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Relate

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The journal of developments in social services, policy and legislation in Ireland

Housing update

Government policies and strategies regarding housing have been discussed in previous issues of *Relate*. In this issue, we outline the progress to date of *Rebuilding Ireland – Action Plan for Housing and Homelessness*, which was published in July 2016.

Rebuilding Ireland

The *Rebuilding Ireland* action plan addresses housing in Ireland under five pillars:

- Addressing homelessness
- Accelerating social housing delivery
- Building more homes
- Improving the rental sector
- Utilising existing housing

The main aim of *Rebuilding Ireland* is to increase the delivery of housing to help meet the needs of individuals and families, and to help those who are currently housed to remain in their homes or be provided with alternative accommodation.

The action plan aims to double the annual level of residential construction to 25,000 homes and deliver 47,000 units of social housing by 2021, while at the same time, making the best use of the existing housing stock. Under the *National Planning Framework: Project Ireland 2040*, this level of construction is due to increase to 30,000-35,000 homes annually between 2021 and 2027, with 112,000 households expected to have their housing needs met by social housing over the next 10 years.

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Accelerating the delivery of housing will contribute to the following objectives:

- Addressing the unacceptable level of households in emergency accommodation
- Moderating rental and purchase price inflation, particularly in urban areas
- Addressing the growing affordability gap for many households wishing to purchase homes
- Maturing the rental sector so that tenants see it as offering security, quality and choice of tenure in the right locations and providers see it as one they can invest in with certainty
- Ensuring housing's contribution to the national economy is steady and supportive of sustainable economic growth
- Delivering housing in a way that contributes to wider objectives such as sustainable urban and rural development and maximising the contribution of the built environment to addressing climate change

Construction 2020 and the *Social Housing Strategy 2020*, both published in 2014, contain measures to address issues and constraints in the construction and development sectors and in the provision of social housing, respectively. *Rebuilding Ireland* builds on these policies.

Addressing homelessness

The first pillar of *Rebuilding Ireland* is to address homelessness.

At the end of January 2018 there were 5,837 homeless adults and 3,267 homeless children in the State.

Under *Rebuilding Ireland*, the Government set out to tackle homelessness by:

- Ensuring that by mid-2017 hotels are only used in limited circumstances for emergency accommodation for families, by meeting housing needs through the Housing Assistance Payment (HAP) and general housing allocations, and by providing new houses through an expanded Rapid-Build Housing Programme (1,500 units) and a Housing Agency initiative to acquire vacant houses (1,600 units)
- Tripling the targets for tenancies to be provided by the Housing First initiative in Dublin and extending the approach to other cities
- Enhancing supports for homeless families with children
- Ensuring an adequate supply of emergency accommodation

- Extending tenancy sustainment measures nationwide
- Increasing Rent Supplement and HAP limits
- Providing access to expert financial and legal advice for people facing mortgage arrears
- Considering legislative measures in relation to mortgage arrears
- Facilitating more mortgage-to-rent arrangements

Expanding HAP for homeless households

The Housing (Miscellaneous Provisions) Act 2014 introduced the Housing Assistance Payment (HAP). HAP is now in operation in all local authority areas. By the end of 2017, there were 31,200 households receiving HAP.

For tenants in the HAP scheme, local authorities pay the rent directly to the landlord. The rent being charged for the accommodation must be within the limits set down for the household type in that local authority's area. Tenants must pay a weekly rent contribution to the local authority, which is based on their income and ability to pay.

People who are homeless can apply to the homeless section of their local authority for HAP. While eligible households may source accommodation for themselves, a dedicated placement team, the Dublin Place-Finder Service, engages directly with property owners on behalf of qualified households to find suitable tenancies and ensure that any additional supports needed are put in place. The HAP Place-Finder Service is currently being expanded to all local authorities on a national basis.

Rapid-Build Housing Programme

The Rapid-Build Housing Programme was set up to address the issues associated with inappropriate hotel arrangements and to expedite social housing supply. Rapid-build houses are modular houses manufactured off-site that can be installed on-site quicker than traditional houses.

It was planned to deliver a total of 1,500 rapid-build houses by 2018 – 200 by end 2016, 800 in 2017 and the remainder in 2018. At the end of 2017, 208 rapid-build houses were completed, representing 20% of the planned 1,000 units.

Housing Agency acquisitions

The Housing Agency is currently purchasing properties in trust for local authorities from banks and investors. These are generally repossessed buy-to-let properties. In all cases, only vacant properties are being targeted. The planned investment of €70 million is likely to yield acquisitions of 1,600 vacant properties. As of 31 December 2017, the

Housing Agency had bids accepted on 445 properties. Contracts had been signed for 401 units and 382 of these purchases have closed. The process of selling properties on to approved housing bodies is underway.

Housing First

The Homelessness Policy Statement, published in 2013, recognises that stable housing is the sustainable solution to homelessness and emphasises a housing-led approach as the primary response to homelessness.

The Housing First service is provided by Focus Ireland and the Peter McVerry Trust. The initiative targets long-term homeless people with a view to providing them with independent accommodation. Once accommodation has been provided, the Housing First service provides “wraparound” support to those people in their own homes. This secondary support team is made up of social care workers, counsellors, addiction specialists and others.

By the end of 2017, almost 170 new tenancies had been established under the Housing First service. It is planned to expand the initiative to Limerick and Kildare.

Emergency beds and homeless services

The HSE Homeless Service oversees and manages a range of services and supports provided through outreach specialist teams.

Examples of these services include:

- Emergency, supported or long-term accommodation units or facilities
- Medical homeless outreach clinics
- Community houses
- Settlement services
- Drop-in and day centres

The HSE Service Plan for 2016 committed to ensuring that homeless people have access to primary care services and that in-reach services are provided to emergency accommodation settings and long-term supported accommodation. Funding of €6 million is in place for these services under Budget 2018.

Under the “Cold Weather Initiative” aimed at preventing fatalities or serious harm to people who may be sleeping rough during cold weather, 237 additional emergency beds were provided for homeless people by the end of December 2017.

Keeping people in their homes

The level of home loans in mortgage arrears in Ireland continues to decline. This is largely due to the widespread use of loan restructuring solutions.

Abhaile offers free, independent expert advice and support on financial and legal issues. Abhaile’s services include the Aid and Advice Scheme, which provides vouchers for people in long-term mortgage arrears to access the services of a Personal Insolvency Practitioner (PIP), a Dedicated Mortgage Adviser (DMA), Consultation Solicitor or other independent expert. Since July 2016, Abhaile has issued over 10,000 vouchers for these services. MABS (the Money Advice and Budgeting Service) is the initial point of contact for Abhaile via its national helpline - 0761 07 2000.

Under the national mortgage-to-rent scheme, people who are having trouble paying their mortgage can switch from owning their home to renting their home as tenants of a housing association, which buys the home from the lender. People who take up the mortgage-to-rent option no longer own their home or have any financial interest in it.

A review of the mortgage-to-rent scheme was carried out under *Rebuilding Ireland* and several changes were announced in February 2017.

The changes include:

- Flexibility about the size of properties that can qualify – allowing for up to two bedrooms above the household’s needs
- Increased price thresholds for properties
- Borrowers will now apply to the local authority for social housing support before submitting their application for the mortgage-to-rent scheme
- If the lender considers that the borrower is not suitable for the scheme, they will have to tell the borrower in writing why they are not considered suitable

These changes are gradually being implemented.

Threshold’s Tenancy Protection Service (TPS) provides advice and support to individuals, couples and families living in private rented accommodation experiencing tenancy problems and where the tenancy is at risk. Depending on location, the TPS can help rent supplement tenants to apply, or can apply on behalf of a tenant directly, for enhanced rent supplement payment above existing rent caps where the tenant is at risk of homelessness due to a rent increase. Threshold extended its freephone TPS service nationwide in 2017. It is available on 1800 454 454, Monday to Friday, 9am to 9pm.

Accelerating social housing delivery

The second pillar of *Rebuilding Ireland* focuses on increasing the supply of social housing.

The most recent Assessment of Housing Need, in June 2017, showed that 85,799 households qualified for social housing support.

Rebuilding Ireland aims to address housing supply by:

- Delivering 50,000 (originally 47,000) social housing units by 2021
- Accelerating Housing Assistance Payment (HAP) delivery
- Increasing housing supply through a new NTMA/private sector housing fund
- Using State and other land for mixed-tenure development
- Establishing a Housing Delivery Office and a Housing Procurement Unit
- Improving supports for local authorities and approved housing bodies
- Streamlining planning approval processes
- Providing housing for vulnerable groups, particularly Travellers, elderly people, people with disabilities and refugees

Over 7,000 new homes were brought into the active social housing stock through building, acquisitions, voids and leasing programmes in 2017.

NTMA/Private Sector Housing Fund

Rebuilding Ireland proposed a new Special Purpose Vehicle from the National Treasuring Management Agency (NTMA), in conjunction with the private sector, to be set up in early 2017. This new fund aimed to acquire properties, such as Part V units in new housing developments, for onward leasing to local authorities and approved housing bodies.

In April 2017, the National Treasury Management Agency (NTMA) issued its first tender through the National Development Finance Agency with plans for 560 housing units across six separate sites in Dublin, Kildare, Wicklow and Louth. In each site, the local authority owns the land that is to be developed. The local authorities will have responsibility for selecting the tenants and setting the rent levels.

The NTMA will also work with the private sector to establish Enhanced Leasing Arrangements, which encourage low-risk investments from the private sector into providing social housing units that the local authorities will then lease from the investors for 25 years. The local authorities will

sub-let the units to households on their waiting lists for social housing.

Housing Delivery Office

The Housing Delivery Office (HDO) was established in September 2017. Its main remit is to co-ordinate and support the accelerated delivery of housing across the social and private sectors. The HDO is staffed with project management, procurement and technical experts reporting directly to the Department of Housing, Planning and Local Government.

Housing Procurement Office

The Housing Procurement Office (HPO) was established in 2016 within the Housing Agency. The HPO works with local authorities and approved housing bodies to build their capacity and expertise to meet the accelerated programme of delivery under the action plan. The HPO is also available to co-ordinate projects in local authority areas including managing the design and tendering processes and procurement of consultants and contractors.

Approved housing bodies (AHBs)

Housing associations are independent, not-for-profit charities. In general, they provide affordable rented housing for people who cannot afford to pay private sector rents or buy their own homes, or for particular groups such as older people or homeless people. Housing co-operatives are organisations of tenants or owners where the members share responsibility for the management and upkeep of their homes. These voluntary housing organisations are known as AHBs.

The *Housing Policy Statement 2011* and the *Social Housing Strategy 2020* outline the significant role of AHBs in the delivery of housing supports.

An additional €100 million was made available in 2017 for social housing purposes. In Budget 2018, an additional €500 million was also secured. Additional funding under the Capital Assistance Scheme (CAS) will be made available for AHBs to increase their build output and support increased delivery with the assistance of the Housing Deliver Office.

Increased supply in the private market will also provide opportunities for AHBs to increase acquisitions. The construction of new homes directly by AHBs using private finance will also increase. AHB access to local authority lands will contribute in this context, as will the continuing availability of the Capital Advance Leasing Facility (CALF)

as an early injection of cash flow to support early project costs and providing the necessary leverage to allow AHBs to access private financing for the balance of costs.

The Housing (Regulation of Approved Housing Bodies) Bill 2015 provides for a regulator to oversee the effective governance, financial management and performance of voluntary and co-operative housing bodies. Following pre-legislative scrutiny, the final text of the Bill is scheduled for publication in early 2018.

Initiatives for vulnerable groups

The number of people in Ireland over the age of 65 is expected to reach 1.4 million by 2041. Across this same period, the number over the age of 80 is set to quadruple, from 128,000 in 2011 to 480,000.

Older persons have specific housing requirements such as being near their family and social networks and having access to public and other essential services. A policy statement on housing for older people is due to be published early 2018.

The National Housing Strategy for People with Disabilities (2011–2016) has been extended to 2020. A dedicated sub-group, chaired by the Housing Agency, is driving implementation and has published its third progress report, which can be accessed at housing.gov.ie.

In 2017, local authorities granted over 9,000 housing adaptation grants to support older people and people with disabilities to remain in their own homes. This represents an increase of 1,000 on the number of grants funded in 2016.

Local housing authorities deliver Traveller-specific accommodation based on multi-annual Traveller Accommodation Programmes in their areas. In 2017, the Housing Agency commissioned an expert independent review of capital and current funding for Traveller-specific accommodation. The results of this review can be accessed at housing.gov.ie.

As part of the EU response to the migration crisis in Europe, the Government has committed to accept up to 4,000 people into Ireland. The Irish Refugee Protection Programme (IRPP), a cross-departmental taskforce to deal with the logistics of this commitment, was established in September 2015.

An operational subgroup under the IRPP taskforce has been set up to support the process of housing refugees.

Building more homes

Rebuilding Ireland's third pillar focuses on increasing the construction of houses, with the aim of doubling the completion level every year until 2021.

The aim is to deliver over 25,000 houses per annum on average over the period of the plan by:

- Opening up land supply and low-cost State lands
- Investing in infrastructure through a Housing Activation Fund
- NTMA financing of large-scale "on-site" infrastructure
- Planning reforms
- Putting in place a National Planning Framework and land management actions
- Improving design and delivery methods to lower housing delivery costs
- Supporting construction innovation and skills

Land Supply Management Strategy

To address the issue of land supply, the action plan proposes the preparation, as part of the *National Planning Framework: Project Ireland 2040*, of a national Land Supply Management Strategy to ensure supply of development land. As part of this strategy, publicly-owned lands have a key part to play in ensuring that housing providers who are ready to provide what the market needs, can access ready-to-go sites at reasonable prices.

A significant number of the strategic residential sites around Dublin and other key urban areas of demand have been the subject of NAMA, receiver and liquidator activity, with the result that the levels of development land coming to the market are likely to increase over the short and medium term.

A €200 million Local Infrastructure Housing Activation Fund (LIHAF) will provide enabling infrastructure on key sites to open up lands for early development. By 2021, it is intended that 22,830 housing units will be supplied under LIHAF in various locations across the State.

The NTMA, through the Ireland Strategic Investment Fund (ISIF), is developing proposals to provide financing for other infrastructure requirements on large development sites.

Local Infrastructure Housing Activation Fund

The Local Infrastructure Housing Activation Fund was established in 2016 to provide public off-site infrastructure to relieve critical infrastructure blockages. It is intended

that this will enable the accelerated delivery of housing on key development sites in Dublin and in urban areas of high demand for housing.

Across the four Dublin local authorities (based on data gathered by the Dublin Housing Supply Co-ordination Task Force) 12 new housing projects of significant scale are planned to address demand in Dublin. Investment in access and supporting infrastructure is required before development can start.

Funding for 34 infrastructure projects across 15 local authorities was announced in March 2017. At the end of 2017, grant agreements had been signed between the Department of Housing, Planning and Local Government and local authorities for 29 projects, with expected delivery of approximately 18,000 units by 2021.

Planning reforms

Under *Rebuilding Ireland*, the planning process is to become more responsive to housing delivery needs.

Some of the planning reforms already underway include:

- Legislation to increase the vacant site levy to 7%, to be enacted in 2018 by the Planning and Development (Amendment) Bill 2016. This is intended to incentivise the development of vacant and underutilised sites in urban areas.
- Temporary provision to enable larger housing development applications (of 100+ units) to be made directly to An Bord Pleanála until 2020. This should speed up the planning decision-making process for such developments, while also providing greater certainty for developers around timeframes. This temporary process was incorporated in the Planning and Development (Housing) and Residential Tenancies Act 2016.
- Enabling online submissions of planning applications and appeals (e-planning) included in the Planning and Development (Amendment) Bill 2016.

National Planning Framework

The *National Planning Framework: Project Ireland 2040*, announced in February 2018, provides policy direction for the national planning and development strategy for the next 20 years. The framework aims to ensure housing development takes place in the right locations with the necessary supporting social, economic and physical infrastructure. It is available at npf.ie.

Improving the rental sector

According to the Residential Tenancies Board's (RTB) *Annual Report 2016*, 28% of the population were renting, with 23% of those paying more than €1,300 rent per month. There were 325,372 registered tenancies. At the end of 2016, rents were 8.6% higher nationally than at the same time in 2015. The RTB's annual report has not yet been published for 2017, but other sources indicate that rents continue to rise. The fourth pillar of the *Rebuilding Ireland* action plan outlines measures for the development of an enhanced rental sector including:

- Tenancy termination legislation
- Reviewing the standards for rental accommodation
- Enhancing the role of the Residential Tenancies Board
- Introducing an Affordable Rental Scheme
- Encouraging build-to-rent housing
- Supporting greater provision of student accommodation

Tenancy terminations

The Residential Tenancies (Amendment) Act 2015 amended the Residential Tenancies Act 2004. It increased the required notice periods for terminating tenancies of five years plus and brought housing association tenancies under the remit of the Residential Tenancies Board. The 2015 Act also requires landlords to provide extra documentation when terminating a tenancy in certain situations.

In November 2017, the RTB published guidelines on what constitutes substantial refurbishment or renovation for the purposes of the respective ground for termination of a tenancy.

The Planning and Development (Housing) and Residential Tenancies Act 2016 made further amendments to the residential tenancies legislation. These include enhancing security of tenure for tenants and changing the declarations required when a tenancy termination is due to the sale of the dwelling. They also include measures to prevent the simultaneous serving of termination notices on large numbers of residents in a single development – known as the "Tyrrelstown" amendment.

Standards for rented houses

The minimum standards that apply to rented housing are set out in the Housing (Standards for Rented Houses) Regulations 2008 and the Housing (Standards for Rented Houses) (Amendment) Regulations 2009. These include:

- Sound internal and external structural repair

- Self-contained toilet, wash hand basin and bath/shower
- Fixed heating appliance in each habitable room
- Self-contained cooking and laundry facilities including oven and hob, fridge and freezer, extraction device such as a cooker hood, sink and access to a washing machine
- Adequate ventilation and lighting
- Fire safety equipment such as smoke alarms and a fire blanket
- Access to pest- and vermin-proof refuse facilities
- Safe and working electricity and/or gas installation

In 2017, these standards were enhanced by the Housing (Standards for Rented Houses) Regulations 2017 and landlords must now ensure that:

- Windows located above a certain height are fitted with safety restrictors
- There is a permanently fixed heater in each bathroom/shower room, properly ventilated and maintained
- Each dwelling contains, where necessary, carbon monoxide detectors

Enhancing the role of the RTB

The RTB provides information to tenants and landlords as well as to the general public on their rights and obligations, in terms of both living in rented accommodation and providing accommodation in the rental sector. The RTB also provides a resolution service for landlords and tenants in dispute, which includes both mediation and adjudication options. *Rebuilding Ireland* proposed extending the role of the RTB to include the establishment of a single source for accessible information and advice. *Rebuilding Ireland* also proposed that the RTB should play a wider role in monitoring and providing data on the rental sector, including specifically linking the Quarterly Rent Index with an Affordability Index, so that affordability in the sector can be monitored, along with the introduction of annual surveys to understand better the profile of the sector, changes to supply, and the impact of new policies.

According to the December 2017 progress report, the RTB has established a new Communications and Research Unit to increase the level of awareness of the RTB and its services and provide high-quality, clear and accessible information to landlords, tenants and others. This includes the development of resources for landlords and tenants, and a research programme. The RTB One Stop Shop is an online resource providing a range of information and template documents for both landlords and tenants. It is available at rtb.ie.

The RTB has also created a panel of solicitors to assist parties in taking enforcement proceedings.

Affordable housing strategy

Three new schemes aim to make homes more affordable for buyers and renters. They are the Rebuilding Ireland Home Loan, the Affordable Purchase Scheme and the Affordable Rental Scheme

The Rebuilding Ireland Home Loan scheme provides local authority mortgages with reduced interest rates to first-time buyers. The loans can be used for new and second-hand properties, or to build. Buyers can borrow up to 90% of the market value of the property. Their household income must be below certain limits. The loans were made available from local authorities on 1 February 2018. More information can be found at rebuildingirelandhomeloan.ie.

Under the Affordable Purchase Scheme local authorities will provide State-owned land at reduced or no cost to developers to facilitate the building of affordable homes. Eligible buyers can then buy these affordable homes at a discount. The State will retain an equity share in each affordable home, which can be paid off, interest free, by the purchaser at a later date.

The Affordable Rental Scheme aims to tackle affordability issues in the rental market, using a cost rental model. Cost rental means that the level of rent paid to a landlord provides them with a minimal profit, while still covering the cost of building the property, ongoing management and maintenance charges. This scheme is currently in a pilot phase.

The *National Student Accommodation Strategy*, published in July 2017, includes actions to support the increased delivery of student accommodation and an increase in the take-up of rent-a-room accommodation.

Utilising existing housing

The fifth pillar of the *Rebuilding Ireland* action plan focuses on the development of a national vacant housing re-use strategy.

The plan aims to ensure that existing housing stock is used as much as possible through:

- Better management of social housing through rapid re-letting of vacant units (voids) and introduction of Choice-Based Letting
- A review of the Incremental Tenant Purchase Scheme
- Housing Agency purchasing of vacant houses held by banks and financial institutions
- The Repair and Leasing Scheme for vacant properties
- Removing regulatory barriers to re-using vacant properties

The Citizens Information Board provides independent information, advice and advocacy on public and social services through citizensinformation.ie, the Citizens Information Phone Service and the network of Citizens Information Services. It is responsible for the Money Advice and Budgeting Service and provides advocacy services for people with disabilities.

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- Urban regeneration, including the Living City Initiative
- Village and rural renewal initiatives
- Continuation of work to resolve unfinished estates

Better management of social housing

Choice-Based Letting (CBL) is a method of allocating social housing that offers more choice and involvement for applicant households. The online system lets the applicant household express interest in a home in the area where they would like to live, thereby reducing the likelihood of a refusal. The local authorities that have implemented CBL have refusal rates as low as 5% compared to 40% or more in other areas. According to the Rebuilding Ireland end 2017 action status report, CBL is now available across all local authorities.

Incremental Tenant Purchase Scheme

Under the Housing (Sale of Local Authority Houses) Regulations 2015, tenants living in a local authority house included in the scheme can apply to buy the house. They must have been getting some form of social housing support for at least a year, and must have a minimum gross annual income of €15,000.

Under the Incremental Tenant Purchase Scheme, the tenant pays the market value of the house less a discount of between 40% and 60% depending on their income. The local authority will also place a charge on the house called an 'incremental purchase charge', equal to the discount the purchaser received. The charge will remain in place for 20, 25 or 30 years depending on the discount given.

Each year, the local authority will reduce the charge by 2%. At the end of the 20, 25 or 30 years, the charge will be zero as long as the purchaser complies with the terms and conditions of the scheme.

Repair and Leasing Scheme

The Repair and Leasing Scheme (RLS) has been developed to help property owners to bring vacant properties back into use. Where a property requires repairs to meet the rental standard, the RLS will pay for the repairs upfront in return for the property being made available to be used as social housing for a period of at least five years. The RLS has been available nationwide since February 2017, and is currently being reviewed.

Living City Initiative

The Living City Initiative (LCI) is a tax incentive scheme for Special Regeneration Areas (SRA) in Cork, Dublin, Galway, Kilkenny, Limerick and Waterford. Tax relief is available for money spent on refurbishing or converting residential or commercial properties.

There are three types of relief available under the LCI:

- Owner-Occupier Residential Relief
- Rented Residential (landlord) Relief
- Commercial Relief

The scheme will end for all reliefs in May 2020.

Village and rural renewal

The Town and Village Enhancement Scheme aims to support the development of rural areas and has a budget allocation of €30 million. Funded projects will be developed by local authorities, in partnership with local communities, that increase the attractiveness and sustainability of an area as a place to live and support potential economic activity.

Unfinished housing

The *2017 Annual Progress Report on Actions to Address Unfinished Housing Developments*, published in March 2018, shows that 165 developments were finished in 2017; 256 developments remain unfinished, down from approximately 3,000 in 2010, representing an 91% decrease.

Please note that this issue of *Relate* is a combined February/March publication. We will return to monthly issues in April.

The information in *Relate* is intended as a general guide only and is not a legal interpretation