankrupt in 2017. The Martins now manage a substantial rental portfolio and have been involved in a total of 21 RTB cases since 2016, 15 of which have resulted in them being ordered to return deposits they had illegally withheld from tenants. In 2021, Noel Martin Snr was fined €1,500 for assaulting a female tenant in Carrickmacross, "attempting to pull off her hijab, shouting and demanding that she give him his "f***ing rent". It was reported that he was trying to appeal this charge but we cannot find any records of this occurring. Between them, Noel and Pat Martin have been found to have carried out a total of seven illegal evictions, which makes them the most prolific illegal evictors in the country according to RTB case files. Noel Martin's sons Darren and Noel Jnr are also involved in the extremely profitable business of refugee accommodation. In 2019 they turned the East End Hotel in Portarlinton, Co. Laois (owned by Pat and Noel Snr) into a Direct Provision centre. Since 2023 their company Nera Accommodation Ltd has been paid €6,590,887 by the government for housing refugees in conditions the Movement of Asylum Seekers of Ireland has described as 'appalling'.

Marc Godart



Marc Godart is a notorious figure whose activities have already attracted a lot of media attention. He has been operating as a landlord in Ireland since 2014 through a range of property companies including Green Label Property Investments and Green Label Short Lets Ltd. He got his start in the Irish property rental market by using family money to buy up 'distressed properties' after the financial crisis. Some of the strategies he has used in his dealings with tenants include using CCTV cameras to spy on his tenants, entering rented properties unannounced, carrying out frequent unnecessary inspections, insisting rent is paid in cash, avoiding giving tenants written contracts, using rooms in rented properties as Airbnb rentals, moving into rented properties himself, evicting tenants who object to overcrowding, hiring security staff to evict tenants, renting out properties he does not own, claiming not to be the landlord when reported to the RTB and refusing to pay compensation to tenants unless they take him to court. Starting in 2021 he has been found to have carried out a total of five illegal evictions making him the country's second most prolific illegal evictor after the Martin brothers.

Willie O'Leary



Millionaire businessman Willie O'Leary is the owner of one of the biggest private haulage firms in Ireland, O'Leary International. He is also a prolific landlord with properties and development sites in counties Wexford and Kilkenny. In 2013 he was convicted of forging a will along with fellow Wexford businessman Noel Hayes. His tenants have reported appalling maintenance issues including one, living in Barrow Hall in New Ross, who had no running water for over a year, damp, broken floorboards and a ceiling that collapsed on their young child. He has secured RTB eviction orders against ten tenants. In 2017 one of his companies, O'Leary International Limited, was found to have illegally evicted a tenant in New Ross. He has recently branched out into the business of refugee accommodation. Since 2022, his company Oli Property Rentals Ltd has been paid €3,647,481.71 by the government for housing Ukrainian refugees.

Brendan and John Rooney



Brothers Brendan and John Rooney are big time landlords with over 200 rental properties mostly around north inner city Dublin. They founded their main company, Cuisle Properties Ltd, in 2012. Similar to other top evictors like OCP, Broadhaven and Grayling, the Rooneys bought up a large portfolio of rented properties for a bargain during the recession, then sought to evict the tenants, either to renovate or just to increase the rent. In one case from 2017 they evicted tenants on Capel St in Dublin on the basis they would be renovating the building but never did any renovation work and instead got new tenants in at a higher rent. At least one apartment in the building is listed on holiday letting sites despite no record of planning permission being secured for changes of use. Evidence from other RTB cases shows that several of their tenants have been left living in terrible conditions and been met with threats and eviction notices when they tried to complain. In another case they sent a group of men to evict a woman and her four children and had them threatened with a large dog. In 2021 their company Cuisle Properties Ltd was found to have carried out two illegal evictions in north inner city Dublin.

Paul Howard



Like Marc Godart, Paul Howard is a figure who has previously caught the attention of housing activists and the media. He has been active as a landlord in Dublin since 2001. During this time he has built up an impressive record of violence and exploitation. Just some of what has been reported by sources such as the Slumleaks blog includes illegally evicting tenants for refusing to consent to a coin-meter electricity box, visiting tenants without notice, handing out fake cheques instead of returning deposits, failing to pay damages as ordered by the RTB, insisting on collecting rent in cash only (for which he has been reported to Revenue by at least one disgruntled tenant) cutting off a tenants' electricity supply and, finally, using brute force and intimidation to carrying out evictions. Since 2018 he has been in constant trouble with Revenue and, as of October 2024, owed €1.2 million in unpaid tax. While he is one example of a rogue landlord who 'got caught' by the authorities, it should be clear from this report that he is by no means a unique figure.

10. Revisiting Evictions: Door-knocking sites of illegal evictions in Dublin city

Upon completing our first phase of research, which involved going through RTB case files concerning illegal evictions, we compiled a list of properties where illegal evictions had taken place and were still owned by the same landlord. We decided to visit some of these addresses within Dublin to look at what the future holds for homes from which people have been illegally evicted. This was a way for us to supplement the data we already had with insights from the ground. We have decided not to name all the landlords here due to potential harm that may be caused to the tenants still living in these properties who chose to talk to us.

The strategy we adopted was to doorknock these properties to speak to the current tenants and ask them about their living conditions, share with them what we knew about the prior happenings at their home, and provide them with information about CATU. We also doorknocked other properties owned by the same landlords which we identified through property ownership records and RTB data.

The conversations that we had with tenants at the doors were largely about housing conditions, high rents and the experience of the landlord-tenant relationship. While revealing little about the process of illegal eviction—as those evicted were of course no longer living at the properties—these conversations shed substantial light on the inner workings of a poorly regulated private rental sector where landlords have the power to do anything they like, profit reigns supreme and houses are of abysmal quality with skyrocketing rents.

We doorknocked 22 properties all over Dublin, some of which were split up into multiple units, leading to insightful conversations. We made notes from these conversations and made field notes based on our own observations. We share some of what we saw below.

Slumlords everywhere

Many of the properties that we visited gave the appearance of being one single house, but upon entry we discovered that these houses were divided into very small rooms barely suitable for a single person. In one house that we visited in Dublin 1, the landlords were a couple that came in from the countryside to collect rent, and while this gives the impression of a small operation or friendly family enterprise, it was really an efficient profit generating business.

The house in question was divided into eight units, two of which we entered with the permission of the tenants. The rent was €1,350 a month for one unit around 6m², under the stairs, with a wall covered with mould and an entrance so small you had to crouch. The other unit was so compact that the door would not open enough to let someone in and the tenant had to maneuver himself into his room. Some of these tenants reported paying their rent in cash to the landlords. Some had improvised storage outside of their room, hanging shelves over their door and storing canned food on these shelves. The landlords were making upwards of €8,000/month off this property, had illegally evicted a previous tenant, and were not providing even the bare minimum of adequate space and sanitary living conditions.

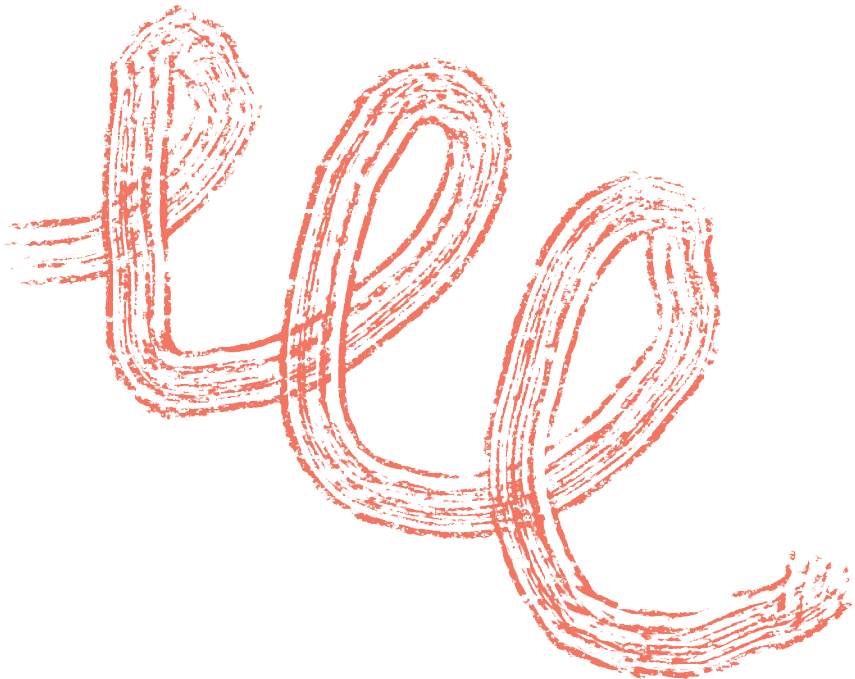
Homes turned into Airbnbs

We doorknocked some buildings owned by a company landlord which had previously illegally evicted some of their tenants. We found that several of their buildings had lockboxes outside signifying the existence of short term rentals. We made our way into one after having chatted to a tenant and discovered that most of the units, including the one where a tenant had been illegally evicted a few years ago, had been converted into Airbnbs. One of the Airbnb guests said that his unit was newly renovated and was small, expensive, but good for his vacation. In the same block, there was a group of students who had paid €4,066 for the month for a small flat. The Airbnb was listed by a man who seemed to be just a regular Airbnb host, renting out property as a sideline, but had 88 properties listed under his name. This is very clearly a corporate entity running what is essentially a hotel from a building that could easily house regular people long term in the midst of a terrible housing crisis. Airbnb is the platform that facilitates this kind of extraction by turning buildings into profit generation machines, with long-term dwellers simply unable to compete with rents of over €4,000 per month.



Illegal rent increases

Another property on the North Strand owned by a corporate landlord, was, in true slumlord fashion, divided into six small units. The tenant we spoke to was paying €600 per month to live in a shared room with one other person, making the room €1,200 per month in total. He told us that there were ten inhabitants in six rooms. Some rooms had their own bathrooms while other tenants had to share. The tenant's rent has increased €50 euro per year in the two years he has lived in the home. The home was located in a Rent Pressure Zone, where rents can be increased by only 2% each year, not the 10% this landlord increased the rent by, meaning this was an illegal rent increase. If this tenant was paying €500 per month in 2022, his rent should have gone up by a maximum of €10 each year. Thus, this landlord not only illegally evicts people, but also profits from illegal rent increases. We calculate that they have made an estimated €1,438 extra profit from illegal rent increases in just two years from just one part of one shared room. It is hard to fathom how much they could be making through illegal rent increases from this one house with ten tenants, let alone across the rest of their property portfolio.



11. Conclusions

Ireland, both north and south of the border, is characterised by an increasingly acute housing crisis with growing inequalities and ever increasing homeless figures. The housing needs of ordinary people are subservient to the whims of the market and the landlord class. Housing costs and conditions have become a defining national issue, causing widespread misery, outward migration and a growth in far-right violence. In this context it is timely to shed light on one of the most shameful and disruptive features of the current housing system, namely that tenants can be evicted from their homes at effectively any moment in the name of increasing profits for their landlord.

The headline findings of this report include that there have been 353 officially recorded illegal evictions since January 2015, most of which have been carried out by small landlords, often using brutal tactics. Significant gaps in regulation and enforcement mean this is only a small proportion of the total number. Even if an illegal eviction is found to have occurred, tenants are only offered meagre compensation, an average of €3,912 per case, and the damages system does not properly account for any of the many effects of being evicted that are not easily quantifiable in financial terms. There is evidence of widespread abuse of the provisions for no-fault evictions and many loopholes which allow landlords to escape consequences if abuses are discovered. The report has also highlighted that between 2015 and August 2024 the RTB issued 4,524 eviction orders and that an increasing proportion of evictions are linked to AHBs and company landlords, reflecting the growing consolidation of the rental market.

Other more general findings include evidence of widespread non-compliance with rental market legislation. While illegal evictions are at one end of the spectrum of illegal activity, they do not exist in a vacuum inhabited by 'a few bad apples'. Instead there is clear evidence of many other illegal practices including various forms of intimidation and harassment (that may sometimes end up in RTB findings of 'interference with the tenant's right to peaceful and exclusive occupation'), claims of sale or renovation that act as a cover to get in new tenants and increase the rent and the many forms of non-compliance and illegality observed when doorknocking tenants described in the previous section of the report.

All of this must be seen as the result of the lack of action to ensure even a minimal level of compliance with existing rental market regulations. Instead, what we see is the active role of the state in facilitating the displacement of tenants through the role of the RTB in rubber stamping and legitimising evictions by issuing thousands of eviction orders over the past decade.

There are a variety of familiar narratives pushed by government figures and others about the merits of both large and small landlords. These include that small landlords are necessary to ensure supply of rental accommodation (but are being pushed out of the market by additional regulation) and that large

corporate landlords are positive because they will contribute to the 'professionalisation' of the rental market. The evidence presented here highlights that small and large landlords do have different strategies and ways of dealing with tenants, but that in either case their business model often involves evicting their tenants.

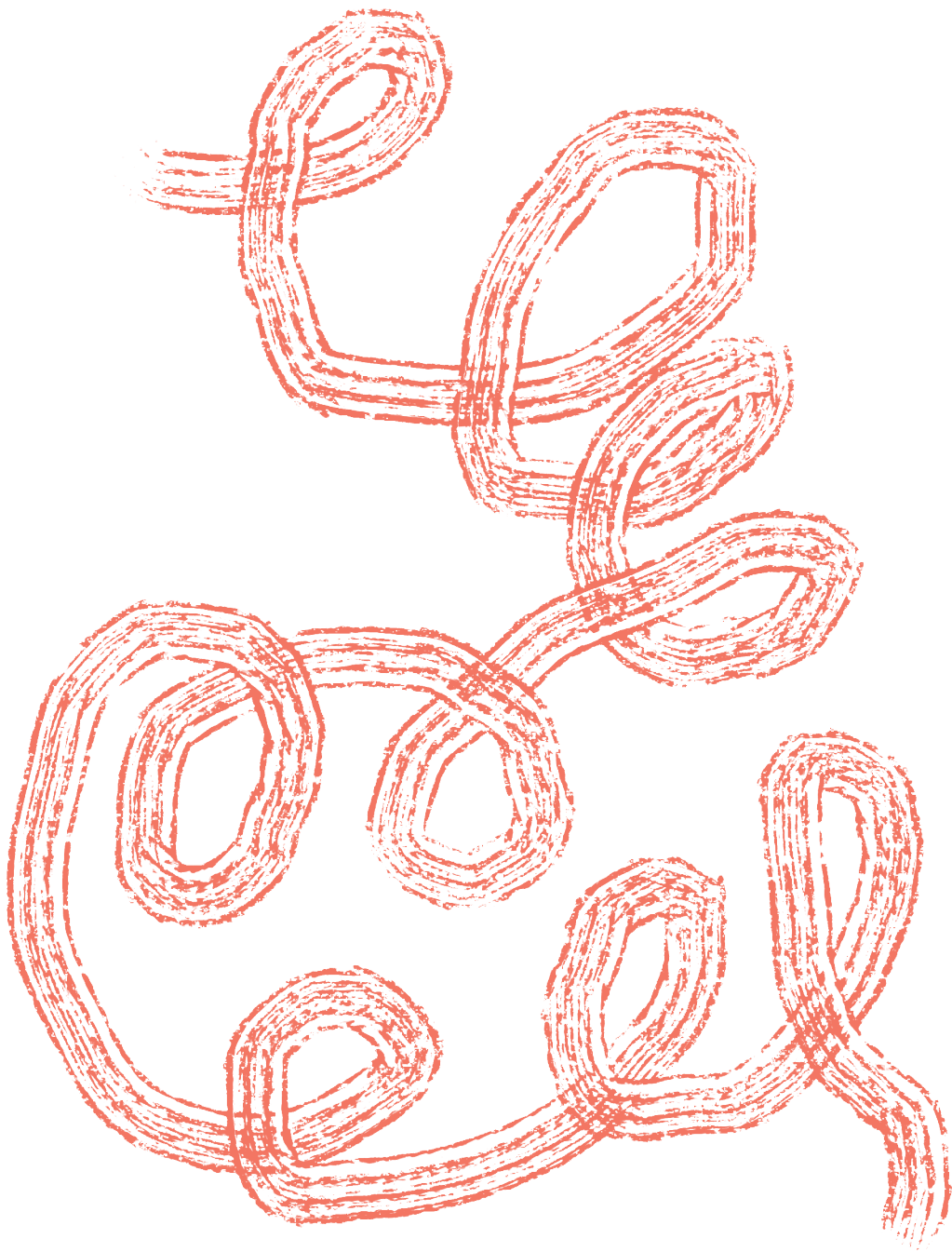
Small landlords, as we have shown, are disproportionately responsible for the type of spectacular, violent illegal evictions that occasionally catch media attention, and are also responsible for the largest share of legal evictions. Thus, our research shows that it is not just big faceless investors and corporate landlords that are the problem for tenants in Ireland. Meanwhile, corporate landlords have reputations to maintain and the resources to follow the fairly simple process necessary to legally evict. Although less dramatic, legal evictions are often just as devastating for those forced out of their homes. Over the past ten years corporate landlords and investors like Bain Capital and others have also developed a business model centred around evicting tenants, renovating and increasing rents, all enforced via the RTB process.

Ultimately, while the strategies of both small and large landlords—and of legal and illegal evictors—are different at the surface level, they are both motivated by private profit and both are deeply harmful to tenants.

Another related finding, based on our top evictor profiles and the legal eviction data, is the different cycles which the rental market has gone through in the past ten years and the different companies and players who have been able to take advantage, at tenant's expense, of the opportunities that have arisen. These include the receivers who assisted with the transfer of 'distressed' properties from landlords and developers to institutional investors after the financial crisis by clearing out tenants to secure vacant possession, companies like Lugus Capital who specialise in buying, evicting, renovating and selling, and a further set of companies like Orange Capital Partners who take on and rent out improved properties at extortionate prices. Tenants are liable to be evicted at almost every stage of this process.

Ultimately, it is landlordism in different forms that is destroying the lives of tenants. In CATU we believe that change will only come when we take action together, by building an organisation representing all those affected by the housing crisis and all sections of the working class. We have a vision of a system based on universal public housing where everyone will be entitled to a high-quality, well maintained, affordable and democratically managed home. We will get there by building tenant and working class power, starting with stopping evictions in our communities and gradually taking on and winning bigger and bigger fights until we can do away with landlordism altogether.

If you are disgusted with what you have read in this report and want to contribute to the fight against evictions and landlordism, consider signing up online at catuireland.org/join.





An investigation of legal and illegal evictions in the Republic of Ireland, and those responsible for them, by members of the Community Action Tenants Union (CATU)



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