

Renting at the Frontier

Protecting The Rights of Licensees In Ireland

Dr. Valesca Lima

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STARRING:

Q VISUAL THINKERY



The Student



The Employee



The Subletter



The Lodger



The Caravan Resident



The Retirement Village Resident

What are Licensees?

Licensees are renters who live in licence arrangements, such as spare-room 'digs,' Rent-a-Room schemes, head-tenant sublets, and other unregulated lets. While often associated with student living, this form of accommodation includes far more renting situations than that.

Unlike tenancies governed by the Residential Tenancies Act (RTA), most **licensees receive no formal recognition or registration, have no access to the RTB's dispute-resolution services and therefore lack fundamental safeguards against sudden eviction, arbitrary rule-making or neglected repairs.**

Key Takeaways

- 1 Residential license arrangements were designed to fall outside the remit of the RTA, denying many access to safeguards.
- 2 Some landlords routinely invoke the term "license" in an attempt to sidestep the RTA's protections and obligations.
- 3 The Rent-a-Room tax relief scheme offers hosts up to €14,000 in annual tax-free income for renting spare rooms, but it fails to confer any reciprocal rights on licensees.
- 4 RTB adjudicators have redefined license agreements as tenancies if the renter can prove exclusive possession.
- 5 There is a lack of clear guidance for licensees. This increases stress, prolongs housing precarity and is detrimental to the physical and mental well-being of licensees.

"Anytime I heard a message or a knock, my heart would race - was this it? Am I out tomorrow?"

-Research participant & licensee

"I spent hours on the RTB website looking for anything on licences and found nothing. Only when I rang Threshold in panic did I learn: there's no protection."

-Research participant & licensee

"Our 'landlord' was really just another tenant with a lease. When the boiler broke, only he could contact the landlord, and often he didn't."

-Research participant & licensee



Recommendations

Recognise de facto landlords, or any person exercising landlord-like functions regardless of formal titles excluding owner occupiers letting out rooms in their own home, in the RTA and apply core RTA protections and obligations.

Define and list protected license categories in the RTA.

Give licensees protections and obligations, adjusted depending on the licensee type.

RTB to create a one-stop information hub for licensees.

RTB to produce and distribute an official template agreement for license arrangements.

Link Rent-a-Room tax relief to high quality standards.

Create a tailored framework for Rent-a-Room arrangements, including notice periods standards, and dispute resolution through the RTB.

Introduce an assumption of tenancy in the RTA, treating any occupant enjoying exclusive possession of residential premises as a tenant unless proven otherwise by the accommodation provider.

Where a sub-tenant has resided in a property for at least six months and the landlord is aware of their occupation without raising an objection, the law should create a presumption that the subtenant is a tenant under the RTA.

All residential licenses should have access to RTB-style deposit dispute resolution process and a clear minimum notice period.

Establish a central residential license registry

Enforce minimum standards to license arrangements (excluding rent-a-room)

Rent-a-room relief to change to be proportional to the number of occupation days by licensee.



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