



**An Ghníomhaireacht
Tithíochta**
The Housing Agency

OMCs and the MUD Act

IPAV Residential & Lettings Conference 2023

28 November 2023

Census 2022 Profile 2 – Housing



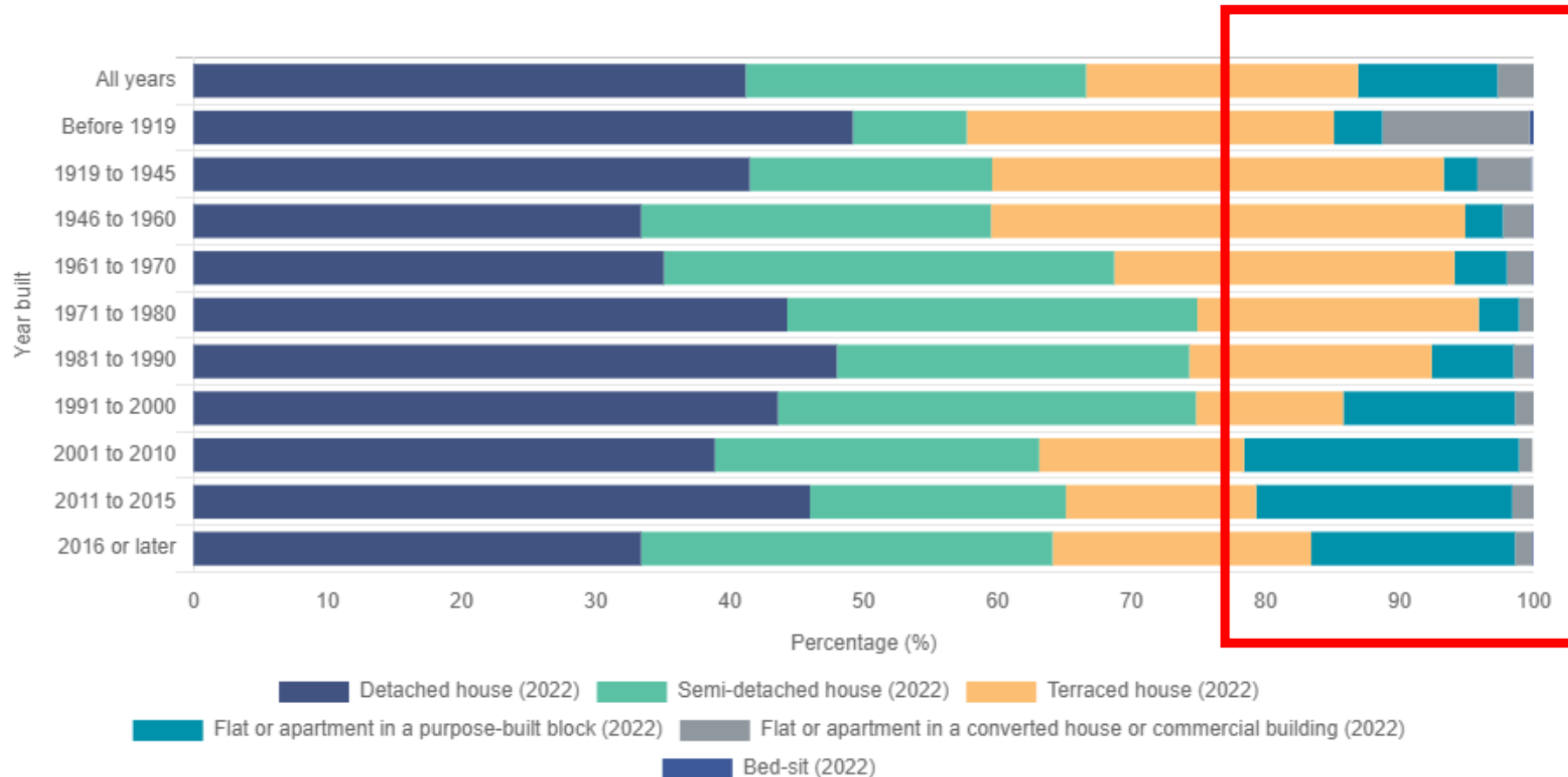
- 2016 to 2022: 15% of homes built were purpose-built apartments
- 2001 to 2010 = 20%
- 1971 to 1980 = 3%

DAONÁIREAMH
CENSUS 2022
www.cso.ie

Occupied Dwellings



Figure 2.2 Occupied dwellings by year built and type of accommodation, 2022



Census 2022 Profile 3 – Households, Families and Childcare



- Families without children +11% since 2016, +14% versus 2011
- Cohabiting couples without children +20%
- Average household size (persons)
 - 1991: 3.34
 - 2016: 2.75
 - 2022: 2.74

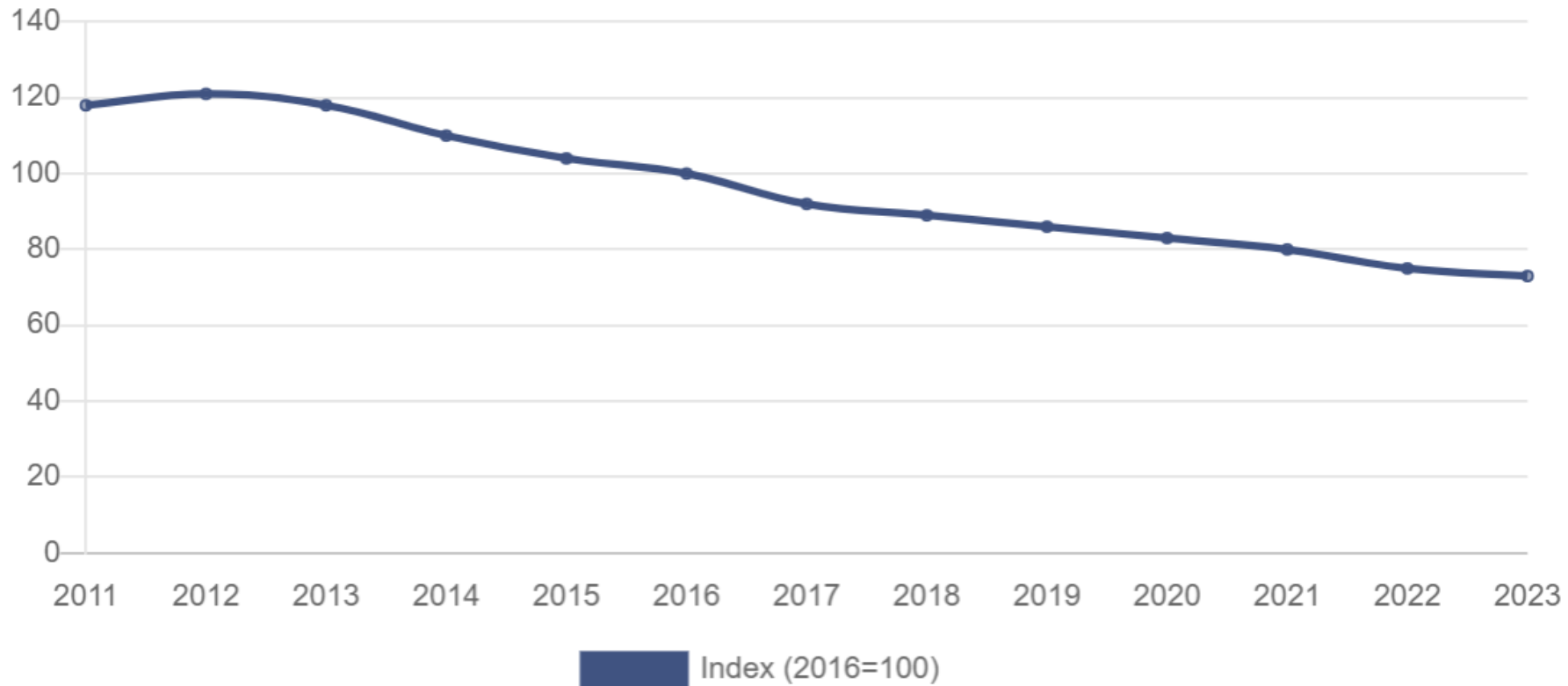
Private Households



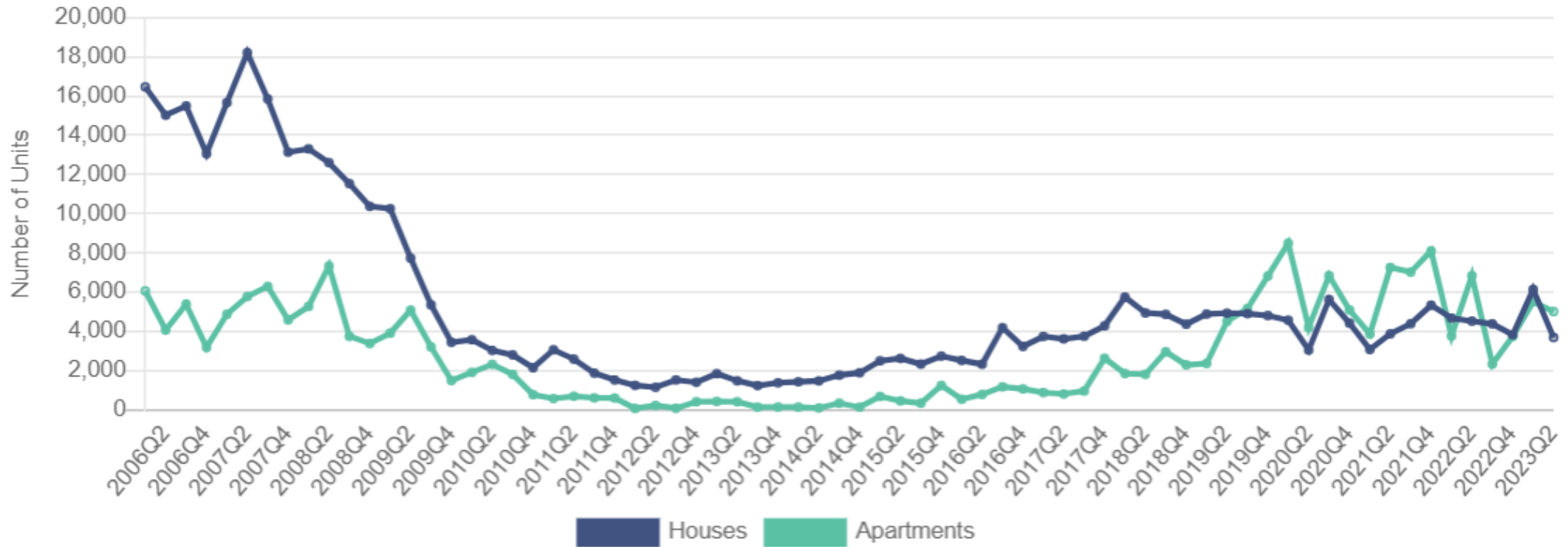
- 1.8 million:
- 1.3m (69%) = families
- 410k (23%) = one-person
- 145k (8%) = non-family households

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CENSUS 2022
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Average new dwelling size index 2011 – Q3 2023



Permissions 2006 – 2023



© Central Statistics Office, Ireland
<https://data.cso.ie/table/BHQ16>

Climate Change Advisory Council



Figure 2 illustrates that the volume of one-off housing remains relatively static whilst multi-unit developments and apartments vary significantly over time. Going forward it is vital that new dwellings are predominantly located in multi-unit developments sited within easy reach of existing services including transport, health, education and retail.

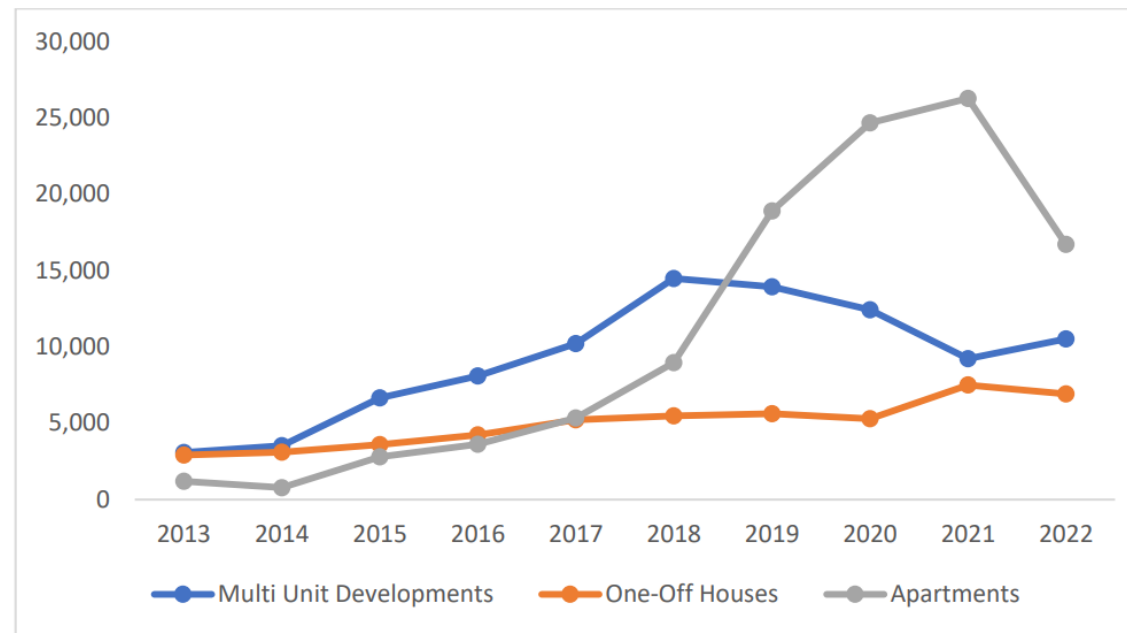
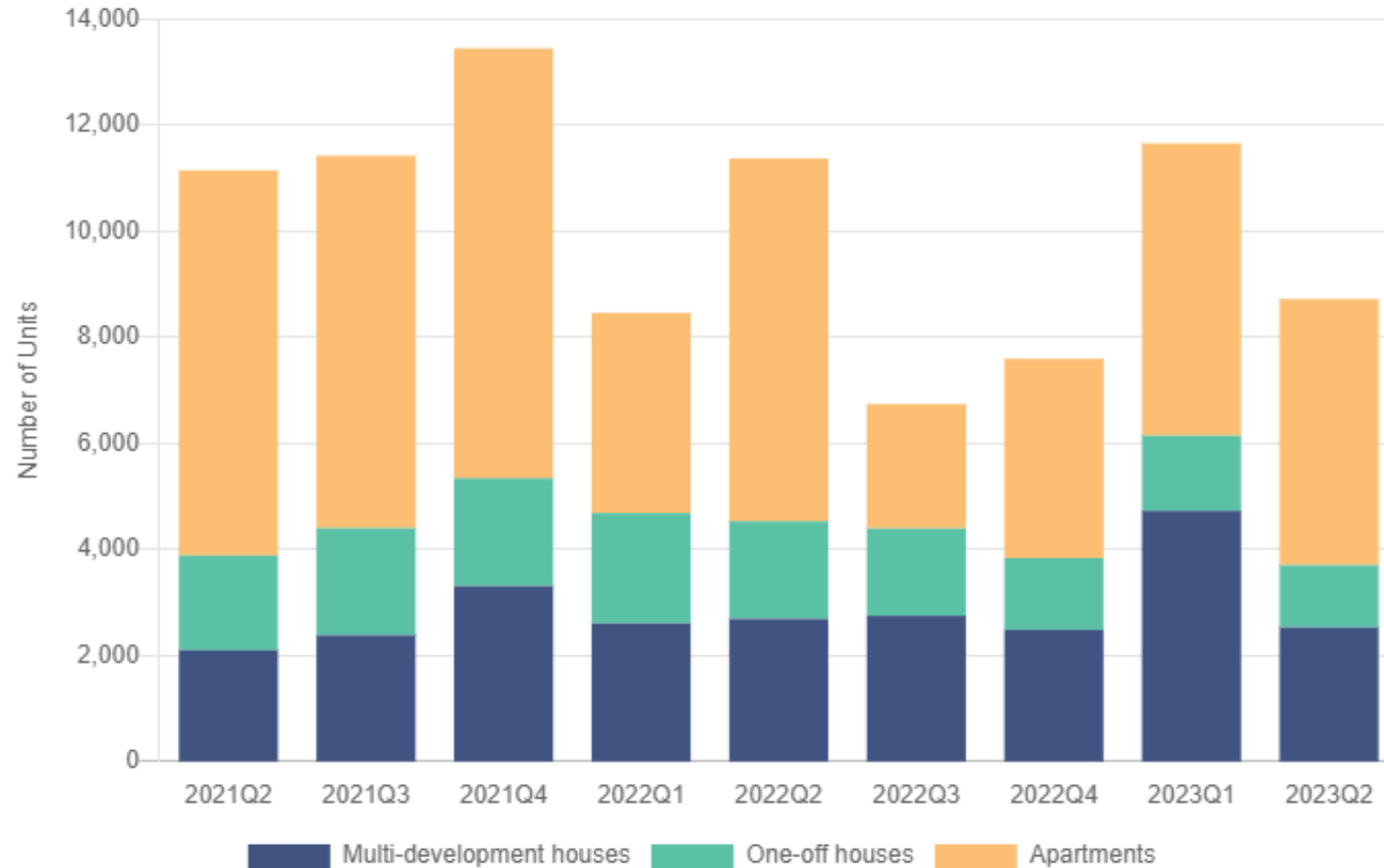


Figure 2. Units granted planning permission by year and type (Source: CSO 2023)

<https://www.climatecouncil.ie/media/climatechangeadvisorycouncil/contentassets/documents/news/CCAC%20Letter%20to%20Govt%20re%20Planning%20Press%20Release.pdf>

Permissions Q1 2021 – Q2 2023



© Central Statistics Office, Ireland
<https://data.cso.ie/table/BHQ16>

Completions 2012 to 2022



- New dwellings completed up 508%
- New apartments completed up 1,955%



An
Phríomh-Oifig
Staidrimh

Central
Statistics
Office

Apartments completions 2022



- 9,166 homes, up 79% from 2021
- $2022 > 2020 + 2021$
- 31% of all completions (2019: 17%)



An
Phríomh-Oifig
Staidrimh

Central
Statistics
Office

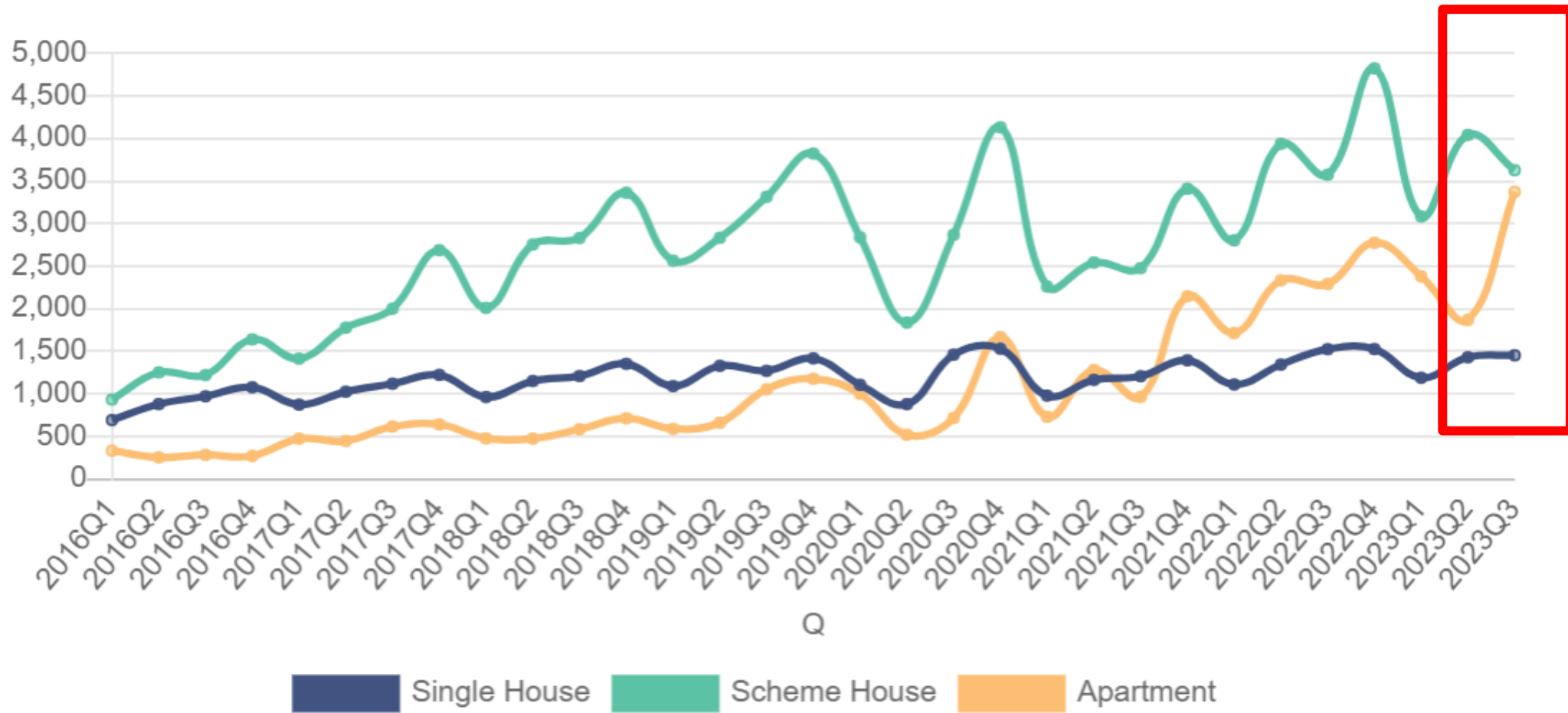
Apartments completions Q3 2023



- Up 47.3% in 12 months to Q3
- Up 61% versus Q2
- 40% of all completions
- 81% in Dublin x4 LAs
- 98% in DCC



Completions 2016 to 2023



International Perspectives



**2023 International Research
Forum on Multi-owned
Properties**

24-26 May 2023
University of British Columbia
Vancouver Canada

 **UNSW**
SYDNEY

 **UNSW**
City Futures
Research Centre

 **PETER A. ALLARD**
SCHOOL OF LAW
THE UNIVERSITY OF BRITISH COLUMBIA

Image: Brendon Baker

UBC, Vancouver 24 – 26 May 2023

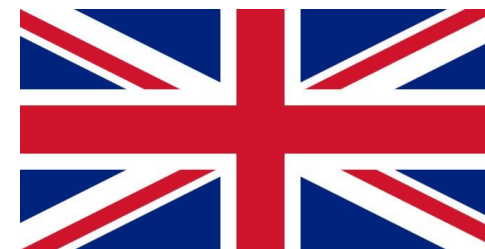
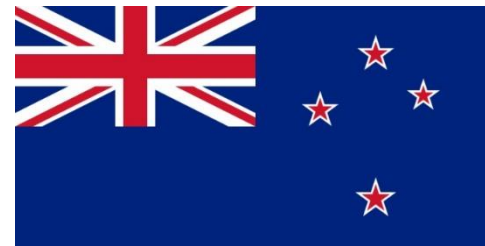


Conference Profile

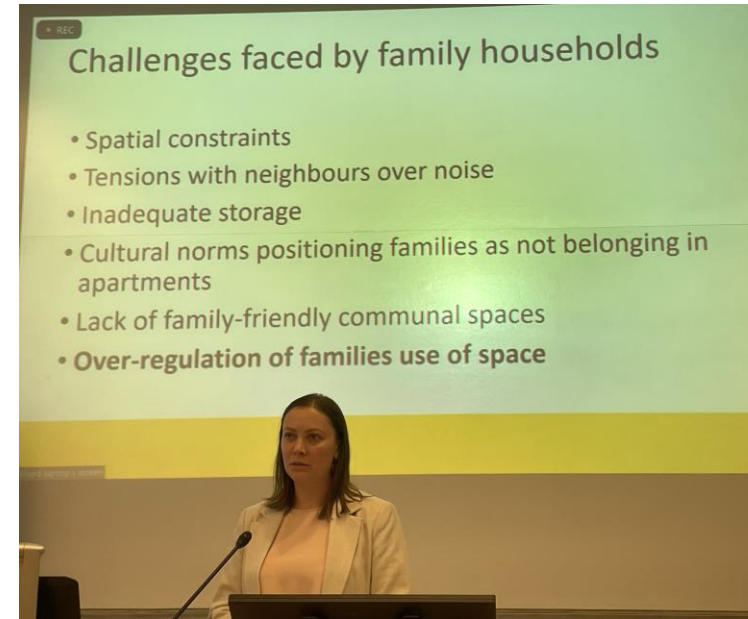


10 Countries

1. Australia
2. Canada
3. China
4. Ireland
5. Israel
6. New Zealand
7. Singapore
8. Spain
9. UK
10. USA



Papers – 13



Keynotes – 2



REC

UNESCO
United Nations Educational, Scientific and Cultural Organization

uniTwin
UNESCO Chair on the Right to Housing, University Rovira i Virgili

UNIVERSITAT ROVIRA I VIRGILI
Housing Chair

Condominiums favor more affordable and inclusive cities in Europe. The Spanish case.

Prof. Dr. Sergio Nogueira-Aznar

IFMOP, Vancouver, May

Public Government Institutional Work / Duty

Marketplace Corporate Commercial Work / Consumption

Sanctity / Obligation of Home

Freedom / Taint of the Market

Condominium
A Corporation for Sale & Governing of Residence*

Separate Spheres Hostile Worlds

Vs.

Relational Boundary Work (Zelizer, et al)

* And other privatized spaces with common

Conclusion: virtue and villainy at odds

“The broader view, in the context of globalised housing consumption, is that market-led systems appear incapable of delivering for both investment and need” (Gallent et al. 2018, p. 127).

Thank you

dorit96@gmail.com | 972-523846671

מדריך
לבעלי דירות
לניהול ולתחזוקה של
הבניין עתיד המערכות
חוד' 2022

Papers 8 and 13



Day 1: Wednesday 24th May

University of British Columbia in Vancouver, Canada

Time	Name of authors and affiliation	Paper title
0900-0930	Professor Hazel Easthope and Dr Laura Crommelin <i>University of New South Wales, Australia</i>	Conference welcome
0930-1015	Keynote: Professor David Ley <i>University of British Columbia, Canada</i>	Virtue or Villainy: The Life Story of the Condominium
1015-1100	Paper 1: Professor Douglas Harris <i>University of British Columbia, Canada</i>	Condominium: A Transformative Innovation in Property and Local Government
1100-1130	Morning tea	
1130-1215	Paper 2: Michael Teys <i>University of New South Wales, Australia</i>	The life and death of mixed-use developments, and the quest for renewal
1215-1300	Paper 3: Dr Dorit Garfunkel <i>Technion, Israel Institute of Technology</i>	From mixed-uses to interdependent-uses: The governance of mixed-use properties reconsidered
1300-1400	Lunch	
1400-1445	Paper 4: Professor Sergio Nasarre Anzar <i>University Rovira I Virgili, Spain</i>	Condominiums and more affordable and inclusive cities in Europe. The Spanish case.
1445-1530	Paper 5: Associate Professor Nathanael Lauster <i>University of British Columbia, Canada</i>	Why do condos get so much hate?
1530-1545	Afternoon tea	
1545-1630	Paper 6: Julie McLean <i>Strata Community Association Victoria, Australia</i>	Towards developing a pre-litigation complaints/grievances consumer agency
1630-1715	Paper 7: Associate Professor Pepe Gutiérrez <i>University Burgos & CEO Megafincas, Spain</i>	Predictive Maintenance: Effectiveness and efficiency in multi-owned property management

Day 2: Thursday 25th May

University of British Columbia in Vancouver, Canada

Time	Name of authors and affiliation	Paper title
0900-0930	Professor Hazel Easthope and Dr Laura Crommelin <i>University of New South Wales, Australia</i>	Day 2 welcome
930-1015	Keynote: Professor Ute Lehrer <i>York University, Canada</i>	High-rise living, amenities and public space
1015-1100	Paper 8: Dawn Bauman <i>Foundation for Community Association Research, USA</i>	Aging Infrastructure: Examining Aging Infrastructure in Community Association
1100-1130	Morning tea	
1130-1215	Paper 9: Dr Sophie-May Kerr, Professor Hazel Easthope and Professor Cathy Sherry <i>University of New South Wales, Australia and Macquarie University, Australia</i>	The regulation of families with children in apartments
1215-1300	Paper 10: Professor Teo Keang Sood <i>National University of Singapore, Singapore</i>	By-laws conferring exclusive use and enjoyment of common property and the "safety devices" exception in strata schemes
1300-1400	Lunch	
1400-1445	Paper 11: Dr Nicole Cook <i>University of Wollongong, Australia</i>	Beyond Neoliberalism: Collusion, Materiality and Combustible Cladding in Multi-Owned Property Development
1445-1530	Paper 12: Professor Elizabeth Toomey <i>University of Canterbury, New Zealand</i>	Weather-tightness in Unit Title Complexes: A Constant Source of Litigation in New Zealand
1530-1545	Afternoon tea	
1545-1630	Paper 13: Professor Evan McKenzie <i>University of Illinois, United States of America</i>	Lessons from Grenfell and Surfside: Institutional, political, and legal dimensions of disaster
1630-1715	Professor Hazel Easthope and Dr Laura Crommelin <i>University of New South Wales, Australia</i>	Concluding thoughts and 2024 forum announcement

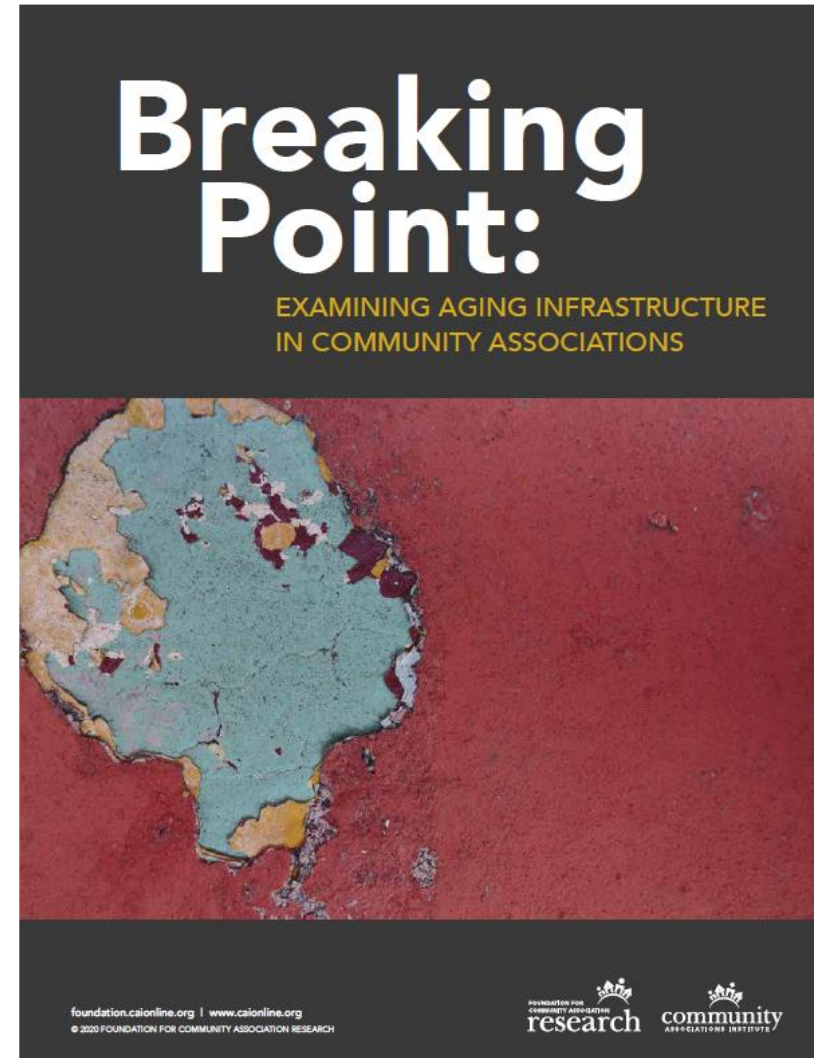
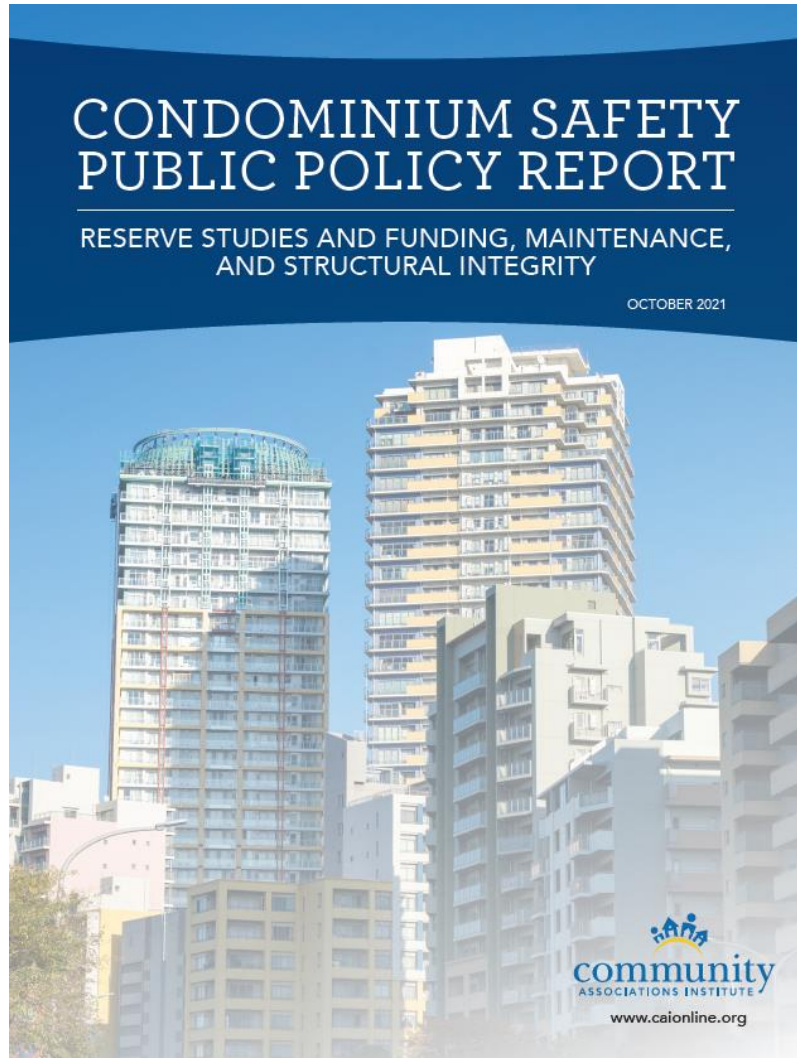
Dawn Bauman, CAI, USA



Paper 8

***Aging Infrastructure: Examining
Aging Infrastructure in
Community Associations***

Dawn Bauman



Dawn Bauman



BIGGEST CONCERNS

More than three-quarters (80%) of those surveyed felt it was critical that their association have adequate reserves in the event of a major infrastructure failure or construction need. Nearly half (40%) of those surveyed considered deteriorating infrastructure as a top-ranked concern. More than two-thirds (70%) of survey respondents indicated that maintaining property values was of primary importance.

And while about half of respondents felt their associations have adequate reserve funds on hand, just as many respondents considered their communities' reserve funds inadequate to address any major unplanned component repair or replacement.

Other challenges that communities faced when addressing major infrastructure renovations include:

- Convincing homeowners to accept and contribute to costs
- Recruiting volunteers for the association board
- Prevalent owner/resident apathy

Prof. Evan McKenzie, Uni. of Illinois



Paper 13

***Lessons from Grenfell and Surfside:
Institutional, political, and legal
dimensions of disaster***

Professor Evan McKenzie



What reforms would best protect consumers from physical and financial harm? Objectives:

-
- Promoting building safety and sustainability
 - Maintaining a sound financial condition for condo associations even where the owners are of modest means
 - Promoting public access to information about condo association finances and building conditions.

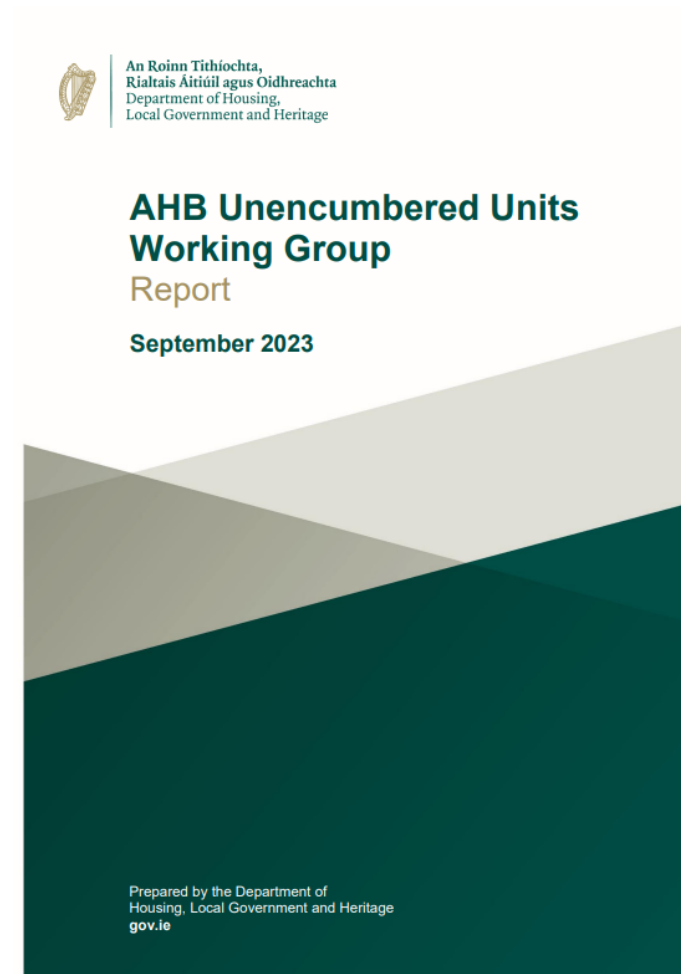
Professor Evan McKenzie



Proposals

- More intensive scrutiny at the planning and permit stage
 - Climate change impact studies
 - Developer-funded reserves
 - Declaration provisions
 - Alternatives
- Pre-sale building inspections
- Construction defect litigation
- Better board members
 - Compensation
 - Professional board members
- Adequate reserve practices
 - Reserve studies
 - Mandated contribution levels
 - Transparency
 - Financial health rating
- Low interest loans
- Receivership
- Deconversion

AHBs & Sinking Funds



<https://www.gov.ie/en/publication/776db-ahb-unencumbered-units-working-group-report/>

AHBs & Sinking Funds



Appendix 2

Survey of AHB Sector

AHB Survey – 29 responses – representing 6,829 units (or 15% approx.) sample of total units in sector

The survey asked for detail relating to stock condition, sinking funds and management and maintenance payments.

Management and Maintenance

Approximately 5,000 units are in receipt of some form of management/maintenance payment. Approximately 2,100 units are not in receipt of any management/maintenance funding. No data was returned for the balance of the units.

Sinking Funds

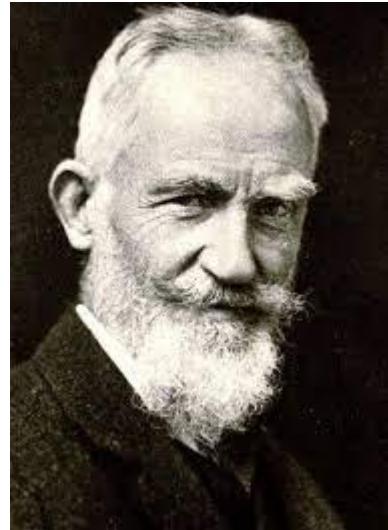
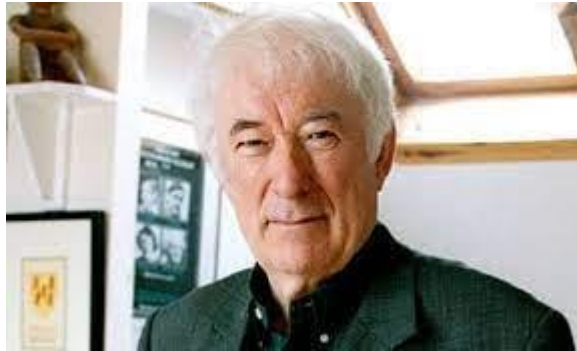
Of the 29 returns received, 18 returned no information in relation to their sinking funds. One AHB advised of a sinking fund of approx. €1.4m over their 600+ units included in the return.

Another large AHB advised that they hold €5m in designated reserves to be deployed as needed. In addition to the units in the return (c650), the AHB owns a further 300 units outright and maintains these units entirely from its own resources. The sinking fund is added to as resources allow. The survey as a whole returned limited evidence on the levels of sinking fund across the sector.

Stock condition & Repairs

Where AHBs returned details on stock conditions, detailed breakdowns for each unit were included, with previous works and costs included. However, this was not universal, with the majority returning a standard €5k to €25k figure.

Irish Exceptionalism?



Lessons?



- Shared challenges
- Shared solutions
- Beyond management

Challenges



NEWS SPORT BUSINESS OPINION **LIFE & STYLE** CULTURE MORE VIDEO PODCASTS JOBS

Home & Property > New to the Market > Property Clinic > Design > Take 5 > Fine Art & Antiques > Gardens > All Life & Style >

What power has our management committee to enforce rules in our scheme?

Property Clinic: The issues causing concern would be mostly related to behaviour

© West, Feb 24, 2021, 04:00

Property News

- Strong early interest in Bray seafront scheme
- Trophy Curragh stud sells to Grangemore Stud for €3.7m
- Leinster player and Doyle heiress move into €5.47m Ballsbridge home
- Surveyors mark International Women's Day with new mentoring programme
- Investors eye purchase of €70m worth of Dublin logistics assets

Visit sherryfitz.ie or contact your local Sherry FitzGerald office

To ensure that there is no misunderstanding and liberal interpretations of house rules, invite the membership to participate in a dialogue at the age. Photograph: iStock

Irish Independent News Opinion Business Sport Life Style Et

Dublin

Dublin News Dublin Voices Lifestyle Dublin GAA

Dublin property manager who stole over €116k gets fully suspended sentence

Michael Noonan (61) created false invoices to write cheques to himself



Consumer Column: Why are my apartment management fees so expensive?

By Liz Walsh - 13/02/2021



Management fees coming on top of mortgage payments are a big headache for apartment owners.

THE IRISH TIMES

Property Clinic

The approved housing body in our building won't pay for the damage done by their tenants. What can we do?

Property Clinic: Higher percentage of our apartment block's budget is used to repair AHB part of estate

Expand

Some occupiers can become the cause of increased costs for the owners' management company due to antisocial behaviour

Aisling Keenan
Thu 11 2021 - 04:44

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THE IRISH TIMES Mon, Mar 15, 2021 Dublin 11°C

NEWS SPORT BUSINESS OPINION **LIFE & STYLE** CULTURE MORE VIDEO PODCASTS JOBS

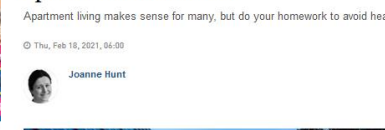
Home & Property > New to the Market > Property Clinic > Design > Take 5 > Fine Art & Antiques > Gardens > All Life & Style >

How to choose and buy the perfect apartment in Ireland

Apartment living makes sense for many, but do your homework to avoid headaches

© Thu, Feb 18, 2021, 04:00

Joanne Hunt



City planners have called time on the three-bed semi, as the years ahead will be much more the norm. For many and downsizers buying this year, an apartment will already be the right one for you.

- Most Read**
- 1 Irish assets leave London in €10bn post-Brexit switch
 - 2 South Dublin tenants to be evicted after 'reaching end of line'
 - 3 Chris Johns: Obsession with zero Covid not what the doctor ordered
 - 4 The Offroad: Stockdale surely in line to replace Lowe against England
 - 5 Oscars 2021: Irish film Wolfwalkers nominated as best animated feature
 - 6

Business Post

MY BP NEWS POLITICS NEWS FOCUS ANALYSIS & OPINION TECH LIFE & ARTS PROPERTY FOOD & WINE IRISH TATLER

PROPERTY

Apartment owners need to take proactive approach on €2.5bn defects scheme

Owners' management companies must be prepared if they want to successfully submit a claim

AILSLING KEENAN | OCTOBER 7, 2023

THE IRISH TIMES

Business

Some 22,000 new homes built so far this year as apartment boom in Dublin continues

CSO's new dwellings completion series provides the most accurate picture of residential construction rates in the State

Expand

LATEST STORIES

- Stocks struggle as soft earnings compound interest rate headache
- March of the last 25 years has been 'squandered' since Good Friday Agreement, warns Tánaiste Micheál Martin
- Road deaths so far this year just one short of 2022's total
- An Bord Pleanála agrees to reconsider Colliie's application for Co Carlow wind farm
- 'Buddy Pradie' will go down in 'net', when Rocky Balboa's cornerman fought Muhammad Ali

the scale of defects in apartments and duplexes (and/or their associated common areas) built 2013 is between 50 and 80 per cent

News and Updates



- Company Law



- Environmental / Sustainability



Rialtas na hÉireann
Government of Ireland

CLIMATE ACTION PLAN 2023
CAP23

Changing Ireland for the Better

- Regulatory / Other

Company Law – Virtual AGMs



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Trádála agus Fostaíochta
Department of Enterprise,
Trade and Employment

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Home > News & Events > Department News > 2022 > December

RSS Twitter LinkedIn YouTube

Minister Calleary announces extension of certain measures of Companies Act

8th December 2022

- Continuation of virtual general meetings
- Threshold at which a company is deemed unable to pay its debts remains at €50,000

The interim period of two measures of the Companies (Miscellaneous Provisions) (Covid-19) Act 2020 has been further extended to 31 December 2023 following government approval this week. The Act makes temporary amendments to the Companies Act 2014 and the Industrial and Provident Societies Act 1893 to address issues arising as a result of COVID-19.

The Act makes temporary provision in respect of increasing the threshold at which a company is deemed unable to pay its debts to €50,000. The Act also allows 240,000 companies and 950 industrial and provident societies in Ireland to hold their annual general meetings (AGMs) and general meetings by electronic means. The continuation of these important amendments will provide additional breathing space and continuity for businesses to the end of 2023.

< 2022

< December

November

October

September

August

July

June

May

April

<https://enterprise.gov.ie/en/news-and-events/department-news/2022/december/08122022.html>

Virtual AGMs – permanent update



gov.ie

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Press release

Minister Calleary to launch public consultation on proposals to enhance the Companies Act 2014

From [Department of Enterprise, Trade and Employment](#)

Published on 7 April 2023

Last updated on 7 April 2023

Some of the issues on which views will be sought include:

- providing companies and industrial and provident societies with the option, in addition to the option to hold physical and hybrid meetings, to hold fully virtual AGMs and general meetings on a permanent basis
- delivering on Programme for Government commitment in relation to the regulation of receivers
- extending certain reporting obligations to examiners, interim examiners and process advisors
- amending the audit exemption regime for small and micro companies, to remove automatic loss of audit exemption and put in place a two-step, graduated procedure to deal with late filing
- certain enhanced powers for the Corporate Enforcement Authority, the Irish Auditing and Accounting Supervisory Authority and the Companies Registration Office to strengthen the State's capability to meet the challenges faced in investigating and prosecuting alleged breaches of company law

Help Please: Enumerating OMCs



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Title Title of Act or SI contains Year(s) or range i.e. 2015, 1990-1999 Type All Legislation Advanced Search

Home > Statutory Instruments > 2020 > S.I. No. 627/2020 - Companies Act 2014 (Forms) Regulations 2020

S.I. No. 627/2020 - Companies Act 2014 (Forms) Regulations 2020

View SI Amendments

Open PDF

Notice of the making of this Statutory Instrument was published in

"Iris Oifigiúil" of 25th December, 2020.

I, ROBERT TROY, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by [sections 12](#) (1), [22](#) (2), [343](#) (4)(a), [430](#) (3), [436](#) (1) and [441](#) (2)(b) of the [Companies Act 2014](#) (No. 38 of 2014) (as adapted by the Business, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2020 ([S.I. No. 519 of 2020](#)) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) (No. 2) Order 2020 ([S.I. No. 580 of 2020](#))), hereby make the following regulations:

- (1) These Regulations may be cited as the Companies Act 2014 (Forms) Regulations 2020.
- (2) These Regulations shall come into operation on 16 December 2020.
2. In these Regulations,

<https://www.irishstatutebook.ie/eli/2020/si/627/made/en/print>

CRO – Form B1 – Existing OMCs



CORE

Dashboard
Search
New Filing
My Filings
Watchlist
Messages
Watchlist
Messages
Orders
Transactions
Help

Form B1: Annual Return

Prerequisites [0] **Company Details [1]** Registered Office [2] Secretary Details [3] Director Details [4] Other Directorship Details [5] Registered Person Details [6]

Company Details

Submission Type: Form B1C - Annual Return General

Owners Management Company

Please tick the box if the company is an Owners Management Company (as defined in section 1 of the Multi-Unit Developments Act 2011)

Return Information

CRO – Form A1 – New OMCs



CORE

Dashboard
Search
New Filing
My Filings
Watchlist
Messages
Orders
Transactions
Help
Transactions
Help

Form A1: Application to Incorporate a Company

Company Details [0] Appoint New Director/Secretary [1] Other Directorship Details [2] Company Share Capital [3] Subscribers to Memorandum [4] Declaration [5] Verification [6] Su

Fé Phráinn

Tick here if using a Fé Phráinn Number

Company Details

Submission Date *

Owners Management Company

Please tick the box if the company is an Owners Management Company (as defined in section 1 of the Multi-Unit Developments Act 2011)

Form Help
Please visit our corporate website for further informat.

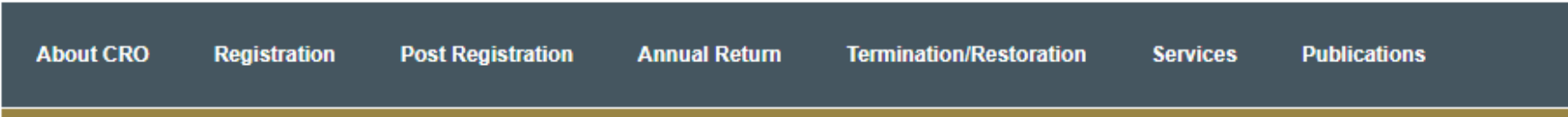
- ✓ For Information on content required for this :
- ✓ For General Information please contact: [cro.ie](#)
- ✓ For Technical Assistance please contact: [elect](#)

Estimated New OMCs



Year	<i>Est. OMCs</i>
2023 (to date)	150
2022	129
2021	154
2020	154
2019	174
2018	153
2017	177
2016	120
2015	116
2014	80
2013	58
2012	79
2011	50
Total	1,594

PPSN to CRO – from 11 June



About CRO > What's New > PPSN - FAQ

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- Functions of the CRO
- Contact Us
- What's New
 - Daily Processing
 - Times
 - PPSN - FAQ
- Website Privacy and Security Statement

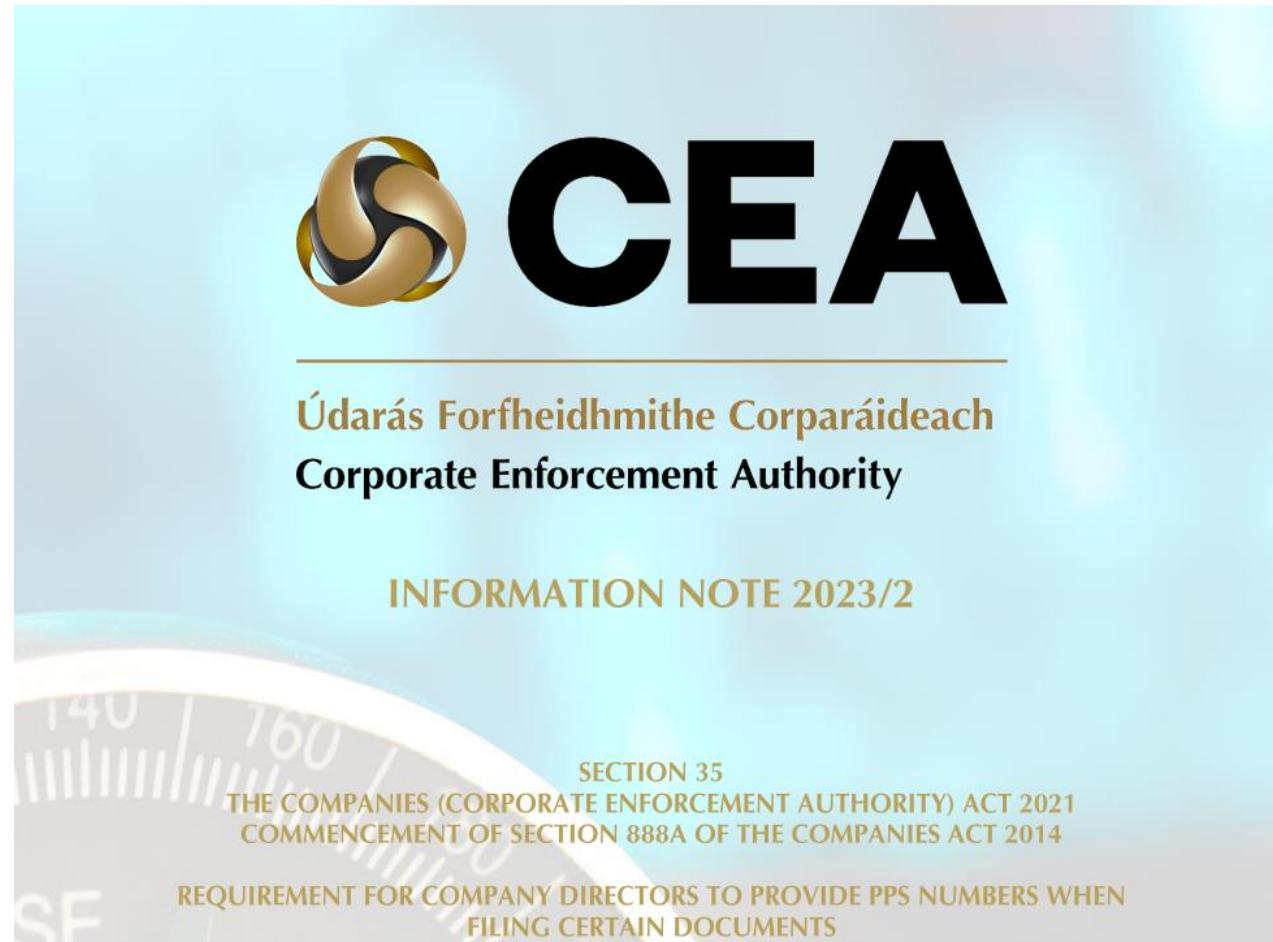
FAQs **SAME FORM, SAME FILING, NEW REQUIREMENT**
A1 B1 B10 B69 Have your director's PPSN for complete filing

For enquiries about the requirement of PPSNs, or Identified Person Numbers (IPNs), please contact us by e-mailing the CRO at: crodirectorid@enterprise.gov.ie

Personal Public Service (PPS) numbers

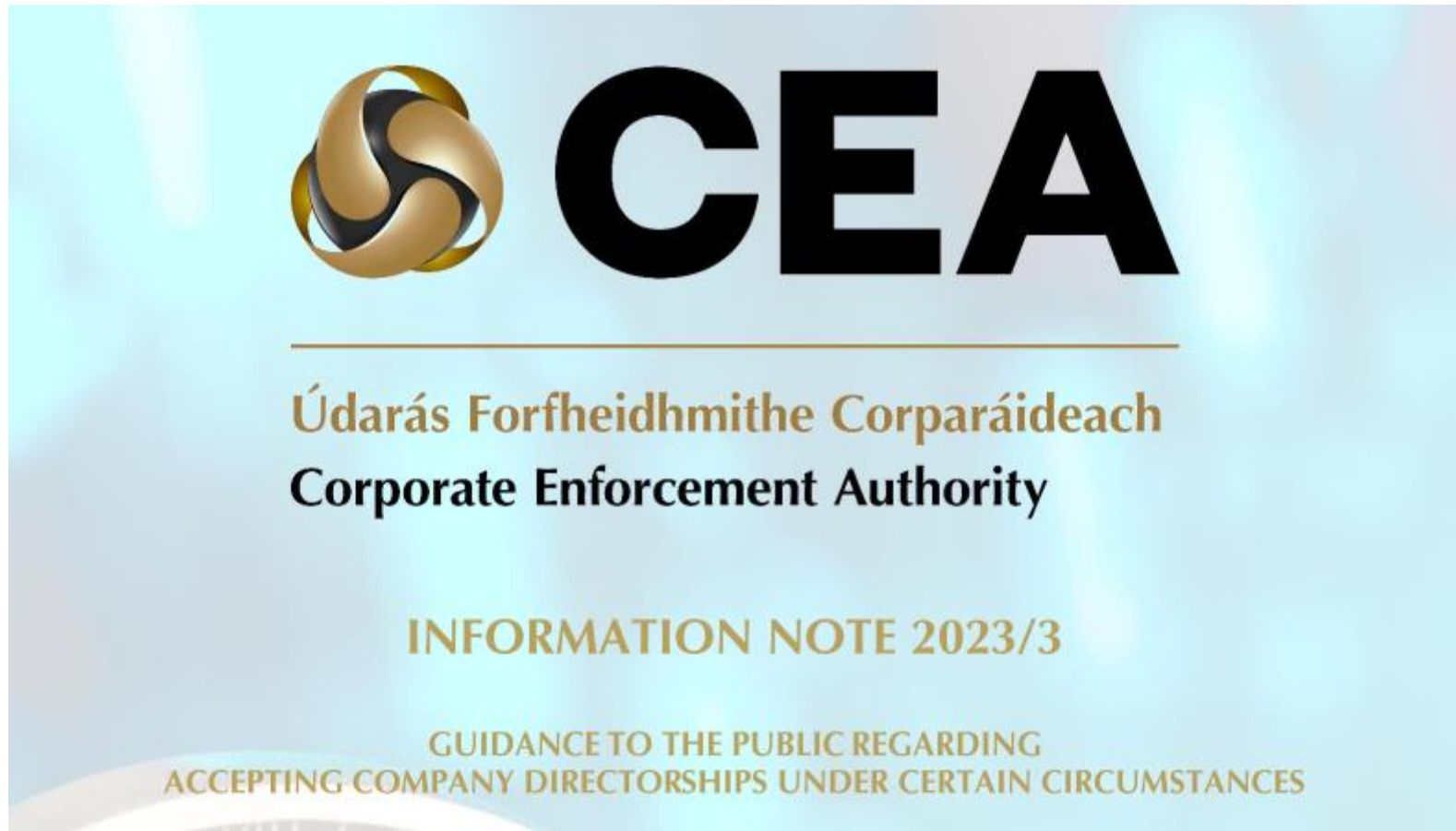
From June 11th 2023, when filing Forms A1, B1, B10 and B69, company directors will be required to provide their PPS numbers. The PPS number will be used for identity verification to ensure that the company director is alive and is a natural person. For Frequently Asked Questions on this, please see below.

Corporate Enforcement Authority



<https://cea.gov.ie/en-ie/Publications/Information-Guidance/Information-Notes>

Becoming a Director – Guidance



<https://cea.gov.ie/en-ie/Publications/Information-Guidance/Information-Notes>

PSRA Strategic Plan



<https://www.psr.ie/publications/corporate-governance/strategy-reports/>

PSRA Strategic Plan



3 Strategic Goals and Objectives to 2026

The following section provides an overview of how our strategy will be achieved through the execution of a number of goals and objectives, which are aligned to four overarching strategic pillars.

These strategic pillars will be underpinned by a number of enablers, which will support the delivery of our ambitious plan.

Licensing & Regulation

Goal 1: *Operate a comprehensive and modern licensing system and effectively regulate the property services sector*

Consumer Protection

Goal 2: *Promote professional standards, specifying and enforcing qualification requirements, addressing unlicensed activity and operating an effective complaint and investigation process*

Sector Positioning, Promotion and Awareness

Goal 3: *Further establish our position within the sector, through effective engagement with stakeholders, broader brand awareness and providing comprehensive publicly available registers*

People, Process and Change

Goal 4: *Organise and resource the PSRA workforce, as well as its processes, technology, and systems, to efficiently meet the current and future needs of the organisation and the sector*

PSRA Newsletter – September



■ Letters of Engagement for the Provision of Property Management Services

The PSRA has become aware of issues in relation to a Property Management Agent's role and their requirement to act on their Client's instructions. In order to address the matter, the PSRA reviewed the Letter of Engagement (LOE) for the provision of Property Management Services. The LOE provides that the Client's name and address must be entered at Section one of the contract along with the name(s) and contact details of the person(s) authorised to instruct the agent. The PSRA recommends that 2 people be listed to ensure that an authorised person is available at all time to instruct the agent. The person(s) must be a director or secretary of the Owners Management Company. The Client must notify the agent in writing of any changes to the authorised person(s) without delay.

Management Agents are reminded that Section 32 of the Multi-Unit Development Act 2011 provides, the duration of a Letter of Engagement in respect of property management cannot exceed 3 years.

Under no circumstances should the LoE be signed by anyone other than the licensee and the client. There are no circumstances under which the licensee can sign the LOE on behalf of their Client.

<https://www.psr.ie/publications/news-press-releases/newsletters/>

Data Protection Guidance



[YOUR DATA](#) [FOR ORGANISATIONS](#) [RESOURCES](#) [WHO WE ARE](#) [NEWS AND MEDIA](#) [DATA PROTECTION OFFICERS](#)

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Data Protection Considerations Relating to Multi-Unit Developments and Owners' Management Companies

An increasing proportion of Ireland's population lives in apartments and houses situated in multi-unit developments (MUDs) and estates having shared spaces and services. In most cases these common areas and shared facilities are owned and controlled by an owners' management company (OMC) which is typically a not-for-profit legal structure established for the management of multi-unit developments under the Multi-Unit Developments Act 2011 (the MUDs Act). The OMC must operate in accordance with the Companies Act 2014 (the Companies Act).

An OMC sits at the centre of relationships between residents (owner-occupiers and tenants), landlords, and property management agents. OMCs engage with estate stakeholders including social and public housing bodies, professional advisors, and service providers.

OMCs process and transmit data in the exercise of their functions in relation to, for example, property title, financial management, and compliance with various legal obligations.

Relationships

This guidance sets out general advice on common data protection issues that may arise in the course of interaction between:

1. OMCs and their members
2. OMCs, OMC members, and a property management agent
3. OMCs and third parties

[Data Protection Considerations Relating to Multi-Unit Developments and Owners' Management Companies: Full Guidance Note](#)

<https://www.dataprotection.ie/en/dpc-guidance/data-protection-considerations-relating-multi-unit-developments-and-owners-management-companies>

Data Protection Guidance



OMCs & Financial Management

As noted, most OMCs are bodies corporate, and are most often found to be incorporated as CLGs. The governing document of a company is its constitution. Among the matters set out in a company constitution are the company's objects and powers.

One such power afforded to the company may be the power to process personal data concerning payment or non-payment by members of OMC annual service charges, including the power to disclose such information to some or all of the members of the company, as and when necessary. However, any such disclosure must be justified as both necessary and proportionate to achieve a specific, explicit and legitimate purpose, in accordance with data protection law. It could also include a power to disclose to other members information in relation to breaches by a member/unit owner and/or any tenant, of lease covenants, house rules, regulations, restrictions, byelaws, or other similar provisions relating to the estate. The processing of personal data of members of an OMC in accordance with the constitution should be transparent, and members should be adequately informed of any processing that may take place.

Data Protection Guidance



For example, an OMC may be required to provide certain financial information to its members with regard to the management of annual service charges. In general, this should be achieved without disclosing the personal data of members, unless necessary and reasonable. Respect for confidentiality should be maintained in circumstances where directors of OMCs have access to information regarding their neighbours' good standing as to payment of annual service charges.

Data Protection – Case Studies



[YOUR DATA](#) [FOR ORGANISATIONS](#) [RESOURCES](#) [WHO WE ARE](#) [NEWS AND MEDIA](#) [DATA PROTECTION OFFICERS](#)

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- [Case Studies](#)

[Case Studies \(Annual Report\)](#)

[Case Studies](#)

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Case Studies for the DPC

This page contains links to case studies that illustrate the work of the complaint handling units of the DPC and the approaches taken in relation to a range of issues concerning data protection.

The links contain case studies that have featured in our annual reports, arranged by year, and also new case studies that have not featured previously. These case studies provide an insight into some of the issues that the DPC examines on a day to day basis.

Please bear in mind that these case studies are short summaries that have been prepared to highlight particular topics. Of necessity, some details have been omitted. Every case that is examined by the DPC is handled in light of its own facts and circumstances.

[Case Studies \(Annual Report\)](#)

[Case Studies](#)

The DPC has produced a booklet that contains 126 of our case studies from the first five years of the General Data Protection Regulation (GDPR).

The case studies have been broken down by category and indexed, making it easier to find relevant examples, and are a valuable reference tool when exploring how the DPC approaches complaints.

Download the full [DPC Case Studies 2018 to 2023 booklet \(PDF, 2.56mb\)](#) You can also download the booklet by clicking the image below.



<https://www.dataprotection.ie/en/dpc-guidance/case-studies#2023booklet>

Data Protection – Case Studies



CASE STUDY 13

Obligation to give reasons when refusing to provide access to personal data

This complainant previously owned a property in a development managed by a management company. The complainant made a data access request to the management company but was of the view that the data controller failed to provide all of the complainant's personal data in its response.

The management company was determined to be the data controller, as it controlled the contents and use of the complainant's personal data for the purposes of its role as a management company in respect of a development in which the complainant had owned a property. The data in question consisted of (amongst other things) the complainant's name and address. The data was personal data as the complainant could be identified from it and it related to the complainant as an individual.

During the course of the DPC's examination of the complaint, the data controller provided a description of a document containing the complainant's personal data that was being withheld on the basis that it was legally privileged. This document had not been referred to in the data controller's response to the complainant's access request. It was noted that the data controller should have referred to this document and the reason(s) for which it was refusing to provide the document to the complainant in its response to the complainant's access request.

The DPC also considered whether the data controller had supplied the complainant with all of their personal data, as required by legislation. The DPC noted that the complainant had provided specific and detailed descriptions of data they believed had not been provided. In response, the data controller stated that it did not retain data relating to matters that it considered to be closed and had provided the complainant with all of their personal data held by the data controller at the date of the access request. The office was of the view that it was credible that the data controller would not retain personal data on an indefinite basis. The DPC was satisfied that the data controller had provided the complainant with all of their personal data (with the exception of the document over which the data controller had asserted legal privilege, as set out above). For that reason, no further contravention of the legislation had occurred.

Under Article 15 of the GDPR, a data subject has a right to obtain from a data controller access to personal data concerning him or her which are being processed. However, this right does not apply to personal data processed for the purpose of seeking, receiving or giving legal advice, or to personal data in respect of which a claim of privilege could be made for the purpose of or in the course of legal proceedings (Section 60(3)(a)(iv) of the Data Protection Act 2018). Where a data controller refuses to comply with a request for access to personal data, however, it is required under Article 12 of the GDPR to inform the data subject without delay of the reasons for this refusal.

Data Protection – Case Studies



CASE STUDY 43

Disclosure of CCTV footage via social media

A commercial and residential property management company notified the DPC that an employee of a security company whose services they retained had used their personal mobile phone to record CCTV footage of two members of the public engaged in an intimate act, which had been captured by the management company's security cameras.

and supervision to ensure compliance with these policies and procedures were lacking.

Following recommendations made by the DPC to the property management company, the company has subsequently engaged with its staff to deliver further

The video taken was subsequently shared via WhatsApp to a limited number of individuals. The business advised the DPC that they communicated to staff who may have received the footage that they must delete it and requested no further dissemination of the video.

Both the property management company and the security company were able to demonstrate that adequate policies and procedures did exist, however appropriate oversight

data protection training with an emphasis on personal data breaches. In addition, further signage was displayed prohibiting the use of personal mobile devices within the confines of the CCTV control room.

Data Protection – Case Studies



CASE STUDY 72

Disclosure of personal data (Applicable Law — GDPR and Data Protection Act 2018)

A data subject issued a complaint to the Data Protection Commission (DPC) against their owner management company (data controller) regarding the disclosure of their personal data under the General Data Protection Regulation (GDPR). The data subject explained to the DPC that an email containing their personal data was circulated by a property management company on behalf of an owner management company (OMC) and contained information regarding the payment of annual services charges.

Before contacting the DPC the data subject contacted the OMC to address their concerns of the disclosure of their personal data. The OMC responded that its policy was to include such personal data in emails to all clients. The data subject confirmed that it had not seen, nor signed this policy.

Following the engagement of the DPC the data controller cited a clause in its OMC Memorandum of Association, which allowed for the disclosure of payment or non-payment of service charges to other unit owners.

The DPC provided both parties with guidance from this office for consideration, "Data Protection Considerations Relating to Multi-Unit Developments and Owners' Management Companies". The guidance indicated that the disclosure must be justified as both necessary and proportionate to achieve a specific, explicit and legitimate purpose, in accordance with data protection law.

The data controller informed the DPC that a balancing test was conducted and highlighted that the processing of the personal data was necessary to achieve the legitimate interest of the management company to obtain payment of service charges.

Under section 109(5)(c) of the 2018 Act the DPC advised that the data controller had not been able to provide an adequate lawful basis for the processing of personal data as outlined in the complaint.

The outcome reminded the data controller of their obligations as a data controller under Articles 5, 6 and 24 of the GDPR and under section 109(5)(f) of the 2018 Act, the DPC recommended that the data controller review their Memorandum of Association to ensure compliance with the DPC guidance; consider alternative methods to resolve the non-payment of service charges and consider and balance any legal obligation or legitimate interest against the rights and interests of the data subject.



Circular Economy – Waste



mywaste what where why business more

home → more → national waste management plan for a circular economy

National Waste Management Plan for a Circular Economy

Spread the word

f in t

VIEW THE NATIONAL WASTE MANAGEMENT PLAN FOR A CIRCULAR ECONOMY ...AND HAVE **YOUR SAY!**

Wasteless Action! Streamline Local Government Services

REGIONAL WASTE MANAGEMENT PLANNING OFFICES

The National Waste Management Plan for a Circular Economy is Ireland's framework for the prevention and management of waste.

Engagement

The Plan has been built through engagement with key stakeholders.

While we have made great progress the plan identifies challenges to which we can all respond.

Downloads

PDF	Public Notice Draft Plan (English)
PDF	Public Notice Draft Plan (Irish)

Apartments & Waste



Environment & You | Environmental Topics | Our Services | Publications | Who we are

EPA calls for urgent action to improve Ireland's household and commercial waste segregation and recycling performance

Date released: September 21, 2023

- Over two thirds of wastes in general waste bins could have been placed in the recycling or organic waste bins.
- Food waste in commercial general waste bins is 30 per cent and in household general bins is 20 per cent.
- Plastics in the general waste bins are also significant for households (17 per cent) and businesses (10 per cent).
- The rollout of organic waste bins to all houses, apartments, and commercial sectors needs to be accelerated.

The Environmental Protection Agency (EPA) has today published the latest **National Municipal Waste Management Report** detailing Ireland's household and commercial waste management practices since 2018. Irish businesses and households are encouraged to take action to improve their waste management practices. Over two thirds of waste in the general waste bins could have been placed in recycling and organic waste bins.

Food waste is the most common waste in commercial general waste bins (30 per cent) and households (20 per cent). If households and businesses do not have an organic waste bin and correct food waste segregation cannot be achieved, food waste will be sent to landfill.

Recyclable materials such as plastics, paper, cardboard and metal account for around 24 per cent of the waste in general waste bins.

Institute of Public Administration

- The proportion of households living in apartments rather than houses in the comparator cities is very high, as much as 90 per cent of households, compared with 35 per cent (2016 Census) in Dublin City. This has a significant impact on waste collection.

The Journal



on Ireland to make improvements to their household

RUBBISH

Two thirds of general waste could've been recycled or composted, EPA finds

Food waste made up 30% of the content found in commercial waste bins in 2022.

The Housing Agency

RTÉ NEWS SPORT ENTERTAINMENT BUSINESS LIFESTYLE CULTURE PLAYER TV RADIO

NEWS ► IRELAND ► World Business Sport Nuacht Programmes RTÉ Investigates

EPA calls for urgent rollout of organic waste bins

Updated / Friday, 22 Sep 2023 14:11



By George Lee
Environment Correspondent

The Environmental Protection Agency (EPA) has called for organic waste bins to be urgently rolled out to all houses, apartments and commercial premises that do not already have them.

LAs & Waste Bye-Laws

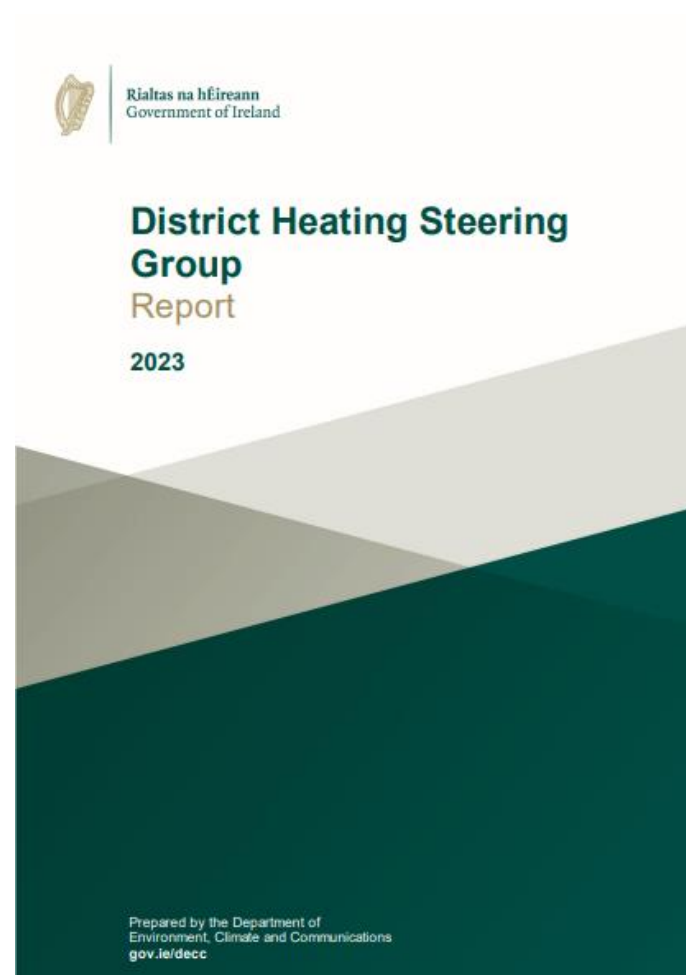


Table 13: Measures to increase the MSW Recycling Rate

Measure	Assumed Effect
Incentivised Charging for the Commercial Sector (Section 26 of the Circular Economy Act amending Section 34 of the WMA)	In addition to increasing waste prevention, the March 2023 Regulations ⁵ also require incentivised charging for the commercial sector which has the potential to promote better source segregation through regulating the 'incorrect separation' of wastes. 1.5 million tonnes of commercial waste was generated in 2019 (1.4 million tonnes in 2020) but there is no data available on the extent of this material that was recycled (other than the 41% recycling rate for total municipal). In the absence of a robust data set, this assessment assumes that commercial waste recycling may increase by to a level within the range of 1% to 3% for each year from 2024 to 2029 with the successful implementation of incentivised charging. The estimated increases in 2023 are circa half of that estimated for 2024 given the implementation date of this measure.
Enforcement of the Bye-Laws	Local authorities have introduced bye-laws on the segregation, storage and presentation of municipal waste that apply to all households, apartments and commercial premises. More rigorous enforcement of the bye-laws (Priority Actions PA1.5 and PA2.5) by the local authority sector will encourage the necessary behaviour change to promote better source segregation. Again, in the absence of a robust quantifier, this analysis assumes a further 0.5-1.0% increase in recycling rates from both household (including apartments) and the commercial sector from 2024 to 2029 (with a more modest increase in 2023). The required additional resources to support this enforcement effort are addressed in Chapter 6 .
Waste Recovery Levy	Section 29 of the Circular Economy Act allows for the setting of a chargeable levy related to waste recovery activities or the export of waste for recovery. The total amount of the recovery

<https://www.mywaste.ie/wp-content/uploads/2023/05/SRWMO-National-Waste-Management-Plan-for-a-Circular-Economy-Volume-III-Delivery-Roadmap-AW-Onscreen.pdf>

Environmental – District Heating



<https://www.gov.ie/en/publication/3f132-district-heating-steering-group/>

District Heating & MUDs



3 Economic and Consumer Protection Regulation Working Group

The Economic & Consumer Protection Regulation Working Group was chaired by the Commission for Regulation of Utilities (CRU) and undertook a broad exploration of initial economic regulation and consumer protection considerations by discussing a number of key questions. Recommendations were made across three main areas:

- structure of the district heating sector;
- economic and consumer protection regulation; and
- areas requiring additional policy considerations or decision making.

The Group determined that regulatory consideration should be given to all consumers of heating or cooling from district energy systems, while policy measures should favour schemes that meet the definition of efficient district heating. Additionally, regulatory requirements should extend to multi-apartment and multi-purpose buildings with a central heating or cooling source, and smaller schemes should be encompassed by the regulatory framework.

Recommendation 4: DECC to bring forward proposals for legislation to provide for issues such as:

- amendments to Section 32 of the Multi-Unit Development Act, 2011, to enable energy management contracts of longer duration where significant capital investment has been made.

SEAI Outputs



One Stop Shop Service average costs and grants

Apartment



Average works cost
€42,875
Average grant amount
€14,267
Average cost to homeowner
€28,608

Average BER improvement
G > A3
Typical upgrades:
• Heat pump
• Windows and doors
• Wall insulation

Key Figures

25%
received energy upgrades at a cost of **>€75,000**

Mid Terrace



Average works cost
€51,826
Average grant amount
€19,015
Average cost to homeowner
€32,811

Average BER improvement
E1 > A3
Typical upgrades:
• Heat pump
• Windows and doors
• Wall insulation
• Ceiling insulation
• Ventilation

41%
received energy upgrades at a cost of **€50,000-€75,000**

Semi-D/End Terrace



Average works cost
€60,292
Average grant amount
€21,694
Average cost to homeowner
€38,598

Average BER improvement
E1 > A2
Typical upgrades:
• Heat pump
• Windows and doors
• Wall insulation
• Ceiling insulation
• Solar panels
• Ventilation

30%
received energy upgrades at a cost of **€30,000-€50,000**

Detached



Average works cost
€64,507
Average grant amount
€24,098
Average cost to homeowner
€40,408

Average BER improvement
E1 > A2
Typical upgrades:
• Heat pump
• Windows and doors
• Wall insulation
• Ceiling insulation
• Solar panels
• Ventilation

4%
received energy upgrades at a cost of **<€30,000**

Average BER uplift

E1 > A2

Data based upon average costs for 363 private homes completed through One Stop Shops. (August 2023)

seai SUSTAINABLE ENERGY AUTHORITY OF IRELAND



Rialtas na hÉireann
Government of Ireland

Apartment



Average works cost
€42,875

Average grant amount
€14,267

Average cost to homeowner
€28,608

Average BER improvement
G > A3

Typical upgrades:

- Heat pump
- Windows and doors
- Wall insulation

<https://www.seai.ie/publications/One-Stop-Shop-Average-Works-Cost-August-2023-English.pdf>

Resi Retrofit Loans – Apartments?



THE IRISH TIMES

11°

Politics

Ministers approve new low-interest retrofit loans for homeowners

Owners can borrow up to €75,000 for energy efficiency upgrades, underpinned by European funds

Expand



The scheme aims to encourage homeowners to invest in energy efficiency. Photograph: iStock

Jennifer Bray Political Correspondent

Tue Oct 24 2023 - 19:33



Homeowners will be entitled to apply for low-interest retrofitting loans worth up to €75,000 from early next year, under plans approved by Cabinet.

LATEST STORIES >

Stocks struggle as soft earnings compound interest rate headache

Much of the last 25 years has been 'squandered' since Good Friday Agreement, warns Tánaiste Micheál Martin

Road deaths so far this year just one short of 2022's total

An Bord Pleanála agrees to reconsider Coillte's application for Co Carlow wind farm

'Baldy Paulie will go down in two' - when Rocky Balboa's cornerman fought Muhammad Ali

THE IRISH TIMES
INSIDE POLITICS

Inside Politics

Research



MUD Act
and Circuit Court decisions



Advancing retrofitting
in multi-apartment buildings

TSI 2023

Template: **REQUEST FOR TECHNICAL SUPPORT**



Note to the MM: Only highlighted questions have been modified compared to last year's template

TECHNICAL SUPPORT INSTRUMENT (TSI) PROGRAMME
Regulation (EU) 2021/240 (TSI Regulation)¹

REQUEST FOR TECHNICAL SUPPORT¹
(Article 9 of the TSI Regulation)

DEADLINE: 31 October 2022
To be submitted [by/via]

Research



● YOU ARE HERE : Home > The Housing Agency secures support to advance retrofitting in multi-apartment buildings

The Housing Agency secures support to advance retrofitting in multi-apartment buildings

Posted: May 10, 2023 / By: Communications Categories:



PRESS RELEASE

11th May, 2023

The Housing Agency secures support to advance retrofitting in multi-apartment buildings

● RECENT POSTS



Leadership in Housing Conference takes place on September 29th
September 25, 2023



Research on social housing and climate action, supported by Research Support Programme launched
September 20, 2023



Webinar: Energy Saving for Multi-Unit Developments
September 18, 2023



Housing Unlocked wins at Business to Arts Awards!
September 14, 2023



Launch of the Supports Guide for Young People
September 13, 2023

● POPULAR TAGS

Test tag term housing Annual Report

<https://www.housingagency.ie/news-events/housing-agency-secures-support-advance-retrofitting-multi-apartment-buildings>

4 October – Energy Saving



YouTube



Energy Saving for Multi-Unit Developments



The Housing Agency
371 subscribers

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2



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Private Wires – closed 13 October



<https://www.gov.ie/en/consultation/63e1c-private-wires-consultation/>

Infrastructure for High-Speed Electronic Communications

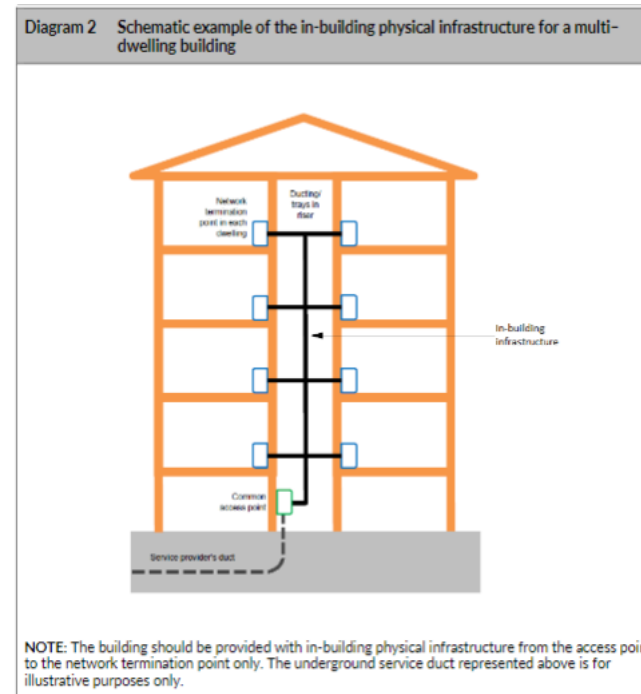


Rialtas na hÉireann
Government of Ireland

European Union (In-Building Physical Infrastructure for High-Speed Electronic Communications) Regulations 2023
Technical Guidance



Prepared by the Department of Housing, Local Government and Heritage
gov.ie/housing



<https://www.gov.ie/en/publication/b56bb-european-union-in-building-physical-infrastructure-for-high-speed-electronic-communications-regulations-2023-technical-guidance/>

Planning Guidelines – closed 5 Oct



Rialtas na hÉireann
Government of Ireland

Sustainable and Compact Settlements Guidelines for Planning Authorities

Draft for Consultation August 2023



<https://www.gov.ie/en/consultation/451fc-public-consultation-on-the-draft-sustainable-and-compact-settlement-guidelines-for-planning-authorities/>

Planning Guidelines – Dec 2022



<https://www.gov.ie/en/publication/16edd-sustainable-urban-housing-design-standards-for-new-apartments-guidelines-for-planning-authorities-2022/>

Planning Guidelines – July 2023



An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage

Sustainable Urban Housing: Design Standards for New Apartments

Guidelines for Planning Authorities issued under
Section 28 of the Planning and Development Act,
2000 (as amended)

July 2023



Note: A further amendment to these Guidelines was made in July 2023 in relation to certain Transitional Arrangements for Build-to-Rent developments (see sections 5.10 & 5.11 below).

<https://www.gov.ie/en/publication/2e6b1-section-28-guidelines-for-planning-authorities-design-standards-for-new-apartments-july-2023/>

Design Standards – Ch. 6.10 et seq.



Operation and Management of Apartment Developments

- 6.10 Certainty regarding the long-term management and maintenance structures that are put in place for an apartment scheme is a critical aspect of this form of residential development. It is essential that robust legal and financial arrangements are provided to ensure that an apartment development is properly managed, with effective and appropriately resourced maintenance and operational regimes.
- 6.11 In this regard, consideration of the long-term running costs and the eventual manner of compliance of the proposal with the Multi- Unit Developments Act, 2011 are matters which should be considered as part of any assessment of a proposed apartment development.
- 6.12 Accordingly, planning applications for apartment development shall include a building lifecycle report which in turn includes an assessment of long term running and maintenance costs as they would apply on a per residential unit basis at the time of application, as well as demonstrating what measures have been specifically considered by the proposer to effectively manage and reduce costs for the benefit of residents.

Chapter 6.10 et seq.



6.13 The Multi-Unit Developments Act, 2011 (MUD Act) sets out the legal requirements regarding the management of apartment developments. In this regard it is advised that when granting permission for such developments planning authorities attach appropriate planning conditions that require:

- Compliance with the MUD Act,
- Establishment of an Owners Management company (OMC) and:
- Establishment and ongoing maintenance of a sinking fund commensurate with the facilities in a development that require ongoing maintenance and renewal.



Building Lifecycle Report / BIF



The BIF report once adopted by the OMC, determines an adequate estimated annual cost provision requirement based on the needs of the development over a 30-year cycle period, as required by the Multi-Unit Developments (MUD) Act, 2011. In line with the requirements of the MUD Act 2011, the members of the OMC will determine and agree each year at a General Meeting of the members, the contribution to be made to the Sinking Fund, having regard to the BIF report produced. Notwithstanding the above, it should be noted that the detail associated with each element heading in the BIF report, can only be determined after detailed design and the procurement and construction of the development.

Planning Guidelines – July 2023

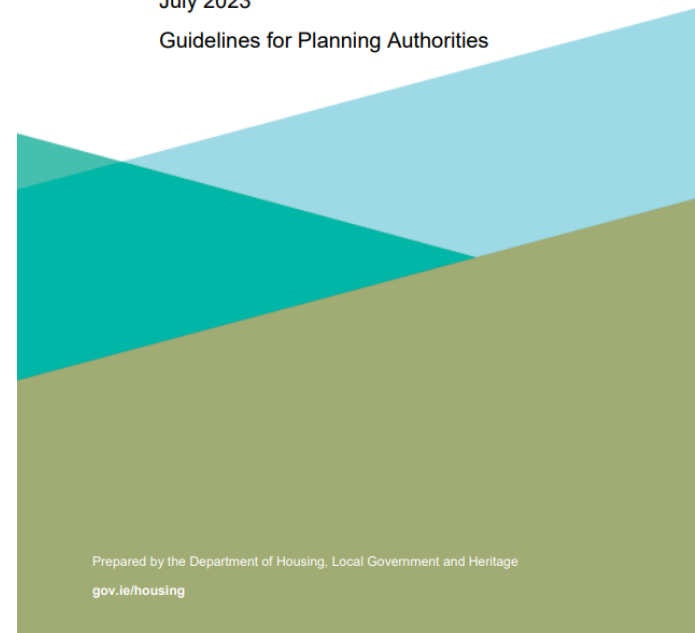


An Roinn Tithíochta,
Rialtais Áitiúil agus Oidhreacht
Department of Housing,
Local Government and Heritage

Regulation of Commercial Institutional Investment in Housing

July 2023

Guidelines for Planning Authorities



Prepared by the Department of Housing, Local Government and Heritage
[gov.ie/housing](https://www.gov.ie/housing)

<https://www.gov.ie/en/publication/46138-section-28-guidelines-for-planning-authorities-regulation-of-commercial-institutional-investment-in-housing-july-2023/>

OPR – New Legal Digest



OPR Oifig an Rialaitheora Pleanála
Office of the Planning Regulator

fieldfisher

Legal Digest

Learning from Litigation

Issue 01 September 2023

Legal Cases:

- Atlantic Diamond Ltd v An Bord Pleanála [2021] IEHC 322
- Clifford/O'Connor v An Bord Pleanála and Kerry Co. Co [2021] IEHC 459
- Waltham Abbey Residents Association v An Bord Pleanála and Pembroke Road Association v An Bord Pleanála and Others [2022] IESC 30

Prepared by Fieldfisher for the Office of the Planning Regulator

<https://www.opr.ie/launch-of-opr-legal-bulletin-learning-from-litigation/>

OPR – LSRD Guidance



<https://www.opr.ie/wp-content/uploads/2023/07/Planning-Leaflet-16-Large-scale-Residential-Development.pdf>

OPR – Planning Enforcement



OPR Practice Note PN05



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<https://publications.opr.ie/view-file/144>

Defects



Press release

Government approves establishment of defects scheme for apartments and duplexes

From [Department of Housing, Local Government and Heritage](#)
Published on 18 January 2023
Last updated on 18 January 2023

Publication

Proposed approach to support remediation of defects in apartments and duplexes: Your questions answered

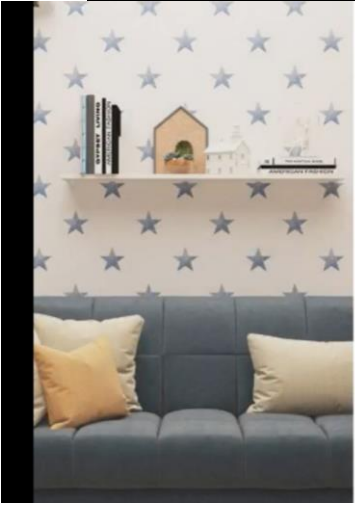
Do you own or manage an apartment or duplex built between 1991 and 2013?



Minister O'Brien welcomes the report of the working group examining defects in purpose-built apartments and duplexes constructed between 1991 and 2013

From [Department of Housing, Local Government and Heritage](#)
Published on 28 July 2022
Last updated on 28 July 2022

The Minister for Housing, Local Government and Heritage, Darragh O'Brien, has today published the report of the working group he established to examine defects relating to fire safety, structural safety and water ingress in purpose-built apartment and duplex buildings constructed in Ireland between 1991 and 2013.



fire safety, structural safety and water ingress defects

Defects Remediation



Press release

Government approves establishment of defects scheme for apartments and duplexes

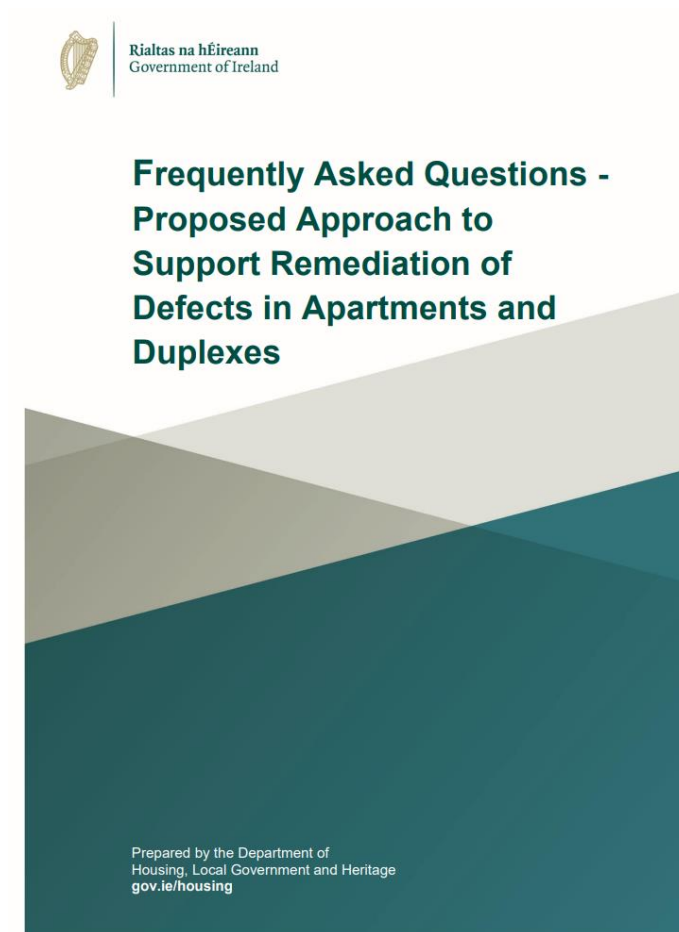
From [Department of Housing, Local Government and Heritage](#)

Published on 18 January 2023

Last updated on 18 January 2023

<https://www.gov.ie/en/press-release/b6817-government-approves-establishment-of-defects-scheme-for-apartments-and-duplexes/>

Defects Remediation – FAQs



<https://www.gov.ie/en/publication/1ad1e-proposed-approach-to-support-remediation-of-defects-in-apartments-and-duplexes-your-questions-answered/>

Code of Practice



gov.ie

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[Consultations](#)

[Publications](#)

Press release

Minister O'Brien publishes Code of Practice to inform remediation of apartments and duplexes with fire safety defects

From [Department of Housing, Local Government and Heritage](#)

Published on 25 July 2023

Last updated on 26 July 2023

The Minister for Housing, Local Government and Heritage, Darragh O'Brien has [published](#) the Code of Practice to support the development of a reasonable and practicable approach to resolving fire safety defects in apartments and duplexes constructed between 1991 and 2013.

<https://www.gov.ie/en/press-release/99234-minister-obrien-publishes-code-of-practice-to-inform-remediation-of-apartments-and-duplexes-with-fire-safety-defects/>

Code of Practice



Rialtas na hÉireann
Government of Ireland

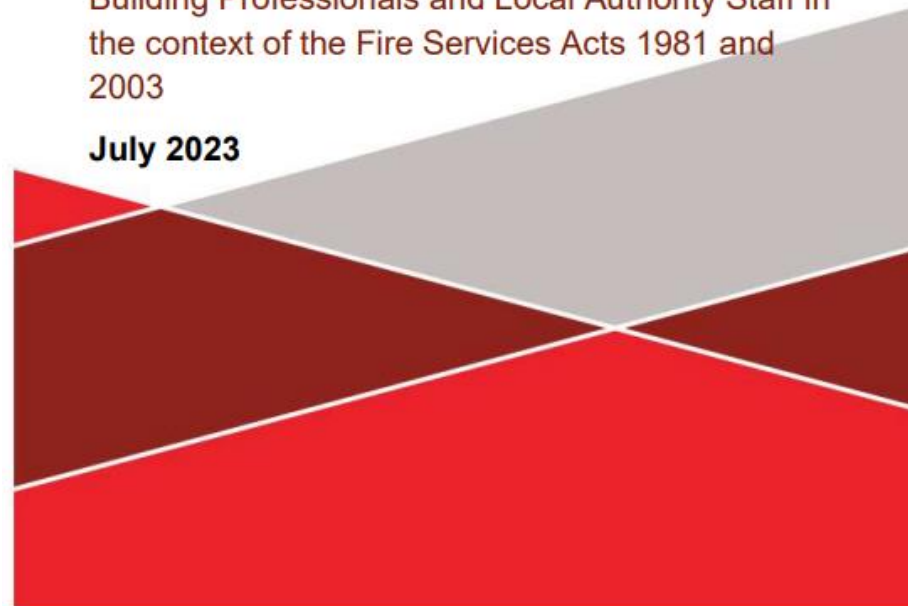


An Státhóireacht Náisiúnta um Dóiteán agus Banníocht Éigeandála
National Directorate for Fire & Emergency Management

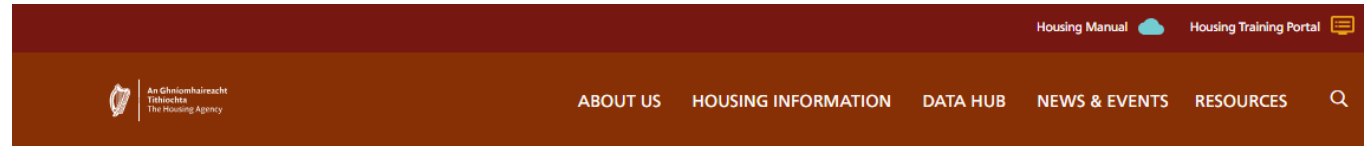
Code of Practice for the Remediation of Fire Safety Defects

Guidance for Owners' Management Companies,
Building Professionals and Local Authority Staff in
the context of the Fire Services Acts 1981 and
2003

July 2023



Remediation



● YOU ARE HERE : [Home](#) > [Remediation of Defects in Apartments and Duplexes](#)

Remediation of Defects in Apartments and Duplexes



The Government has announced plans to draft legislation to support the remediation of apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013.

Below are resources for people affected by the issue:

[Remediation of Defects in Apartments and Duplexes – Frequently Asked Questions](#)

[Remediation of Defects in Apartments and Duplexes – Expressions of Interest](#)

[Code of Practice for the Remediation of Fire Safety Defects](#)

<https://www.housingagency.ie/remediation-defects-apartments-and-duplexes>

Remediation – Eol Portal



Expression of Interest - Defective Apartments and Duplexes (1991-2013)

Expression of Interest - Description

There are two pages to be completed in this Expression of Interest.

The option is available to save a part-completed Expression of Interest and to return and complete it at a later point in time.

About this Expression of Interest Form - Conditions of Use

The purpose of this Expression of Interest is to serve as a knowledge base, allowing owners' management companies (OMCs) to input information on their developments.

Affected OMCs are invited to indicate their potential interest in a future scheme to support the remediation of apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013.

A timeframe for implementation of the scheme will depend on legislation, the enactment of which is subject to the legislative process. Further information is available in the announcement of 18 January 2023 issued by the Department of Housing, Local Government and Heritage ("the Department"). The announcement is available at-
<https://www.gov.ie/en/press-release/b6817-government-approves-establishment-of-defects-scheme-for-apartments-and-duplexes/>

In addition, the Department has issued an information document "Proposed Approach to Support Remediation of Defects in Apartments and Duplexes - Your Questions Answered", available at-
<https://www.gov.ie/en/publication/1ad1e-proposed-approach-to-support-remediation-of-defects-in-apartments-and-duplexes-your-questions-answered/>

Remediation – Eol Portal



Expression of Interest - Defective Apartments and Duplexes (1991-2013)

1/2  50%

Expression of Interest

Fields marked with an asterisk (*) are mandatory. Non-completion prevents an Expression.

- * 1. Owners' Management Company Name
(Please ensure the correct form of the company's name. Company names may be checked on the Companies Online Registration Environment <https://core.cro.ie/>)

2. Owners' Management Company Registration Office (CRO) Number
(CRO Numbers are available from the Companies Online Registration Environment <https://core.cro.ie/>)

3.
* Contact First Name * Contact Last Name

Programme Manager Appointed



An Ghníomhaireacht
Tithíochta
The Housing Agency

Programme Manager (Engineer Grade I)

The Housing Agency is a government body working with the Department of Housing, Local Government and Heritage, Local Authorities and Approved Housing Bodies (AHBs) in the delivery of housing and housing services.

The Agency's vision is to achieve an integrated housing system, meeting the nation's housing needs and promoting sustainable communities. It does this by providing evidence-based housing insights and data that inform thinking and policy making; by working with others to enable the delivery of housing solutions and implement programmes and actions in Government housing policy; and by equipping itself and its stakeholders with the capacity required to respond quickly and effectively to challenges in the housing system.

The Agency's work to deliver sustainable and affordable housing for all is framed under three broad themes:

- Being a centre for housing knowledge;
- Bridging housing supply and demand; and

Eoi Portal – Webinar 13/11/23



YouTube housing agency



Expression of Interest – Defective Apartments and Duplexes (1991-2013)

Streamlining EOI Portal Engagement – A Webinar Preview

Presented by Martin J Hemon

13th November 2023



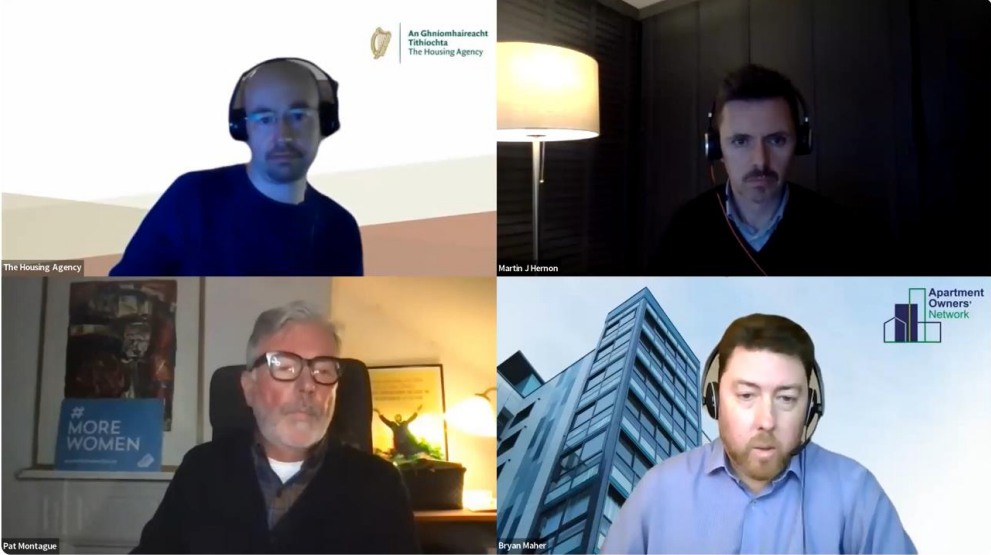
The Housing Agency

Apartment Defects - Expressions of Interest Portal Explainer

The Housing Agency 379 subscribers

0 Like 0 Comment Share Save

YouTube housing agency



Apartment Defects - Expressions of Interest Portal Explainer

The Housing Agency 380 subscribers

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<https://www.youtube.com/watch?v=0RmTsffgRLg>

Remediation – Legislation



Roinn an Taoisigh
Department of the Taoiseach

Government Legislation Programme Autumn Session 2023

All Other Legislation – Autumn Session 2023

Title of Bill	Purpose of Bill	Status of Bill
<u>Department of Housing, Local Government and Heritage</u>		
Remediation of Defects in Apartments and Duplexes Bill	To provide for the establishment of a remediation scheme for apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013.	Work is underway.

<https://www.gov.ie/en/press-release/638e3-minister-hildegard-naughton-publishes-autumn-legislative-programme-with-51-priority-bills-due-for-progression/>

Defects – Budget 2024



gov.ie

[Departments](#)

[Consultations](#)

[Publications](#)

Press release

Department of Housing, Local Government and Heritage unprecedented budget package of near €7bn announced

- Funding of **€70 million** will be made available in 2024 for those impacted by **construction defects**. Details on emergency interim funding measures for those impacted by apartment defects will be available from November.

Fire Safety Guidance



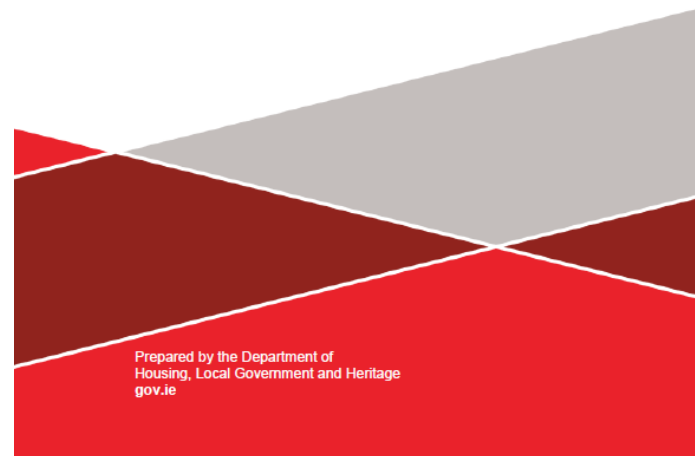
Rialtas na hÉireann
Government of Ireland



Fire Safety Guide for Building Owners and Operators

Guide for persons having control under
Section 18(2) of the Fire Services Acts 1981
and 2003

August 2023



<https://www.gov.ie/en/publication/c0b05-fire-safety-guide-for-building-owners-and-operators/>

Fire Safety Guidance



Collection

Fire safety: Responsibility and guidance documents

From [Department of Housing, Local Government and Heritage](#)
Published on 24 December 2020
Last updated on 17 August 2023

- [Fire safety Guide for Building Owners and Operators](#)
- [Code of Practice for Fire Safety Assessment of Premises and Buildings](#)
- [Fire Safety Guidance Note 01 2017 - Assessing existing cladding systems in buildings of more than six storeys, or more than 18m in height](#)
- [Code of Practice for Fire Safety in New and Existing Community Dwelling Houses](#)
- [Guide to Fire Safety in Existing Traveller Accommodation](#)
- [Fire Safety in Gaeltacht Households Accommodating Foghlaimeoiri Gaeilge](#)
- [Guide to Works and Development Consents for Repairing Infrastructure Damaged in Storms or other Emergency Events](#)
- [A Guide to Flood Emergencies](#)
- [Senior Officer Handbook](#)

Part of
Policies
[Local Government](#)



Framework for
Enhancing Fire Safety in
Dwellings where concerns
arise

<https://www.gov.ie/en/collection/89fe3-fire-safety-responsibility-and-guidance-documents/>

<https://www.gov.ie/en/publication/2d9a3-framework-for-enhancing-fire-safety-in-dwellings-where-concerns-arise/>

Rental Standards



Guide for Approved Housing Bodies on Minimum Standards for Rented Residential Accommodation

By law, Approved Housing Bodies must ensure that their rented properties provide tenants with a safe and healthy environment to live in and comply with the Minimum Standards. Local Authorities are responsible for the enforcement of the regulations. If your property does not comply with these Minimum Standards, as a landlord, you could be prosecuted. New standards came into effect on 1st July 2017 and the information below summarises the Minimum Standards and highlights the new obligations for landlords. For further details contact your local authority.



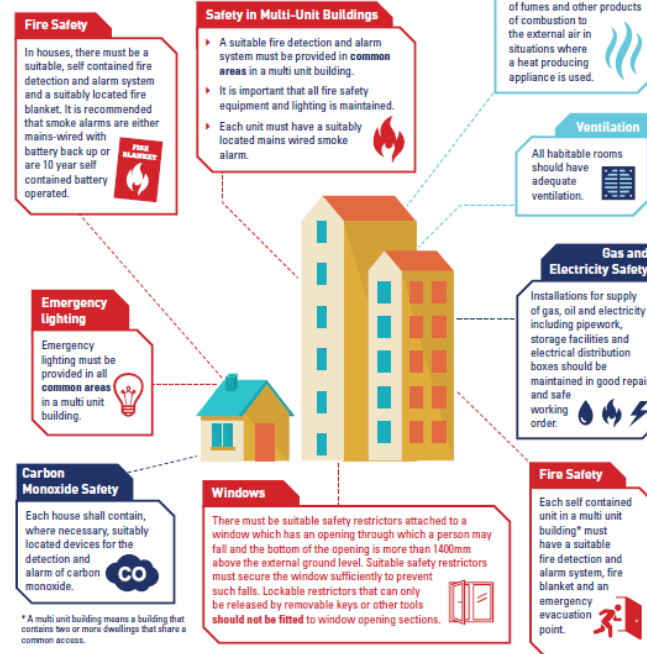
Source: SI No 17 of 2017 Housing (Standards for Rented Houses) Regulations 2017



V2 2022

Safety Information Guide for Approved Housing Bodies

It is very important that AHB landlords are aware of their responsibilities for safety, in particular on fire safety. The guide below describes the safety requirements from the Housing (Standards for Rented Houses) Regulations 2017. AHB landlords must also comply with the Fire Service Acts (1981 and 2003) and should refer to the guidance document 'Guide to Fire Safety in Flats, Bedsitters and Apartments'.



V2 2022

<https://www.gov.ie/en/publication/2c979-guidelines-for-housing-authorities-minimum-standards-in-rented-accommodation/>

LAs, AHBs & OMCs – The Future?




ETENDERS Close

FCC/009/23 - Panel to engage as Directors on Owner Management Companies (OMC's) on behalf of Housing Department Fingal County Council

Close

⚠ The RFT has ended, you cannot answer the invitation.



General information ▾

Detailed description: Type of contract: Services Response deadline (Irish time): 04/05/2023 12:00:00 CPV codes: 75200000-8 Provision of services to the community 98130000-3 Miscellaneous membership organisations services 98133100-5 Civic betterment and community facility support services	Contracting authority: Fingal County Council Main Street Dublin Swords Ireland View profile Contact: Joan Brosnan http://www.fingal.ie
--	--

Published notices

Notice	Date of dispatch
Contract Notice (eTenders)	03/04/2023 11:30

Panel to engage as Directors on Owner Management Companies (OMC's) on behalf of Housing Department Fingal County Council ▾

Lots

- Panel to engage as Directors on Owner Management Companies (OMC's) on behalf of Housing Department Fingal County Council

Additional information:

- [Documents](#)

LAs, AHBs & OMCs – The Future?



National OMC Co-ordinator

📍 County Dublin, Leinster

🏢 [Respond! Housing Association \(View profile\)](#)

🕒 Permanent

Expired



✉ Create alert

Apply

☆ Save

We are currently seeking a suitably qualified individual to lead and coordinate and manage our work with Owner Management Companies (OMCs). This role will be central to our effective engagement with OMCs and will involve both a hands-on approach as well as a mentoring role to ensure knowledge and expertise are disseminated throughout the organisation. Respond are committed to ensuring that the people who live in our homes are at the centre of what we do and receive an excellent service as tenants. Our proactive engagement with OMCs is central to this as we deliver an increasing number of Multi-unit developments.

Owners – AHBs & OMCs



219



36



189



20



c.150



45

IRES REIT: 31 OMCs



24. Related Party Transactions (continued)

Owners' management companies not consolidated

As a result of the acquisition by the Group of apartments or commercial space in certain residential rental properties, the Group holds voting rights in the relevant owners' management companies associated with those developments. Where the Group holds the majority of those voting rights, this entitles it, inter alia, to control the composition of such owners' management companies' boards of directors. However, as each of those owners' management companies is incorporated as a company limited by guarantee for the purpose of owning the common areas in residential or mixed-use developments, they are not intended to be traded for gains. I-RES does not consider these owners' management companies to be material for consolidation as the total assets of the owners' management companies is less than 1% of the Group's total assets. I-RES has considered the latest available financial statements of these owners' management companies in making this assessment.

Owners' Management Entity	Registered Official Address	Development Managed	Percentage of Voting Rights Held % of total ⁽¹⁾	Service Fees Incurred in the Period	Payable by I-RES €'000	Prepaid by I-RES €'000
Majority voting rights held						
Priorsgate Estate Owners' Management Company Limited by Guarantee	5 th Floor, St Stephens Green Earlsfort Terrace, Dublin 2	Priorsgate	52.4	232.6	—	—
GC Square (Residential) Owners' Management Company Limited by Guarantee	5 th Floor, St Stephens Green Earlsfort Terrace, Dublin 2	The Marker Residences	81.0	301.4	—	—
Lansdowne Valley Owners' Management Company Limited by Guarantee	5 th Floor, St Stephens Green Earlsfort Terrace, Dublin 2	Lansdowne Gate	78.6	675.4	—	329.7
Charlestown Apartments Owners' Management Company Limited by Guarantee	Unit 48 Lazer Lane, Grand Canal Square, Dublin 2	Charlestown	82.5	587.3	—	49.8
Bakers Yard Owners' Management Company Limited by Guarantee	Ulysses House Foley Street Dublin 1	Bakers Yard	66.2	196.5	—	—
Rockbrook Grande Central Owners' Management Company Limited by Guarantee	5 th Floor, St Stephens Green Earlsfort Terrace, Dublin 2	Grande Central	73.5	377.6	—	—
Rockbrook South Central Owners' Management Company Limited by Guarantee	5 th Floor, St Stephens Green Earlsfort Terrace, Dublin 2	South Central	80.0	608.4	—	—

24. Related Party Transactions (continued)

Owners' Management Entity	Registered Official Address	Development Managed	Percentage of Voting Rights Held % of total ⁽¹⁾	Service Fees Incurred in the Period	Payable by I-RES €'000	Prepaid by I-RES €'000
Majority voting rights held						
Rockbrook Estate Management Company Limited by Guarantee	5 th Floor, St Stephens Green Earlsfort Terrace, Dublin 2	Rockbrook Commercial	92.9(2)	30.3	—	—
TC West Estate Management Company Limited by Guarantee	Charter House, 5 Pembroke Row, Dublin 2 D02 FW61	Tallaght Commercial	75.0	241.8	—	—
TC West Residential Owners' Management Company Limited by Guarantee	Charter House, 5 Pembroke Row, Dublin 2 D02 FW62	Tallaght Residential	87.2	1,063.6	—	—
Gloucester Maple Owners' Management Company Limited by Guarantee	Ti Phuirseil Freeport, Barna, Galway H91 W90P	City Square	89.3	29.3	—	29.3
Elmpark Green Residential Owners' Management Company Limited by Guarantee	2 Lansdowne, Shelbourne Ballsbridge Dublin 4	Elmpark Green	60.5	527.9	—	133.4
Coldcut Owners' Management Company Limited by Guarantee	c/o Brehan Capital Partners Limited, 2nd Floor, Guild House, Guild Street Dublin 1	Coldcut Park	97.7	229.2	—	—
Time Place Property Management Company Limited by Guarantee	RF Property Management Ground Floor Ulysses House 23/24 Foley Street, Dublin 1, D01 W2T2	Time Place Dublin 18	74.4	158.0	—	—
Burnell Green Management Company Limited by Guarantee	City Junction Business Park, Northern Cross, Malahide Road Dublin 17	Burnell Green Northern Cross Dublin 17	93.2	219.7	—	—
Ashbrook Management Company Limited by Guarantee	Unit 12, The Seapoint Building, 44/45 Clontarf Road, Dublin 3	Ashbrook	56.3	200.5	—	—
Oak Lodge Management Company Limited by Guarantee	Burton Hall Drive, Sandyford, Dublin 18	Tara View	98.5	—	—	—

2018: Fire Safety Task Force



Task Force – Recommendation



The issues in relation to fire safety in apartment buildings may reflect a broader problem in relation to funding of apartment management companies, where there may be significant levels of non-payment of service charges. Without the funding streams from their service charges, Owner Management Companies may be severely limited in their capacity to maintain existing fire protection facilities, let alone to review or tackle other fire safety issues.

Recommendations:

Efficient and timely recovery of service charges in apartment blocks needs to be facilitated, so that funding is available to maintain, enhance and replace fire protection facilities.

2019: OMC Research



Recommendations



Recommendations

The 14 recommendations from this research refer to:

-  1. Improving sinking funds provision and reporting
-  2. Fire safety reporting and certification
-  3. Establishment of Housing Regulatory Authority
-  4. Dispute resolution and Regulatory Authority Tribunal
-  5. Regulatory Authority Building Inspectors
-  6. OMC annual return filing
-  7. Lease covenant and House Rules enforcement

-  8. OMC director mandatory training
-  9. Enhancing OMC communications with owners
-  10. Enabling OMC borrowing
-  11. Regulatory Authority and mixed use schemes
-  12. OMCs engaging licensed management agents
-  13. Enhanced insurance cover and reporting
-  14. Removal of OMC audit exemption, and financial reporting standardisation

2021: Housing for All



Housing Policy Objective 25:

Drive compliance and standards through regulatory reform

No.		Timeline	Lead
25.10	Regulate under subsection 17 of section 18 of the Multi-Unit Developments Act 2011 ('MUD Act') to ensure that OMCs are financially sustainable	Q4 2022	DoJ
25.11	Regulate under subsection 9 of section 19 of the MUD Act to ensure that OMCs provide for expenditure of a non-recurring nature (i.e. sinking fund expenditure)	Q4 2022	DoJ
25.12	Examine the introduction of a non-statutory dispute resolution process	Q4 2022	DoJ
25.13	Examine measures to accelerate conveyancing as part of the sale and land transfer process	Q4 2022	DoJ

2022: Department of Justice

Justice Plan 2022



OBJECTIVES & 2022 ACTIONS	DELIVERY DATE	ACTION OWNER
81 Review and reform role of Peace Commissioners 81.1 Submit reform proposals with implementation plan to Minister for approval	Q4	Criminal Justice Service Delivery
82 Progress and implement Housing for All actions 82.1 Regulate under subsection (17) of section 18 of the MultiUnit Developments Act 2011 ('MUD Act') to ensure that OMCs are financially sustainable 82.2 Regulate under subsection (9) of section 19 of the MUD Act to ensure that OMCs provide for expenditure of a non-recurring nature (i.e. sinking fund expenditure), and examine the introduction of a non-statutory dispute resolution process	Q4	Civil Justice Legislation Civil Justice Legislation Civil Justice Policy Civil Justice Policy
82.3 Examine measures to accelerate conveyancing as part of the sale and land transfer process 82.4 Examine the potential extension of the role of estate agents to include an initial inspection of rental property to the extent possible 82.5 Establish a new Division of the High Court dealing with planning and environmental issues		Civil Justice Governance Civil Justice Legislation

MUD Act – PQs 14/11/23



[Ivana Bacik](#)

Ivana Bacik

Question:

270. Deputy Ivana Bacik asked the **Minister for Housing, Local Government and Heritage** if he has made representations to the Minister for Justice in respect of moving responsibility for the regulation of multi-unit developments and related legislation from the Department of Justice to his Department. [49842/23]

[View answer](#)



[Ivana Bacik](#)

Ivana Bacik

Question:

272. Deputy Ivana Bacik asked the **Minister for Housing, Local Government and Heritage** if he will provide an update on his Department's work in relation to a review of the Multi-Unit Developments Act 2011; and if he will report on his representations to the Minister for Justice in respect of same. [49845/23]

[View answer](#)



[Minister for Housing, Local Government and Heritage](#)

I propose to take Questions Nos. 270 and 272 together.

The Multi-Unit Developments Act 2011 (the MUDs Act) was enacted with the primary purposes of reforming the law on the ownership and management of common areas of multi-unit developments, and facilitating the fair, efficient and effective management of owners' management companies (OMCs). Well-functioning OMCs are key to maintaining and sustaining higher-density residential developments, such as apartments.

The Programme for Government contains a commitment to conduct a review of the MUDs Act to ensure that it is fit for purpose, and that it acts in the best interests of residents.

The Minister for Justice has responsibility for the MUDs Act since its preparation and enactment. Therefore the review of the legislation is the responsibility in the first instance for her Department. My Department is contributing to this review given our role with regard to housing policy. Both Departments are currently engaging constructively in relation to the review.

I have brought forward important initiatives in relation to multi-unit developments in recent months. These include the remediation scheme which I announced earlier this year, and which will provide support for the remediation of apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013. My Department also published, in July 2023, a Code of Practice for remediation of such defects, to ensure a consistent approach nationwide to remediation, which will allow stakeholders such as OMCs and industry to align their work with its provisions.

Furthermore, my Department is also currently working with the Housing Agency on advice and guidance on the steps OMCs should take when carrying out such safety works. This includes funding mechanisms for interim fire safety measures in extreme cases, and I hope to be in a position to publish more details on these shortly. Work is also advancing in my Department with regard to drafting the necessary legislation to underpin the scheme.

My Department has had discussions with the Department of Justice regarding where responsibility for the regulation of the sector should reside. This is a matter which I expect will be addressed further in the Department of Justice review.

<https://www.oireachtas.ie/en/debates/question/2023-11-14/270/>

MUD Act – PQs 14/11/23



Ivana Bacik

← Ivana Bacik

Question:

271. Deputy Ivana Bacik asked the **Minister for Housing, Local Government and Heritage** if he is satisfied by the rate of implementation of the Housing for All plan in respect of putting in place regulations under sections 18 and 19 of the Multi-Units Development Act 2011; and the reason for the delay in putting such regulations in place. [49843/23]

[View answer](#)

Written answers



Minister for
Housing,
Local
Government
and Heritage

← The Multi-Unit Developments Act 2011 ('the MUDs Act') was enacted with the primary purposes of reforming the law on the ownership and management of common areas of multi-unit developments, and facilitating the fair, efficient and effective management of owners' management companies (OMCs). Well-functioning OMCs are key to maintaining and sustaining higher-density residential developments, such as apartments.

The Government's housing plan, *Housing for All - a New Housing Plan for Ireland*, provides for Regulations to be made under the MUDs Act relating to the:

- management of annual service charges by OMCs (section 18 of the MUDs Act); and
- expenditure incurred of a non-recurring nature by OMCs (i.e. 'sinking fund' expenditure- section 19).

The Minister for Justice has had responsibility for the Multi-Unit Developments Act 2011 since its preparation and enactment. Therefore responsibility for putting in place any regulations under that Act lies with my colleague the Minister for Justice.

My understanding is that given my Department's role with regard to housing policy matters, the Department of Justice has sought observations on draft regulations. This should help guide the review and finalisation of the draft Regulations by that Department in the near future.

<https://www.oireachtas.ie/en/debates/question/2023-11-14/271/>

MUD Act – PQs 14/11/23



Ivana Bacik

← Ivana Bacik

Question:

313. Deputy Ivana Bacik asked the Minister for Justice her plans to create a register of owner management companies (OMCs) detailing information, such as the size of the development they oversee; and if she will make a statement on the adequacy of existing data on OMCs. [49841/23]



Minister for Justice

↗ The Multi-Unit Developments Act 2011 was enacted with the primary purposes of reforming the law relating to the ownership and management of common areas of multi-unit developments, and facilitating the fair, efficient and effective management of owners' management companies (OMCs). Well-functioning OMCs are key to maintaining and sustaining higher-density residential developments, such as apartments.

Section 8 of the MUDs Act provides that whenever ownership of a residential unit in a multi-unit development is sold or assigned, membership of the relevant OMC must automatically transfer to the purchaser. Following such a change of ownership, the OMC must ensure that the register of members is updated and complies with other relevant requirements under the Companies Acts.

The Companies Act 2014 ('the 2014 Act') requires that a company must keep a register of its members, and prescribes what must be entered in the register, including particulars such as the names and addresses of members. The 2014 Act also provides that a register of members is a public document and be made available by the company for inspection by any member of the company, and, subject to conditions including the payment of a small fee, for inspection by any other person. An OMC members' register is therefore publicly available.

The work of my Department in relation to the MUDs Act and OMCs is guided by that of the Department for Housing, Local Government and Heritage, in view of its central role in this area. In that regard, I understand that there are no plans at present to establish a register of OMCs beyond what is currently provided for under a 'Register of OMC Members' in accordance with the Companies Acts. However, my Department continues to constructively engage with that Department to ensure the efficient and effective management of OMCs, as provided for under the MUDs Act.

<https://www.oireachtas.ie/en/debates/question/2023-11-14/313/>

MUD Act – PQs 14/11/23



344. **Deputy Ivana Bacik** asked the **Minister for Justice** if she will make a statement on the appropriateness of responsibility for the regulation of multi-unit developments and related legislation resting with her Department; and if she has made representations to the Minister for Housing, Local Government and Heritage in respect of transferring responsibility for same to his Department. [49840/23]



**Minister for
Justice**



The Multi-Unit Developments Act 2011 ('MUDs Act') was enacted with the primary purposes of reforming the law relating to the ownership and management of common areas of multi-unit developments, and facilitating the fair, efficient and effective management of owners' management companies (OMCs).

My Department has had responsibility for the MUDs Act since its preparation and enactment. However, as the policy-holder in matters of housing policy is the Department of Housing, Local Government and Heritage, my Department is guided by that Department as regards policy in this field.

My Department continues to constructively engage with that Department to ensure the effective implementation and review of the MUDs Act.

<https://www.oireachtas.ie/en/debates/question/2023-11-14/344/>

MUD Act – PQs 14/11/23



345. **Deputy Ivana Bacik** asked the **Minister for Justice** the reason for the delay in providing for regulations under the section 18 and 19 of the Multi-Units Development Act 2011. [49844/23]

➤ The Multi-Unit Developments Act 2011 was enacted with the primary purposes of reforming the law relating to the ownership and management of common areas of multi-unit developments, and facilitating the fair, efficient and effective management of owners' management companies (OMCs). Well-functioning OMCs are key to maintaining and sustaining higher-density residential developments, such as apartments. The Programme for Government contains a commitment to conduct a review of the existing management company legislation, to ensure that it is fit for purpose, and that it acts in the best interests of residents. This is referring to the Multi-Unit Developments Act 2011. Housing for All also provides for Regulations to be made under the MUDs Act relating to the:

- management of annual service charges by OMCs; and
- expenditure incurred of a non-recurring nature by OMCs (i.e. 'sinking fund' expenditure).

The work of my Department in relation to multi-unit developments is guided by that of the Department for Housing, Local Government and Heritage, in view of its central role in this area. The importance of policy input from that Department is underlined by a number of important initiatives in relation to multi-unit developments that have been brought forward in recent months by the Minister for Housing, Local Government and Heritage. These include the remediation scheme, which Minister O'Brien announced earlier this year, and which will provide support for the remediation of apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013. The Department of Housing, Local Government and Heritage also published in July this year a Code of Practice for remediation of such defects to ensure a consistent approach nationwide to remediation, which will allow stakeholders such as OMCs and industry to align their work with its provisions. The Department for Housing, Local Government and Heritage is also currently working with the Housing Agency on advice and guidance on the steps OMCs should take when carrying out such safety works. This includes funding mechanisms for interim fire safety measures in extreme cases, and the Minister for Housing, Local Government and Heritage recently indicated in the Dáil that he expects the interim scheme to be open for applications by the end of this month. The Minister also expects the draft legislation required to underpin the scheme to be published next year, and subject to the legislative process, the statutory scheme will be in place shortly thereafter. It is important that the review of the Multi-Unit Developments Act 2011, and the drafting of any Regulations under the Act, would be informed by these key ongoing and priority developments, and as such it is not possible to say when the Review and associated Regulations will be published.

<https://www.oireachtas.ie/en/debates/question/2023-11-14/345/>

Housing Agency Resources



● YOU ARE HERE: [The Housing Agency](#) > [Housing Information](#) > [Home Ownership](#) > [Multi-Unit Developments / Managed Estates](#)

Multi-Unit Developments / Managed Estates



Ireland's population is increasing however our household sizes are getting smaller. We have an increasingly diverse and mobile population mix. There are trends towards city-centre living.

These and other factors mean that apartments and managed estates are playing an increasingly important role in meeting the country's housing needs. Not everyone understands the collective structures and shared services that go with managed estates, or multi-unit developments.

Here we provide a resource for people living in multi-unit developments. This includes some useful links, FAQs, complaints procedures, and the legal system in place for owners' management companies and multi-unit developments.

In addition, our YouTube channel hosts recordings of training webinars for stakeholders in MUDs and OMCs.

∞ [USEFUL LINKS](#)

📄 [FAQS](#)

Housing Agency Resources



An Ghníomhaireacht
Títhíochta
The Housing Agency

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FAQs

- > [I'm not happy with the upkeep of the estate – what do I do?](#)
- > [What is the difference between the OMC and the property management agent?](#)
- > [What is the Multi-Unit Developments Act?](#)
- > [As an owner, where do I obtain information to understand my management fee?](#)
- > [Why should I pay my management fee?](#)
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Apartments/MUDs Webinars – 18



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Energy Saving for Multi-Unit Developments
4 October 2023

Information and Guidance Webinars for Multi-Unit Developments /...

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 - Launch of Owners' Management Companies A Concise Guide for Directors**
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25 April – Governance & Legal



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MUDs Training Sessions – 6

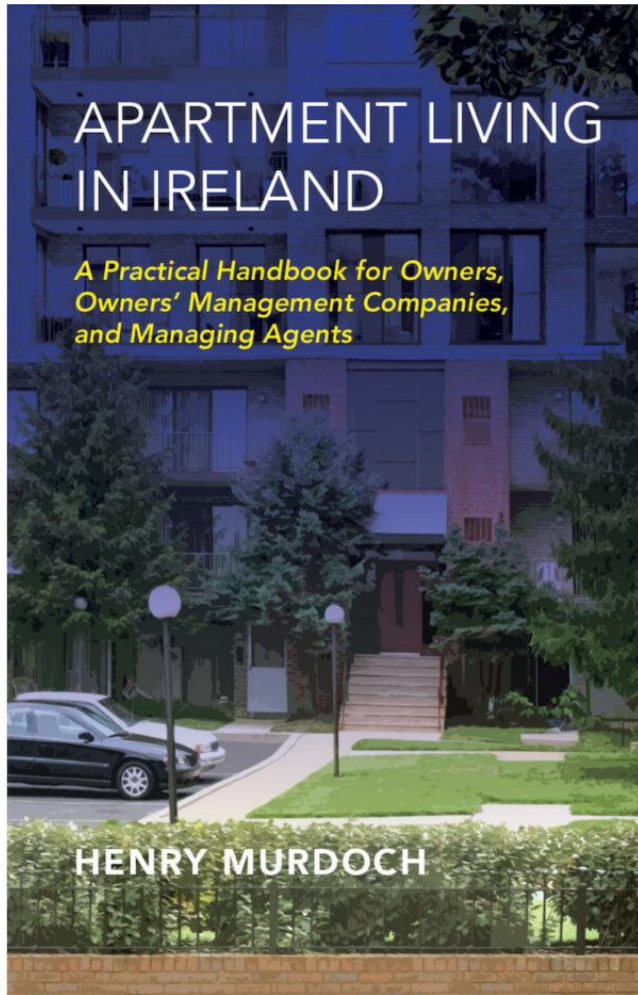


The screenshot shows a YouTube channel page for 'The Housing Agency'. The main video player displays 'The Multi-Unit Developments Act 2011' with a duration of 1:20:58. Below the player are controls for 'Play all' and 'Shuffle'. To the right, a list of six training sessions is shown, each with a thumbnail, title, and duration.

Session Number	Session Title	Duration
1	Session 1: The Multi Unit Developments Act 2011	1:20:58
2	Session 2: Service Charges & Debt Collection	1:15:29
3	Session 3: MUD Financial Management & OMC Accounts	1:15:33
4	Session 4: Company Law for OMCs	1:14:26
5	Session 5: Role of the Management Agent & the PSRA	1:13:47
6	Session 6: Sinking Funds	1:14:49

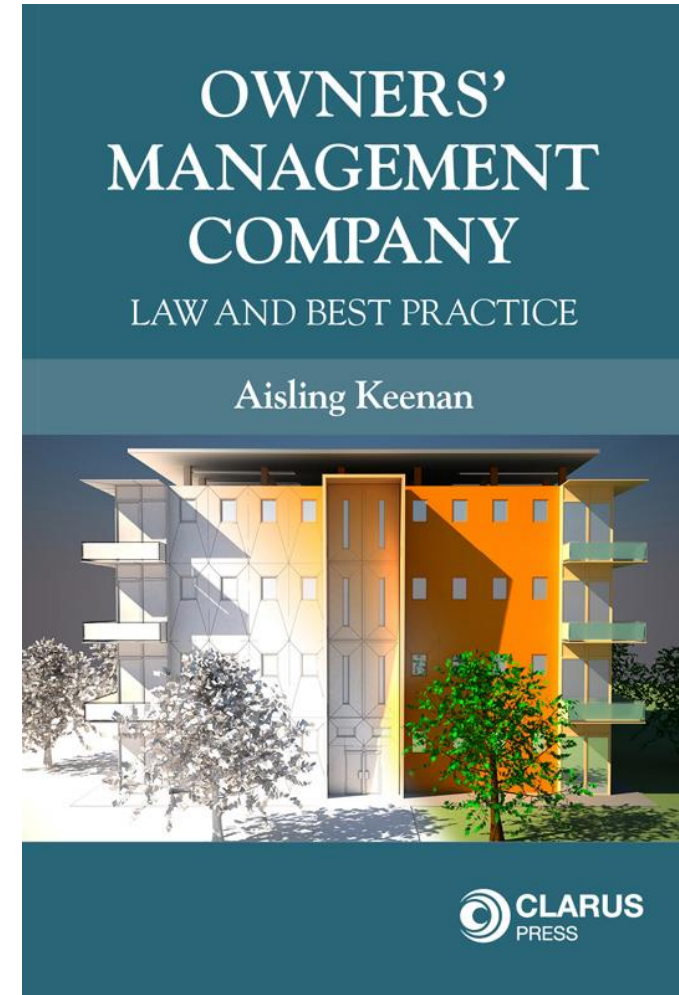
<https://www.youtube.com/c/HousingAgencyIE/videos>

Reading



An Ghníomhaireacht
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**OWNERS'
MANAGEMENT
COMPANIES**
A CONCISE GUIDE
FOR DIRECTORS



Engaging an Agent



Engaging a Property Management Agent: Guidance for Owners' Management Companies



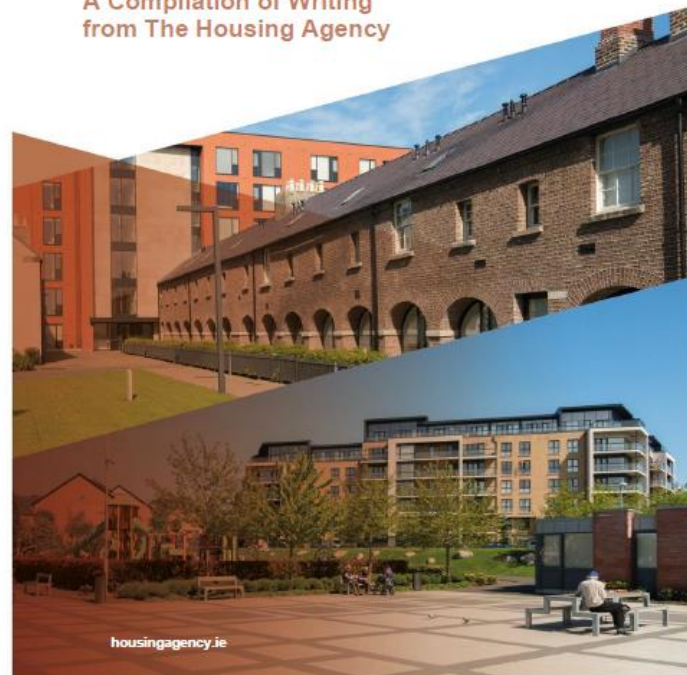
<https://www.housingagency.ie/publications/engaging-property-management-agent-guidance-owners-management-companies>

Compilation of Writing



Multi-Unit Developments & Owners' Management Companies

A Compilation of Writing
from The Housing Agency



<https://www.housingagency.ie/publications/multi-unit-developments-owners-management-companies-compilation-writing-housing-agency>

MUDs Workshop – LAs / AHBs



Outreach Events – 2022



Outreach Events 2023 / 2024



An Ghníomhaireacht
Tithíochta
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Outreach Events for Stakeholders in Multi-Unit Developments

Tuesday, 10 October	Talbot Hotel, Stillorgan
Thursday, 12 October	Carlton Hotel, Blanchardstown
Tuesday, 24 October	South Court Hotel, Limerick
Tuesday, 7 November	Clayton Hotel, Galway
Tuesday, 14 November	Cork International Hotel, Cork Airport

Events start at 7pm. Attendance is free of charge but registration in advance is required.
To register and for more information visit www.housingagency.ie/news-and-events

Coming Soon



Multi-Unit Developments -
A Guide to Insurance



Contact



MUD@housingagency.ie

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