

The Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 amends the following Acts:

Residential Tenancies Act 2004 which is an act to provide—

- a) in accordance with the exigencies of the common good, for a measure of security of tenure for tenants of certain dwellings,
- b) for amendments of the law of landlord and tenant in relation to the basic rights and obligations of each of the parties to tenancies of certain dwellings,
- c) with the aim of allowing disputes between such parties to be resolved cheaply and speedily, for the establishment of a body to be known as *Bn bord um Thionóntachtaí Cónaithe pÉíobháideacha* or, in the English language, the Private Residential Tenancies Board and the conferral on it of powers and functions of a limited nature in relation to the resolution of such disputes,
- d) for the registration of tenancies of certain dwellings.

Section 39 - Termination on tenant's death.

39.— (1) Subject to subsections (2) and (4), a Part 4 tenancy shall terminate on the death of the tenant.

Unless

(a) the dwelling, at the time of the death of the tenant concerned, was occupied by—

(i) a spouse of the tenant,

(ii) a person who was not a spouse of the tenant but who [**was the tenant's cohabitant within the meaning of section 172 of the Civil Partnership and Certain Right and Obligations of Cohabitants Act 2010 and lived with the tenant**]* in the dwelling for a period of at least 6 months ending on the date of the tenant's death,

(iii) a child, stepchild or foster child of the tenant, or a person adopted by the tenant under the Adoption Acts 1952 to 1998, being in each case aged 18 years or more, or

(iv) a parent of the tenant,

and

(b) one or more than one of the foregoing persons elects in writing to become a tenant or tenants of the dwelling.

*[] Words in brackets substituted by section 203 of the Civil Partnership and Certain Right and Obligations of Cohabitants Act 2010