

Ken MacDonald
MIPAV (CV)
reflects on
50 Years in
the property
business...



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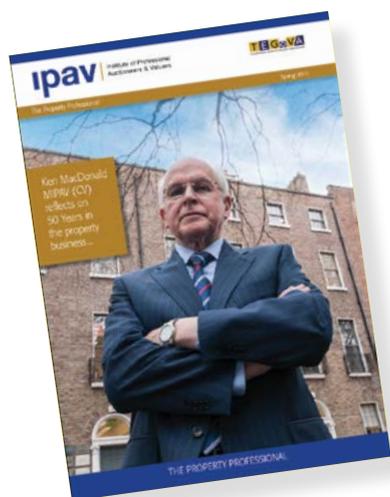


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Message from the CEO

Dear Member
Welcome to the Spring 2015 issue of the *Property Professional* magazine.

Already we are well into the month of April and our AGM and Annual Conference are fast approaching. This year our venue is the magnificent Carton House in Maynooth, Co. Kildare which is very convenient, being located close to the M4. We have changed the format slightly and are confining it to just one day, Saturday, June 20. The AGM will take place in the morning, followed by our Annual Conference in the afternoon and our Gala Black Tie Dinner in the evening. Full details are contained in this issue and booking forms etc will be sent to by post over the next few weeks. The AGM and Annual Conference are two of our key events in our annual calendar and I hope as many members as possible will take the time to come for some, or all, of the day.

In this issue we feature an interview with well-known Dublin estate agent Ken MacDonald of Hooke and McDonald. Ken is a remarkable man, to this day he is at his office desk by 6.30am every morning. This interview looks back over his past 50 years in the property business. Hooke and McDonald recently joined IPAV as a member firm and Ken also brought in three of his directors as members. We are delighted to welcome Ken and members of his team aboard and we look forward to drawing on his vast knowledge and experience in the future.

In our member profile, we also feature Clonmel agent John FitzGerald who formed an alliance with an agent from an opposing political background to set up a successful practice in the busy South Tipperary capital.

In early March we were also delighted to host a small reception to congratulate Ireland's new European Commissioner Mr. Phil Hogan who is an honorary member of IPAV. We had a useful exchange of views with the Commissioner and we look forward to staying in touch with him during his term of office.

As many of you will be aware, IPAV made a presentation to the Joint Oireachtas Committee on Justice, Defence & Equality on the issue of eConveyancing and a summary is given on pages 4 and 5.

Our guest property writers Donal Buckley and Tommy Barker have again penned articles of interests for this issue and we also feature various news items of interest to auctioneers and estate agents.

Finally, Wednesday 28 February was a sad day for all of us in the office when we bid farewell to our Office Manager Laura Raleigh. For the past 27 years Laura was for many members and others the public face and voice of IPAV and it will take us all some time to get used to not having her around. I wish Laura many years of happy retirement.

I look forward to meeting you in Maynooth on 20 June.

Patrick Davitt
CEO

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President's Message

Dear Member

It is hard to believe that there are only a few short months left during my term of office which seems to have flown by very quickly. Indeed it seems only yesterday when I was elected as IPAV President on Saturday, May 10 at our 2014 Conference in Rossnowlagh.

However, looking back over the intervening months, quite a lot has happened in our Institute particularly in regard to education and an organising our new REV courses. It's been a team effort and I would like to place on record my ongoing thanks to our CEO, our Vice-Presidents and our National Council for all their support in our many initiatives.

In my address to members after my election in 2014 I outlined a number of priorities I had set myself. Chief among these was to try to reduce the seemingly needless delays in our conveyancing system which is causing so much frustration, particularly to young buyers. Much of the blame I said at the time lay in the reluctance of many solicitors to embrace modern means of communication, notably email and, in some cases, even the telephone. Instead a common answer seems to be: "I'll write to them". As a result endless and unnecessary delays ensue.

Recently, as you will be aware, IPAV conducted its own survey among members in relation to this matter and details are contained elsewhere in this magazine. In addition, I was privileged, along with our CEO Pat Davitt, to make a short presentation to the Joint Oireachtas Committee on Justice, Defence & Equality on the morning of Wednesday, March 11 where we were given a very good hearing, particularly by the Committee Chairman, Deputy David Stanton who has taken a personal interest in this matter.

Among the key findings of our survey of over 200 members was that 70 per cent of agents attribute unwarranted delays in conveyancing to an unwillingness by solicitors to do business via email or the telephone. As a result of this problem, almost seven out of 10 members said they had lost sales. This is a very serious finding and one which I, as President, intend to address.

It has to be said, of course, that not all solicitors are guilty of these delays and many are very efficient. However, it is clear that far too many adapt an approach to conveyancing that is totally inappropriate and unsuited to the modern era.

I am delighted to report, that as a result of our efforts, I can report some progress. On March 24 we had our first meeting with the Incorporated Law Society of Ireland and this proved very constructive and worthwhile. In addition, the Chairman of the Joint Oireachtas Committee is to write to the Minister for Justice & Equality to see if legislative change is necessary to advance electronic conveyancing. He is also to seek an update from the Property Services Regulatory Authority in relation to this matter.

Only by working together with the Incorporated Law Society, the Department of Justice and other relevant bodies can we make progress in this issue which I feel is vital if we are to move the property industry into the modern era and put it at the cutting edge of efficiency and innovation going forward. Through our membership of the Confederation of European Estate Agents we see how conveyancing is carried out differently in many other countries throughout Europe and beyond. There is no reason whatsoever why Ireland should be lagging behind on this issue.

There were, of course, a number of other findings from our recent survey and I would urge all members to take the time to read the survey in full which is available on our website and to feel free to give their reaction to any issue raised in it. Surveys of members are a very real and practical way of keeping on touch with members and of finding out the day-to-day issues which affect them.

On another matter, I was delighted to be present recently on March 6 when it was my honour to present our new Irish Commissioner in Brussels Phil Hogan with a small token to mark his appointment. Commissioner Hogan is a former IPAV member and was given Honorary life Membership in 2009. It is a great achievement for IPAV to have a member appointed to such a prestigious post and we wish Commissioner Hogan well in the task ahead.

Finally, I would ask all members to note that this year's Annual Conference takes place on Saturday, June 20 in Carton House, Co. Kildare and I would ask you to put the date in your diary now.

With every good wish,

Keith Anderson
President

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IPAV Calls For A Speeding Up Of Electronic Conveyancing

At a special presentation on Wednesday, March 11, IPAV President Keith Anderson and CEO Pat Davitt told member of the Oireachtas Joint Committee on Justice, Defence and Equality that over six in every ten auctioneers are experiencing unwarranted delays in conveyancing and almost 70pc attribute such delays to an unwillingness by some solicitors to do business via email or telephone, preferring instead to use the traditional method of letter writing.

The survey involving over 200 members of IPAV, the findings of which were presented to the Committee, identified that the average delay from sale agreed to close of sale is almost four and a half months. The institute expressed concern that with banks increasingly offloading more properties the current situation is likely to be exacerbated and it sought that the Committee would do all in its power to speed up electronic conveyancing.

The Committee agreed, arising from the hearing, to write to the Minister for Justice & Law Reform, Frances Fitzgerald TD to see if legislative change was needed to advance electronic conveyancing and the Committee also said it would seek an update from the Property Registration Authority.

The following is a summary of the main points of the presentation.

Key Research Findings – Keith Anderson, IPAV President

I'd like to say at the outset that solicitors whom we work with on an ongoing basis, for the most part do a fine job for purchasers and sellers alike. However, there are severe inefficiencies within the system as currently operated. Our study was aimed at getting some measure of what is happening and work with all interests to try and address deficiencies. Our findings:

Firstly:

- Over 60pc of auctioneers said they were experiencing unwarranted delays from the time a sale is agreed to close of sale.
- Almost 37pc said they experienced such delays sometimes and
- A mere 3.7pc said they weren't experiencing unwarranted delays.

Auctioneers were then asked the most common reasons for such delays. Clearly delays could be attributable to a variety of reasons. However, there were two reasons primarily:

- The major reason for such delays was solicitors' conveyancing procedures and this was identified by an overwhelming 79pc of respondents.
- Coming in second place was policy procedures at lending institutions and it registered with over 45pc.

When it came to the length of time from sale agreed to close of sale it was, on average, nearly 4 months in 2013 extending to nearly four and a half months in 2014.

Auctioneers were asked to give a view on whether delays were attributable to a reluctance on the part of solicitors to do business by email or phone, instead favouring the traditional method of letter writing. Over seven in every ten agreed that this was the case. The remaining 30pc were asked for their views on other reasons for such delays and they came up with a variety of answers that included:

- Greater caution in signing off documents in recent times
- High levels of due diligence
- Inefficiencies

There is no getting away from the fact that there are very serious consequences arising from delays in conveyancing. In our study 68pc, almost seven in ten auctioneers, have lost sales. And over 27pc have experienced banks withdrawing finance.

What's happening here is, against a backdrop of financial pressure consumers are trying to make plans for the future. They research the market for a suitable property, and in many urban areas that is not easy at the moment. When they eventually find a property within their budget they make an offer.

In many cases they wait in trepidation to see if they are going to be outbid. It's a moment of joy when they are told their offer has been accepted and the property goes Sale Agreed. At this point it should be only a matter of a short few weeks before they take full possession and start a new phase in their lives.

But that is not how it happens for many. Purchasers and Sellers are coming back to us week after week frustrated with a lack of progress. Many move on and try and buy another property, with the added time and expense involved. In a recovering property market some



are worried that if they don't succeed in buying the home they want prices may rise beyond what they can afford. It's a very unsatisfactory situation for buyers and sellers.

Delays in conveyancing are not within the control of the auctioneering profession. But our members' reputations are being tarnished in their own communities as a result of delays in conveyancing.

In conjunction with our study we asked our European colleagues in CEPI, the European Council of Real Estate Professions, about their experiences.

The results contrast sharply with the Irish experience. Across Europe lawyers conduct a great deal of real estate business via email and telephone. I'm a practising Auctioneer and I see these problems first hand every week. I have to deal with angry consumers who are trying to do nothing more than secure a home for themselves and their families.

IPAV Proposal - Pat Davitt, IPAV Chief Executive

The first thing I would like to say is that like auctioneers, solicitors are represented in every town in Ireland and they, like us, are an important part of the local community. These serious delays in conveyancing are not good for property buyers and sellers, they are not good for auctioneers and ultimately they are not good for solicitors either.

Our President, Keith, has outlined some of the impediments for solicitors. We also appreciate that many solicitors' offices are under pressure arising from the fallout from the financial crisis. Some will have been forced to let staff go and may not yet be in a position to ramp up again.

Nonetheless, delays in conveyancing are far too serious to be ignored or let lie in the hope that the situation will get better. Our worry would be that unless modern methods of communication are fast-tracked the situation will get worse, particularly as the property market recovers further.

In Residential investment property sales there is now an added layer of legal. The buyer, if purchasing with a mortgage, is now having to pay the bank's solicitor as well as their own. The seller pays their own solicitor. So there are three different solicitors involved. This is a far cry from the practices operated by our European neighbours, as our survey points out.

We would ask this committee to look into this with a view to changing the practice. If banks are not happy with using the purchaser's solicitor we would propose that they set up a legal panel of solicitors from which the purchaser could choose one. This would dispense with the need for an additional solicitor and would probably cut weeks off the time frame from sale agreed to close of sale. This is done very successfully with valuation panels (as again the valuation forms a very important part of the transaction).

We fail to see why this would not work. After all, banks hold the deeds, it's in their interest to make sure the job is done right.

Central Bank

Interestingly the new S.I. No. 47 of 2015 from the Central Bank to deal with the new Loan To Value and Loan To Income ratios called (Supervision and Enforcement) Act 2013 (Section 48) (Housing Loan Requirements) Regulations 2015. No 3/4 states: "A lender shall ensure that the appraiser appointed by that lender shall undertake a market valuation of a residential property which is required under these Regulations not earlier than a period of two months before the date on which the advance under the housing loan is made by the lender."

Therefore, if conveyancing goes beyond two months a new valuation will have to be sought by the financial institution. And, if the new valuation comes in lower than the first one, it will throw all the Bank loan documents out of sync and more time will be required to close.

In Construction 2020 recommendation no 73 states: "In collaboration with key stakeholders (the legal profession and banking sector) we (the Government) will review and report on the steps required to deliver a system of eConveyancing in Ireland, including the resource implications and timeframes for delivery."

At a recent meeting of the Banking & Payments Federation Ireland it was confirmed that lenders are very supportive of an eConveyancing system. We have sought a meeting with the Law Society with a view to seeking its assistance in helping to deal with the situation. As public representatives we would ask you to bring forward State plans for the eConveyancing system.

The Property Registration Authority has been set up and it has recently indicated that eConveyancing could be up and running in two and a half years.

This in our view is far too long. With banks increasingly offloading more properties the current situation is likely to be exacerbated. The Property Price Register Sales figures for 2014 show that 40,000 properties changed hands. This is about a turnover of 2.2 to 2.5pc. However, a normal functioning property market would be expected to turn over 4pc of all possible stock. If this number of properties had to be conveyed it would most certainly exacerbate the current problems.

The electronic stamping system was set up a number of years ago by the Revenue Commissioners with great success. Its success could be replicated with eConveyancing. We would ask that you would do everything within your powers to speed it up.

A lender shall ensure that the appraiser appointed by that lender shall undertake a market valuation of a residential property which is required under these Regulations not earlier than a period of two months before the date on which the advance under the housing loan is made by the lender.

Commuter belt to benefit from mortgage lending restrictions



By Donal Buckley

The commuter belt housing markets are expected to be the main beneficiary of the new restrictions on mortgage lending as they look set to attract an increasing number of first time buyers and investors. The new loan to value criteria will encourage many first time buyers to extend their viewing sights to include those regional homes in the sub €220,000 category.

At the same time an acceleration in commuter belt rents is likely to entice investors to the bigger towns in counties Kildare, Wicklow, Meath, Louth, Laois and Kilkenny.

As a result a new generation of Dubliners are now likely to move into homes first bought by a previous generation of Dubs who were forced out of their neighbourhoods by the soaring house prices of the Tiger era.

While many of the Tiger era commuters may still be languishing in negative equity, this would not be the case with all of them. For instance some of them would have bought before the year of the millennium which means that not alone did they buy well below the peak but they are more than half way into the mortgage and many of them may have accelerated re-payments. Consequently as prices recover, they may be building up equity even if prices in most areas including Dublin are still at least 30% off their peak.

Some of the commuter counties were already playing catch up with Dublin in terms of both rents and prices even before the mortgage restrictions were introduced. For instance in the last quarter of 2014 median asking prices for three bed semis rose faster in a number of counties than they did in Dublin. At a time when those in Dublin rose 1.9pc, in contrast three beds rose by 10.4pc in Meath, 6.7pc in Kildare and 6pc in Wicklow and Wexford. Galway also saw a 6.7pc rise.

Over 2104 three beds in Wicklow saw median asking prices increasing by 23.3pc bringing Garden County prices to a par with those in Dublin at €265,000 so many of these are now priced beyond the €220,000 price threshold for first time buyers who can afford only a deposit of 10%.



Positive growth

Other commuter belt counties also experienced positive year on year price growth. With a 10.4pc rise, Meath median three beds are asking €149,000 while four beds are up 8.8pc to €185,000. After a 9.4pc annual increase in Kildare, three beds there are asking €175,000. However, four beds in Kildare rose by an even faster 13.2pc pushing them above the €220,000 threshold to €249,000.

In the northern part of the county IPAV Senior Vice-President Eamon O'Flaherty of Property Partners Brady predicts that prices in the area could rise by a further 5pc this year. In his contribution to the Irish Independent's house price survey he foresees three bed semis rising to €289,000 and four bed semis to €315,000.

On the other hand he expects that smaller houses such as three bed terraced and apartments should be priced below the €220,000 threshold.

The same survey forecasts that prices in Co. Meath could rise by 15pc and push all four beds over the threshold. However many three beds and smaller houses will still be below the threshold.

As the prices nearer to Dublin exceed the threshold, counties on the perimeter of the commuter belt will benefit further from the ripple effect. For instance in Westmeath local agent Aidan Davitt of Sherry FitzGerald Davitt forecasts an average price growth of 10pc but even so most three beds and many four beds should still be priced below the threshold.

Dublin and Wicklow were the only two counties in the Independent's survey to show asking prices for three bedroom homes over the threshold at the end of 2014

but when it came to four bedroom semis houses they were joined by Cork as well as Kildare.

It will be interesting to see if the mortgage restrictions curtail house price recovery in any other city and generate price resistance around the €220,000 level.

Many agents share DNG CEO Keith Lowe's view that the mortgage restrictions will cause potential buyers to rent for longer "and as a consequence put upward pressure on rents especially in the capital and other key urban areas."

"On pricing for the year ahead we anticipate moderate price rises in the middle to upper price regions in the main urban areas and that entry level priced homes under the €220,000 threshold will perform better than the average."



First-time buyers

However, one way for first time buyers to save for the deposit may well be to opt for more affordable rental accommodation. It may well be that this is one of the factors which is driving a recovery in the rental market in commuter counties. According to a recent Daft survey rents in some commuter counties are now rising faster than in some parts of Dublin. It shows that the combined pace of rental inflation in the Commuter Counties, accelerated from 7.6% in early 2014 to 14.1% by the end of the year, just as rent increases were cooling down in Dublin where rental inflation eased considerably from 16.5% in April 2014 to below 10% by January 2015.

Daft suggests that while supply is a major factor, it's not the only one. It's also a reflection of some price resistance among some Dubliners. TCD economist Ronan Lyons says that as tenants find they can't afford the rents demanded in Dublin, they are moving to commuter towns where rents are more affordable.

Daft's survey shows that flight from the city is driven by the hard maths of affordability. "A three-bedroom semi-detached property in West Dublin commands an annual rent of nearly €15,000, more than 50% greater than the annual rent for the same property in Meath. With a gross household income of, say €50,000, it is clear that, even in Dublin's most affordable locations, those on average incomes are simply not able to afford rents," Lyons says.

Five Leinster counties saw double digit rent increases during the year ranging from 10.6% in Laois where they

average €603 per month up to 15.5% in Kildare where they average €959 per month. The other three were Wicklow, Meath and Louth while Kilkenny with a €690 average monthly rent just missed out on a double digit rise – up 9.9%.

With South County Dublin showing the highest average rents in the country at €1,521 per month, it's not altogether surprising that the rate of rent increase in that area slowed to 8.9% over the year. But Dublin City centre showed the fastest rate of increase in the capital – up 13.6% to €1,409 per month.

Construction costs

The issue of construction costs is a particular concern in the provincial markets.

Pat Davitt, chief executive of IPAV, says the property market outside the main urban centres is still extremely fragile with properties still selling below the cost of building in most parts of the country.

The concern is that the mortgage restrictions combined with the annual property tax valuations may lead to price resistance around the €220,000 threshold not alone for first time buyers but also for investors and those trading up as they might see more expensive homes as slower to re-sell.

Signs of price resistance are already reflected in recent surveys. Indeed in some cases not alone are price rising faster in the commuter counties than they are in Dublin but in parts of Dublin they are falling which suggests that even with the increases in commuter belt counties there was price resistance in some parts of the metropolitan area already as buyers saw better value in the commuter belt.

The concern is that such price resistance may deter developers from speculative development to meet demands of home owners. But a reduction in such supply would mean that those who can afford to buy will have to pay more.

It may also mean that developers may switch their attention to those investors and REITs who wish to buy multi-family residential blocks.



New IPAV member celebrating over half a century in estate agency



HIS NAME IS SYNONYMOUS WITH THE SALE OF NEW APARTMENTS IN DUBLIN'S CITY CENTRE FOR OVER FOUR DECADES. BUT, AS HE CELEBRATES OVER 50 YEARS IN ESTATE AGENCY, NEWLY ELECTED IPAV MEMBER KEN MACDONALD TELLS PROPERTY PROFESSIONAL EDITOR TIM RYAN THAT RETIREMENT IS THE LAST THING ON HIS MIND.

Few estate agents probably know the Dublin property market as well as Ken MacDonald. As somebody who has been closely involved in the property business for almost 50 years he believes you must be prepared to give predictions for the future and to use your experience to assist stakeholders and the general public in assessing likely future trends.

Ken MacDonald has always taken a keen interest in research and in analysing trends in the industry. When asked who heads up your research team at Hooke & MacDonald, he smiles and replies: "You're looking at him!" Since the recession it is extremely difficult to predict the level of house completions in any given year. But in their review of the residential market in September 2014, Hooke & MacDonald predicted that 11,500 housing units would be completed in 2014. When the final figure emerged from the CSO in January, they were less than 500 out. For Dublin their prediction of completions of 3,200 was spot on. The final figure was 3,268.

Forecasting the level of completions for this year and 2016 is even more difficult given the effect any combination of factors may have such as Budget changes, Central Bank restrictions and so on but nevertheless Ken MacDonald put his reputation on the line last September by predicting 14,000 completions nationally for 2015 and 17,000 in 2016. However, he now believes that the new Central Bank mortgage regulations will reduce this projected supply by 1,000 – 1,500 units per year and force many first time buyers into the rental market.

Today, Ken MacDonald sits at the head of a 30-strong team that includes his daughter Renagh and son Donald as well as directors David Cantwell and David Lawlor who Ken says "have made a huge contribution to the success of the firm since they joined in 1982". At its peak the firm employed in excess of 50 but, as the property industry starts to grow again, they, too, are actively recruiting new people.

A key factor in the success of the firm is the team spirit and enthusiasm that permeates throughout. "Everyone gets stuck into whatever has to be done at the time," says Ken.

"As I see it, many of the people who are well qualified in the industry have emigrated abroad and the relevant educational courses were decimated during the

downturn" he says. "It would be great if many of our young people who have gone abroad would now return home and help grow the economy here again."

Galway man

Despite his long and close connections with Dublin, Ken MacDonald is, in fact, a Galway man who was born in Bushy Park on the outskirts of the city. His father was a civil engineer by profession and secured a job with the Planning Department of Dublin Corporation. In 1950 the family moved to Dublin. It was there, while growing up, that the young Ken developed his first interest in property when he used to accompany his father to various building site inspections around the city.

Having attended school at St Michael's College on Ailesbury Road and Blackrock College, Ken MacDonald trained in the Albert Estate Agency in Sandycove, a firm no longer in existence. However, he was soon anxious to move into the city centre where he believed the real potential lay. At the age of 23 he approached another Dublin estate agent, Ronald Hooke, who ran his own estate agency firm, W & R Hooke, and together they founded Hooke & MacDonald in March 1967. Their first office was a room in Pearse Buildings on Pearse Street before moving, firstly to Clare Street, then Merriem Square and finally to its current location at 118, Lower Baggot Street, Dublin 2.

The new firm quickly acquired a specialisation in development sites and new build in the city centre and



Ken MacDonald

actively sought and encouraged builders and developers to take an interest in the inner city and to look on apartments as a key component in the ending of dereliction in the heart of the city. Gradually, throughout the 1970s their message got through and the first major apartment developments began to take shape. One of the first high profile suburban blocks was 24 apartments in Pilot View, Dalkey which were completed and sold off plans “from the boot of our cars on site” in 1979.

In the 1980s in a further effort to attract the interest of developers Hooke & MacDonald organised a series of seminars in Dublin Castle which showed the potential of Dublin City and, in particular inner city areas such as the Docklands, Smithfield and Temple Bar. In 1992 the firm had a major success with the launch of the Cosgrave-built block of 172 apartments on Gardiner Street, an area which had fallen derelict for many years. The development transformed the street.

“I can clearly remember listening to the radio on the morning the development was announced and Gay Byrne said on his morning radio show: “My God, they’re going to build apartments on Gardiner Street!”

More success followed and new apartments began to spring up all over the city centre including along the Quays and down into the Docklands. As one example, Ken remembers property developer Liam Carroll coming into the office and saying he was seeking the advice of three estate agencies regarding the sale prospects for an apartment complex he was building on what is now Fisherman’s Wharf in Ringsend.

“Ringsend was not a very fashionable area at that time even though it had a very strong maritime tradition and plenty of amenities” says Ken. “Apparently, the other two agencies were not very positive about the area but we were and the entire complex was sold out within a few days of going on sale”. Ringsend is now a very popular location.

Dangers of hype

Ken MacDonald has always been wary of over-hyping any market. When one block of apartments came up for sale in Sandyford in 2006, he received a phone call at 3am in the morning to say some people had begun to wait outside the offices on Baggot Street for the launch due the following day. Ken immediately went in and asked colleagues to come in and bring the people in off the street and make them comfortable. A team of estate agents arrived in by 5am and the 40 apartments were sold before breakfast and avoiding any unwanted publicity about queues.

“Buying a property is a very big decision for a person and he or she should be given time to think about it, without pressure and without queuing,” he says.

Looking at today’s market and the prospects for 2015 he says it is still quite delicate and any moves by Government or others to interfere in it should be taken with great caution. A major factor he says is the cost of building houses and apartments which has soared due to the huge plethora of regulations and levies that have been introduced by some local authorities during the recession. Many he says are way over the top and confuse quality with size. As a result, he says, these regulations are placing the price of modest houses outside the reach of many young couples who are forced to either rent or, worse still, emigrate. He says that “measures to boost rather than restrict supply in both the sale and rental markets are urgently needed”. He praises the improvement in the quality of new buildings over the past decade.

Single digit growth

He forecasts a modest growth in prices this year, in single digit figures which he believes will lead to a far more steady and sustainable property market in the medium term. He believes that prices had already stabilised since last September and that the



Ken MacDonald and with his son Donald

Central Bank mortgage regulations were unnecessary and will in fact de-stabilise the market and restrict the supply of properties being built and offered for sale.

He is positive about the future and once again foresees rewarding and satisfying careers in the whole area of the property industry. In this regard, Ken MacDonald is fulsome in his praise of IPAV and its current education courses which he says are critical to the industry. “IPAV is playing a very important role by facilitating these courses and in encouraging young people to again consider careers in this area,” he says.

He also says there is an enormous amount of wealth and knowledge in the Institute due to its strong countrywide network of experienced agents. “You cannot beat local knowledge,” he says. He says that Hooke & MacDonald have built up “a great relationship over the years with provincial agents which has been mutually beneficial. “IPAV also benefits from having a hands-on CEO who has an in-depth knowledge of the industry and is a reliable and ready source for media comment at any time. All these attributes are of major benefit to those working in the industry.”

Although already preparing to celebrate 50 years of Hooke & MacDonald in two years time, Ken MacDonald has no intention of putting down his gavel. He is still in his Baggot Street office at 6.30am five days a week and rarely leaves before 5.30pm. For relaxation and to keep fit he plays tennis a few evenings a week and is also a keen golf, rugby and hurling fan. It’s a work and leisure formula that has combined to provide one of the country’s best known estate agents with a rewarding working life, and a pattern which he hopes to follow for many years ahead.

“I enjoy my work very much and I couldn’t visualise not being active and busy every day,” he says.

Laura Bows out!

After serving as IPAV Office Manager for 27 years, Laura Raleigh finally said farewell to the Institute on Wednesday, 28 February. There was a large turnout for a reception at the St. Stephen's Green Hibernian Club for a lady who had worked for three chief executives and 22 presidents, many of whom were present for the occasion.

Also present at the reception were two of Laura's three daughters, Emer and Aoife as well as her sister Madge together with many friends and well-wishers.

In his remarks, IPAV President Keith Anderson said that to say Laura Raleigh was the principal pillar supporting IPAV for over a quarter of a century was an under-statement. During her 27 years Laura had contributed to IPAV way beyond the call of duty or what normal work demands.

But, he pointed out that most IPAV members probably never met Laura Raleigh. To them she was the voice at the end of the telephone who sorted out countless problems and who kept the engine of the Institute running.

Despite her presence behind the desk in IPAV for 27 years, the IPAV President said Laura was essentially a very private person who kept her life outside the office to herself. Having grown up in Wexford Town she came to Dublin as a young woman to study what was then generally known as a "commercial course" and began working for the Bank of Ireland. She later took time out of work when she got married to Richard to raise her three children before returning to work in what is now Beecham's Solicitors.

142 members

In the early 1980s, she had got to know former IPAV CEO Liam O'Donnell who lived in the same housing estate as her in Glasnevin and she began to do some typing for him. At that time Liam O'Donnell was himself an estate agent with an office in Dublin's Parkgate St. Liam asked Laura if she would do some work for the Institute in its then office at 40 Lower Leeson St. At the time there were 142 members of the fledgling institute.

In 1991, IPAV's first education course started in Cork and her job became full-time. At this time Laura developed a close working relationship with IPAV's Education Officer, Peter Brady, a relationship which has continued right to the day she retired. About this time the office transferred to No 30 Upper Fitzwilliam St. The first computers arrived at IPAV in 1994 and a second secretary was employed.



IPAV President Keith Anderson and CEO Pat Davitt making a presentation to Laura to mark her retirement.



Laura with Dublin IPAV members John and Paul Lappin.



Laura's office colleagues at IPAV Head Office (l - r) Genevieve McGuirk, Val Mogerley and Sharon Mitchell presenting Laura with a flower bouquet.

In 1998 IPAV took a very brave step forward when it purchased its own building at No 129 Lower Baggot St. and Laura Raleigh played a major part in the refurbishment of the building and getting it up and running. It was eventually officially opened by the former Taoiseach Bertie Ahern in 2002. And so the rest is history with Laura continuing to drive the engine of our HQ right up to the day of her retirement.

But, as Keith Anderson pointed out, Laura is about to open a new chapter in her life. She is a longtime competitive tennis player

– with the trophies to prove it - and is a regular gym-goer. In addition, she loves to travel and since the age of 40 has skied every year. All these activities, she told the audience, she now intends to develop even further as well as adding some more, including Chess and Bridge.

Said Keith Anderson: “Laura has closed one chapter of her life, she is now opening an even more exciting and stimulating one where, this time, she will be her own boss and will decide her own terms of engagement. All I can say Laura, is on my own behalf and on behalf of the Institute, no words of mine can express our gratitude for all you have done for IPAV over the years. I wish you many, many years of health and happiness and hopefully your new path in life and ours will cross at some points in the future.”

Tributes to Laura were paid by many of those present and all joined in wishing her the very best. For many, No 129 will never be the same again without Laura Raleigh.



Laura with her daughters Emer (left) and Aoife at her retirement reception.



Wexford native Laura Raleigh with National Council member Michael O'Leary, Enniscorthy at the farewell reception.



Roxanne Moorhead, Director of IPAV's Fine & Decorative Art courses with Laura Raleigh

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**WE'VE
MOVED**

IPAV makes presentation to EU Commissioner

IPAV made a special presentation to Ireland's EU Commissioner Phil Hogan on Friday, March 6, to mark his appointment to Brussels. The presentation, which took place in European House on Dublin's Dawson St., was made by IPAV President Keith Anderson, along with Senior Vice-President Eamon O'Flaherty and CEO Pat Davitt. Also present was Jeremy Moody, of the UK Central Association of Agricultural Valuers (CAAV).

Commissioner Hogan is a former member of IPAV, having originally been elected to membership on 14 February 1989. At IPAV's Annual Conference in Killarney in 2009, he was given Honorary Membership of the Institute.

In his comments, IPAV President Keith Anderson said he wished to pay tribute to Commissioner Hogan's remarkable career, as a Councillor, Senator, TD, Minister of State and more recently as Government Minister, where despite much criticism, he introduced the most radical reforms ever in the Department of the Environment, Community & Local Government.

"History will no doubt recall this fact in future years when student of politics study the very tumultuous period of 2008 to 2014," he said. "I know you have often said that one of your heroes was your late father, Tom Hogan, who was also a well-known county councillor, and I know he has inspired you to continue with your work often in very difficult times when things did not appear too hopeful."

In Brussels, Mr Anderson said the Commissioner had been given the hugely important portfolio of Agriculture & Rural Development. This was only the second time Ireland has been given this key portfolio and it comes at a very important time given the imminent ending of the milk quota regime and negotiations on the opening up of a new trade agreement with the US, TTIP, just to mention two current happenings.

"IPAV now also plays its part in the EU, being both a member of the Confederation of European Estate agents, CEI and TEGoVA the European Valuers' Association," he said. "We are proud to be part of the ongoing work to harmonise estate agency practices throughout the EU and much has already been achieved in this regard."

On his own behalf and on behalf of IPAV, Keith Anderson wished the Commissioner the very best in the tough challenges ahead.

In response, Commissioner Hogan thanked IPAV for their generosity and for taking the time to make the presentation which he said he valued greatly. He said he would place the gift (a pen in Irish bog oak) in a prominent position in his Brussels office.



IPAV President Keith Anderson making a presentation to Commissioner Phil Hogan.



At the presentation were l-r: Pat Davitt IPAV CEO; Eamon O'Flaherty Senior Vice-President; Commissioner Phil Hogan and Keith Anderson, IPAV President.



Commissioner Hogan thanking the IPAV delegation for their presentation.



Commissioner Hogan is greeted by IPAV Senior Vice-President Eamon O'Flaherty.

Book June 20 for IPAV's Annual Conference



Former Estate agent turned Motivation Speaker Paul McNieve will be the Guest Speaker at this year's IPAV Annual Conference which takes place on Saturday, June 20 in Carton House, Maynooth, Co. Kildare. This year the Conference will take place in the course of one day only with the AGM on Saturday morning followed by a Seminar in the afternoon and the Conference Gala Dinner at 8pm.

Paul McNieve is a chartered surveyor and was Managing Director of Hamilton Osborne King (OSK) until the firm was sold to Savills for €50m. Paul started his career as a trainee in the basement of the firm and not even the loss of his legs in a fire prevented him from rising to the top position to lead 250 staff.

The Afternoon Seminar - which carries CPD points for REV members - will be officially opened by the Minister of State at the Department of Finance and Public Expenditure and Reform, Simon Harris TD. Other speakers include Tom Parlon, Director of the Construction Industry Federation (CEI), Krzysztof Grzesik, Chairman of TEGoVA and Mervyn Cunningham of SoGo Media.

IPAV Senior Vice-President Eamon O'Flaherty is set to take over the chain of office from outgoing President Keith Anderson when he will outline the priorities for his term of office.

"This year IPAV has decided to confine the Annual Conference to one day thereby making it more affordable and accessible to members," said CEO Pat Davitt. "The location of Carton House close to the M4 and just 20 minutes from Dublin also makes it convenient for all and I look forward to a large turnout of members on the day. The 1,100-acre private parkland estate which features two championship golf courses, a leisure centre with pool, spa, training pitches, tennis courts, purpose-built events centre and state of the art conference facilities, make the hotel an ideal choice for our Annual Conference and for members to take a short break also."

Full details about the Conference will be sent to member in the coming weeks.

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Minister of State for Agriculture, Food and the Marine, Tom Hayes TD with IPAV President Keith Anderson and Tom Crosse, Chairman, IPAV's Rural Affairs Committee at the Seminar.



At the Rural Affairs Seminar were (l - r): Liam Reilly, Ballinagh; Co. Cavan; Keith Anderson, IPAV President; Peter Murtagh, Bailieborough and Martin O'Reilly, Cavan.



At the Seminar were (l - r): Tony Feeney, DM Auctions, Manorhamilton, County Leitrim, Keith Anderson, IPAV President & Gerard Clarke, Gerard Clarke and Sons, Ballisodare County Sligo.



At the Rural Affairs Seminar were (l - r): Philip Kelly, DNG Kelly Duncan, Tullamore, Co. Offaly, Keith Anderson, IPAV President; Dennis Begley, DNG Property Matters, Athlone and Gordon Cobb GVM Auctioneers, Limerick.

IPAV Rural Affairs Seminars

IPAV held its first Rural Affairs Seminar of 2015 on the topic of CAP Reform and Single Premiums on Tuesday, February 3 in the Hotel Kilmore, Cavan Town. The Seminar was opened by IPAV President Keith Anderson and over 90 members attended. The event carried 2.5CPD hours for REV members.

Guest Speakers included the Minister of State for Food, Forestry, Horticulture & Food Safety, Tom Hayes TD who gave an overview of the agricultural industry, IFA General Secretary Pat Smith who spoke about the new CAP Reform and Agricultural Consultant James Carton who spoke about Single Premiums in the new era of CAP Reform.

The Facilitator for the evening was Tom Crosse, Chairman of IPAV's Rural Affairs Committee who spoken on how to prepare for a land auction.

A second Rural Affairs Seminar was held in the Granville Hotel, Waterford on Wednesday 8 April.



Donegal and Derry IPAV members At the Rural Affairs Seminar: (Front row l - r): Joe Reynolds, Letterkenny; Billy Johnston, Donegal Town; Keith Anderson, IPAV President; Paul Reynolds, Letterkenny; Dean Spencer, Letterkenny. (Back row l - r): Henry McCahey, Letterkenny; Mark McConnell, Lifford; Diarmuid Keon, Ballyshannon; Robert Gurley, Derry; Stephen McCahill, Ardara and Kenneth Campbell, Glenties.



Cork IPAV members William Biggane, Charleville (left) and J.J. O'Sullivan Castletownbere (right) with IPAV President Keith Anderson.



Minister of State Tom Hayes addressing the Seminar.



At the Seminar were (l - r): Frank Regan, Longford; James Kilcoyne, Ballaghaderreen, County Roscommon; Vincent Egan, Boyle County Roscommon; Keith Anderson, IPAV President; Tom Hayes T.D. Minister of State; Eamon Scanlon, Ballymote, County Sligo and John Earley, Roscommon.



IPAV President Keith Anderson presents an auctioneer's gavel to James Carton of Carton Rural Consultants, one of the Guest speakers.

How combining opposite politics contributed to the growth and development of a thriving estate agency practice in Clonmel.

While there may be talk in political circles about a possible post-election coalition between Fianna Fáil and Fine Gael, two estate agents from opposing political backgrounds joined forces to set up Dougan FitzGerald Auctioneers & Estate Agents in Clonmel in 1987. The firm has continued to grow and develop and now, having survived the recession, is poised to consider further expansion.

IPAV member John FitzGerald comes from a staunch Fine Gael background in South Tipperary. His grandfather James FitzGerald was an Old Sinn Féin county councillor for many years. His father Michael FitzGerald was a Fine Gael councillor and served as chairman of Tipperary S.R. County. Today, John's brother Michael is the first person to serve as Chairman of the new united Tipperary County Council covering an area that stretches from Portumna on the north side to Carrick-On-Suir on the south.

Donagh Dougan, on the other hand, comes from one of the best known Fianna Fáil families in Tipperary, the Daverns. His mother was the daughter Mick Davern, a TD for South Tipperary who was succeeded by his son, Don Davern, and after his death by another son, Noel Davern. Noel Davern served as an MEP from 1979 to 1984 and as Minister for Education from 1991 to 1992. He later served as Minister of State at the Department of Agriculture and Food.

The notion of forming an alliance was hatched in Limerick in the mid 1980s when both John and Donagh were working for separate estate agents in the city.

Dublin apprenticeship

Having completed his secondary schooling in Rockwell College, John FitzGerald secured an apprenticeship with the then Sherry FitzGerald and Partners in Dublin in which former Fine Gael Deputy and Lord Mayor of Dublin Alexis FitzGerald was a senior partner. John spent all of 1983 in the office on Dublin's Merrion Row where he started to learn the trade.

"I was one of the most junior people in the office and I was sent to do all sorts of jobs at the time but it was great experience for me and it gave me my first foothold in the profession," he says.

A year later he replied to an advertisement from Leddin Auctioneers in Limerick for a young estate agent. John

Leddin had recently left Rooneys to set up Leddin Auctioneers and the firm needed an assistant.

"I remember I went to Limerick by train for the interview in the Glentworth Hotel," says John. "John Leddin told me there was a job for me if I could sell houses and he would try me out for six months. I must have been reasonably good because I was kept on."

Working with the Leddins gave the young John FitzGerald an opportunity to gain experience in all aspects of the auctioneering and estate agency profession ranging from agricultural sales and lettings, to residential and commercial and to valuations.

"This was a mixed practice where I in charge of all aspects of sales and lettings," says John. "It gave me the best training I ever received."

While in Limerick John FitzGerald became friendly with agents in other offices in the city. It was there he first met Donagh Dougan from Clonmel who was working with another well-known Limerick agency, De Courceys. Having talked about it for a while, they decided to set up a practice in Tipperary and believed Clonmel to be the best location even though there were already a number of well-established firms in the town. They rented an office on Abbey St., beside the Franciscans and opened for business. Through their connections both social and political, they quickly built up a thriving business covering all aspects of the industry. Dougan FitzGerald is a typical small independent agency in a provincial town which deals in all aspects of property i.e. residential sales, lettings, land and commercial. The practice is also



John FitzGerald

very busy with valuation work for many financial institutions and private clients.

Farming background

Coming from a farming background, John FitzGerald concentrated to a large extent on farming and has sold many various sized-holdings at public auction and by private treaty. He highly recommends the auction method for farm and any land sale instructions. He feels this approach is well tested to provide the best practice for vendors and the most direct and focused route for all concerned in achieving a final result.

He quickly engrossed himself in the social fabric of Clonmel, becoming an active member of the local Agricultural Show Society, serving as its chairman in 1994/95. Verging on the Gold Vale, the town is surrounded by very large and extensive farms which produce vast quantities of grain and cattle. Land in the area is a coveted commodity and any that comes for sale is quickly snapped up. Over last Christmas John sold 70 acres of land with no buildings in Clerihan, a few miles outside the town, at a price of €10,000 an acre to a neighbouring dairy farmer who is expanding his dairy operation in line with the ending of the milk quota regime.

Clonmel is one of the country's thriving inland towns. Its size is due historically to the town being strategically important, initially for the Earls of Ormonde, and later the Earl of Kildare.

It remained relatively immune to the recession due largely to the number of major employers in the area. These include Boston Scientific, Merck, Sharp & Dohme, Clonmel Health Care, Abbott Ireland and, of course, Magners, (part of the C & C Group). Also in the catchment is the large Coolmore Stud complex and the seat of administration for County Tipperary, along with Nenagh, since the two county councils were merged into one. As a result, the level of unemployment is low for the 22,000 inhabitants of the town.

According to John FitzGerald, there was never an oversupply of housing in the town and there are no ghost estates of any kind to be seen. However, in line with the rest of the country, house prices fell dramatically in 2008 but have been making a steady comeback. Today, a typical three-bed semi which fetched €275,000 at peak is now selling for around €180,000 depending on condition and location. While parts of the town centre suffered from very severe flooding for many years, that problem has finally been resolved through extensive flood relief works on the River Suir.

Rents are also very vibrant with three bed semis fetching in excess of €700 per month. In fact, according to John, there is a scarcity of good quality accommodation in the town.

Highly personal service

Part of the reason for the success of Dougan FitzGerald John attributes to being very focused on their work and delivering a highly personalised service. "For example, if I am selling a farm or piece of land, I assure the vendor that I will view the land with every prospective purchaser," says John. "That's a commitment we make and live up to every time."

Dougan FitzGerald is well aware of the competitive market conditions that they currently operate in and during 2015 intend to launch a new website which they hope will



BallyBrado Lodge Cahir, Co. Tipperary. An unusual lodge property on C.2 acres. A listed building, it comprises 3 bedrooms, 2 reception rooms, kitchen, 2 bathrooms. One of the early sales of 2015, the property fetched a price of €265,000.

showcase property at a high quality level and help attract discerning vendors who will appreciate the efforts this agency intend to make on their behalf.

Two years ago John was appointed to the Private Residential Tenancies Board (PRTB) by the then Environment Minister Phil Hogan. He is also a member of the PRTB's Disputes Resolutions Committee and in this role, regularly sits on Appeal Tribunals. While it often takes him to Dublin twice a week, it is a job he says he enjoys very much.



"While as an agent I was obviously familiar with issues faced by landlords and tenants, the Tribunals have opened up my mind to a whole new area of problems and difficulties that can arise in tenancies and while there are always tough cases, I hope in our role on the DRC we are helping to resolve them reasonably quickly and efficiently," he says.

Looking forward, John FitzGerald is optimistic that 2015 will see a further improvement in the market place but it will continue to be a challenging time for auctioneers and estate agents who must continue to work harder as margins remain slim. The town, which is noted in Irish history for its resistance to the Cromwellian army in May 1650, is well poised to rise quickly on the expected rise in renewed national economic growth and activity in the months and years ahead.

A picture tells too many tales?



BY TOMMY BARKER, PROPERTY EDITOR, THE IRISH EXAMINER

Pictures traditionally, we were told, were worth a thousand words – but going mega in YouTube speaks volumes, the ultimate goal of anyone and everyone into sales, mass exposure and simply making a buck.

The global video-sharing site YouTube is 10 years old this year – but some Irish estate agents have been in the frame for far longer, with their very own (per)version – let's call it 'U-Tube'.

U-Tube? It's where photographs of toilets feature prominently online, like a gaping fish mouth, with lids up, seat down, and U-bends and assorted plumbing in or out of shot for extra good measure and interest.

It hasn't really taken off yet as a visual enticement for selling a – well, for selling anything at all in particular, bar suggesting homes featured with a loo so styled and posed may indeed have plumbing, drains and running water sluicing between the two. Just pray it doesn't go viral.

Did a photograph of a WC ever, ever, ever, help sell a house? If it did, it was a flash in the pan. If not, even posting images of loos in houses out to tempt home-hunters to buy into 'lifestyle' is just, well, an image too far, one going straight down the U- and S-bend.

Bum Fluff

Well-crafted images of luxurious bathrooms are, to be sure, 'lifestyle' signifiers in a way when it comes to selling a property, offering a home, a refuge, a sanctuary: it's what posh brochures, done up by designers, are so good at.

A photo of a Jacuzzi bath suggests you might like to take the plunge yourself; crisp, fluffy white towels on designer radiators suggest the house on offer is a private version of a hotel's five-star suite (and, quite possibly, warm).

Candles, rose petals and bubbling prosecco by a bubbling bath? Well, come on, you surely do know yourself what it hints at (if you're lucky). Even an image of a swish shower set-up, all glistening glass and multi-jets suggests an invigorating start to each bright new morning and a gleaming new 'you' heading off into the world.

How does your own website offers compare? A wash-out? A sad, lonely j-peg posted on Daft or MyHome as part of any sales spiel and display of a humble home's

porcelain throne suggests thatwell, what does it suggest? That the agent got caught short when it came to imagination, or even to common sense?



Come on. There's only one thing worse than this forlorn image: that's a WC photo with an empty loo roll holder (Jays 'Izal' ceramic flat-sheet holder memories, anyone?) in full view. Note: this is not what the Property Regulator was talking about when he stressed the importance of having a paper trail on all transactions. Lifting the lid on the profession? Lids down, please, gentlemen and ladies too.

Life in a fish-bowl?

OK, most standard Irish homes have pretty standard sanitary arrangements and layouts and they're miserly too, for the most part. It's hard to photograph the average bathrooms, without a very wide angle camera lens at least, and going all fish-eye with a lens? Well, that mightn't work either.if the shower's the width of a passage tomb, if the sink needs scouring and unblocking, and the laundry's on the floor – hopefully, at least, concealing the missing tile grouting.

Definitely none of this is a lifestyle inducement. Simply put, if a bathroom isn't going to woo a viewer, don't put a pic of it in a brochure, or up online. Find something else. No would-be buyer ever slated a property listing 'cos there wasn't a photo of the loo, or decided they'd just have to book a personal inspection to check the plumbing.

Kitchens, to be sure: now, they're important. So, why take such lousy shots of them too? Oh dear. Look, it's not up to me to tell you your job (a future column, maybe?), but what the hell is going on with so much 'standard' property listings, and their pictorial representation?

Fifty Shades?

As a profession, estate agents are expected to have flowery language, buffed prose in Fifty Shades of Purple, and to take occasional liberties with the truth - if not with a tape or laser measurer. If fact, if you don't push it a tad.....you're probably seen as not really making enough of an effort, in the vendor's mind.

Well, in pictorial terms at least, that's a cliché that has long gone out the frosted and steamed-up windows of bathrooms and kitchens. Your professional property sales pitch and prose might be zinging and shiny and lyrical and expressive and descriptive and beguiling and persuasive and more. And, yet? Surely the whole idea of pictures is to at least match pictures with the words: you build up expectations with prose, and then, as surely, shoot that same gilded promise down with your pictures and low-res j-pegs.

Why do so many kitchen shots on websites selling homes and pitching the promise that "you could live here" show cluttered worktops, lurid detergent bottles, waste bins with dents and lids that don't close (no, don't worry, the rant about lids is over now), a table with paperwork to be sorted and a fridge with magnets holding 'Final Demand' bills. Sure, that's where we're living? Aren't we we're looking for an escape, or a fresh start?

Here's a list of Five (random) Things That Don't Work in Pictures to sell a house (and do check this link: <http://terriblerealestateagentphotos.com/>), deliberately American to spare IPAV member blushes.

1. Nifty Tips

1. A pokey bedroom, with an undressed bed as its focal point. Even if the mattress is nearly clean.

2. A wide photograph where it should be a vertical one. It ain't hard to turn a camera around 90 degrees for a bit of creativity. Try it. You might like the effect (tip: works well for narrow, Newgrange-like bathrooms with a hope of glint of sun at the end).
3. Snow on the ground, Christmas tree up, decorations and lights a-glitter. Not being a Grinch here, but unless you are going to market in December and will surely be sold by the 25th, it does nothing more than smell of desperation when the property is still on the market come Easter. At least, update the pictures when the trees come down. Conversely (you may know this yourself) if you have photographs from the sunny and lush summer, and if you are still on the market in December, do not change them. They are nature's gift to you.
4. Try not to have people/children/animals in the shots. Try this game: how many sales pics can you find on Daft/Myhome/insert your own website here, which show the estate agent reflected (and looking none too amiable) in the mirror over the fireplace? Similarly, the maxim, 'don't work with children or animals.' Kick the dog out of the way, ask the kids to move and take their toys with them. Politely, ask granddad to move: last month, we were offered a pic for publication a period house, with charming living room - complete with nonagenarian nodding off by the fire. When you say 'house for sale with character,' this fine gentlemen isn't going to swing a fair deal for anyone.
5. Cold hearth, cold heart: find your inner romantic. Don't photograph an empty grate, it smells of lack of soul. Light a fire log or insert a few candles if the chimney is blocked. It's a visual and a decorative cliché...and, aaw, shucks, it works. 'Cosy,' it insinuates.

Grate Expectations!

Here's a Top Tip: Scrunch up a few sheets of newspaper (I find property supplement pages to be suitably apt and illuminating), put a match to them, quickly stand back and photograph the room with a blaze in the warming spot. Aaah! Just mind your reflection in the mirror.



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Revaluation programme for commercial buildings extended to 2018 - Harris



SIMON HARRIS TD, MINISTER OF STATE AT THE DEPT. OF FINANCE

The ongoing revaluation programme needs to move at a faster pace to bring the benefits of a modern valuation base to the rates system, Minister of State at the Department of Finance Simon Harris told the Dáil recently.

Introducing the Valuation (Amendment) (No. 2) Bill in February he said when the previous piece of legislation was being introduced in 2001, the expectation was that the complete revaluation of all commercial property would take ten years to complete. This assumption has proved over time to be wide of the mark and hugely optimistic. The current target for the completion of the revaluation programme is 2018.

“Although considerable progress has been made in recent years, there is still much that needs to be done,” he said. “The present position is that, following the completion of revaluation in the four local authority areas in Dublin, the three former local authorities in Waterford and Limerick, more than 48,000 properties have been revalued. While that represents more than 33% of all rateable properties, it constitutes approximately 57% of the valuation base for levying rates.”

Revaluations completed to date show that approximately 58% of properties will see a reduction in their rates bill and approximately 38% will see an increase, while the remainder are properties with no change or that are being rated for the first time, he said. Generally speaking, and depending on the property category, use and location, of those that see a change in their rates liability, approximately three quarters see either a reduction or an increase of less than 40%. Some have seen very significant increases or decreases, but these have been examined and have occurred for good reason, sometimes because they should have been the subject of a revision of their valuation some time before the revaluation exercise took place.

Minister Harris said the new Bill seeks to introduce a number of measures to speed up the process and includes allowing elements of the work to be outsourced, the employment of computer-based methodologies and more participative involvement of the occupier in valuing property through a process that is referred to in the Bill as “occupier-assisted valuation”.

Outside valuers

“I am proposing to make enabling provisions that would allow the commissioner to assign valuation work to valuers who are not officers of the Valuation Office,” he said. “Currently, the Commissioner can only assign valuation work to a member of his or her staff. This

amendment will allow the Commissioner to engage with the private sector directly through a tendering process. This would augment the internal capacity of the Valuation Office, increase the resources devoted to the revaluation programme and accelerate the delivery of the revaluation project. The Commissioner intends to carry out a pilot project involving the use of external valuation providers. This is an innovative advance and presents a unique opportunity for a first public-private sector engagement in this area of the public service.”

To complement these initiatives, he said there is provision to enable the Commissioner of Valuation to use general market data, or aggregated data, including statistical and computer-aided techniques, to assist in estimating the net annual values of groups, classes or categories of properties, where appropriate.

He said he is also proposing to make enabling provisions in the Bill to give the Commissioner capacity to introduce an occupier assisted valuation option for the valuation of commercial property. Initially, this would be done in one local authority area on a pilot basis. Section 12 of the Bill provides for the insertion of a new Part 5A dealing with occupier assisted valuation. Provision is made for the Minister to make regulations on the operation of occupier assisted valuation. In practical terms, this process will involve a more participative approach between the Valuation Office and the occupier than exists with direct valuation.

“The occupier will be engaged at a very early part of the process,” he said. “Guidance will be available to the occupier on the measurement of his or her premises, together with indicative valuation levels for the area in which the property is located. The occupier will return his or her valuation and valuations returned will be subject to a check by the Valuation Office. If the Valuation Office decides to change the valuation returned, the occupier will, as in all other situations, be able to make representations to the Valuation Office and appeal a decision to the Valuation Tribunal.”

The process, he said, will be more transparent to the occupier and bring a greater involvement and understanding of how the valuation is arrived at, which should demonstrate the efforts made to arrive at a correct, equitable and uniform valuation for all properties in the rating authority area. The progress made to date in Dublin, Waterford and Limerick, the experience gained in those revaluations and the measures in this Bill provide the platform for an accelerated completion of the revaluation of the remaining local authorities.

Irish Water launches campaign for landlords and tenants

Irish Water, Ireland's national water utility responsible for providing and developing water and wastewater services throughout Ireland, is reminding landlords and tenants to complete registration as early as possible. This will ensure that the bill for water services is issued correctly (i.e. to the person in receipt of the service). Tenants who have registered with Irish Water are eligible for the Water Conservation Grant.

Owners of multiple properties, including Local Authorities, are now invited to confirm their property details with Irish Water. If the property is occupied, landlords can now provide names of their tenants. Irish Water will then engage directly with the occupants and provide them with an opportunity to confirm their details. This will ensure they receive the correct bill and may avail of the Government's €100 Water Conservation Grant, details of which will be announced by Government later this year.

Completing this process ensures that landlords can avoid receiving a bill for services they are not using themselves. It will also ensure that the tenants are billed correctly and are eligible for the €100 Water Conservation Grant.

Landlord and tenants can confirm details at any time however Irish Water would encourage an early response to ensure details are as accurate as possible in advance of billing.

Tenants and landlords can visit www.water.ie for further information or call Irish Water on LoCall 1890 448 448.

Commenting on the campaign, Paul O'Donoghue, Head of Customer Operations said; "We are now in the final stages of preparation for billing to the 1.5 million households on the public network. A national database of customers on the public water network has never been created and it will take time to ensure that database is as accurate as possible. By launching this process for owners of multiple properties we are working towards getting that database right and billing the correct consumer of the water services."



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Two new Planning Bills introduce major changes to planning system

Two new planning Bills recently published by the Government will make extensive changes to Ireland's current planning laws.

Planning No.1 Bill sets out proposals to address the housing supply shortage in Ireland and also to incentivise development of vacant and underutilised sites left behind by the boom.

Planning No.2 Bill aims to improve transparency and accountability in the Irish planning system. The Bill has been put forward primarily in response to recommendations of the Mahon Tribunal, which stressed the need for increased checks and balances in the Irish planning system. Planning No.2 Bill also sets out measures to support the planning actions in the Government Construction 2020 Strategy and to improve the efficiency of the planning system generally

PLANNING & ENVIRONMENTAL LAW: GENERAL SCHEME OF THE PLANNING AND DEVELOPMENT (NO. 1) BILL 2014

Key Provisions

The key provisions of Planning No.1 Bill are:

Amendments to Part V Requirements

Part V of the Planning and Development Act 2000 requires local authorities and in turn developers, to make provision for social and affordable housing in residential developments. The Planning No.1 Bill proposes to relax some of these requirements, to make developments more economically viable, while also looking to maintain the principles of social integration underlying Part V. The amendments to Part V include:

- Narrowing the application of Part V, so it will now only apply to developments of 10 houses or more, as opposed to 5 previously.
- Reducing the obligation on developers to provide 20% of units for social and/or affordable housing, to an obligation to provide 10% of units for social housing only. The obligation to provide affordable housing is removed.

- Abolishing the option for developers to account for their social housing obligations through cash payments to local authorities.
- Obliging developers to provide the required social housing on site at the development. Off-site options will now only be allowed in exceptional circumstances.

Importantly, the new Part V arrangements will apply to existing planning permissions, so they will be of assistance to developments which have stalled in recent years.

Introduction of a Vacant Site Levy

This is a new measure, empowering local authorities to apply a levy on the registered owner of vacant or underutilised sites in urban areas, where the owner has failed to develop the site without good reason.

- The levy will be at an annual rate of 3% of the market value of the site, rising by 1% annually up to a maximum of 6%.
- Non-payment is an offence, with a fine of €5,000 on summary conviction.
- However, local authorities will have a reasonable degree of latitude not to apply the levy where it is satisfied that there are economic reasons, including "undue hardship" which has yet to be defined, infrastructural, technical, or other reasons to prevent commencement of the development.

Reduced Development Contributions for existing planning permissions

Development Contributions are charges levied by local authorities on developments in respect of use of public infrastructure. The rate for Development Contributions is normally fixed at the date of grant of planning permission. This new measure means that if the rate for contributions is subsequently reduced by the local authority, the reduced rate will be applied to existing planning permissions, again, easing the burden on stalled developments.



“Use it or lose it” provisions – for planning permissions

Developers will now be obliged to provide a development schedule when applying for planning for 10 houses or more. If the development is subsequently not progressed in accordance with the schedule, without reasonable justification, local authorities will be empowered to modify or reduce the duration of the planning permission granted.

Need for Action on Housing

According to the Government, Planning No.1 Bill is part of a multi-faceted approach to address housing supply problems in Ireland.

Some of the proposals may be controversial, in particular, the removal of the obligation to provide affordable housing in developments. However, given the virtual standstill in house building at the moment, it is difficult to argue with the Government's logic of seeking to increase the number of units built generally. The intent of the changes is to increase the availability of housing and social units. It remains to be seen if the principles of social integration underlying Part V will be upheld as the housing market begins to recover.

No doubt there will be differences between developers and local authorities on the meaning of “undue hardship” and “reasonable justification” for not progressing with a development. We will keep you updated on how these terms are ultimately defined and on the Bill's progress through the legislative process. In Oireachtas debates, the Government has made it clear that it is anxious for Planning No.1 Bill to be enacted as soon as possible.

PLANNING & ENVIRONMENTAL LAW: GENERAL SCHEME OF THE PLANNING AND DEVELOPMENT (NO. 2) BILL 2014

Key Provisions

The key provisions in Planning No.2 Bill are:

1. Establishment of a new independent planning regulator - the Office of the Planning Regulator (“OPR”). The primary functions of the OPR will include:
 - Evaluating and assessing plans and regional spatial and economic strategies and providing statutory observations and recommendations to planning authorities and regional assemblies on these plans and strategies.
 - Notifying the Minister for Environment, Community and Local Government where a plan or strategy is not consistent with proper planning and sustainable development. The OPR's notice to the Minister will be made available on the OPR's website. The Minister will be obliged to consider the recommendations of the OPR and if he does not agree with them, he must give his reasons before each House of the Oireachtas and make these reasons available on the Department's website.
 - Carrying out research and providing education to planning authorities
 - Powers to review the organisation, systems and procedures applied by planning authorities and An Bord Pleanála, to investigate complaints and to report and make recommendations.
2. Development of a National Planning Framework (“NPF”) to replace the existing National Spatial Strategy 2002-2020.

The NPF will set an overarching framework for regional and local development, including strategic investment in transport, housing, water services, communications and other necessary infrastructure.

3. Publication of submissions and observations received on development and local area plans on the relevant planning authorities' website within 7 days of receipt.
4. A new obligation for planning authorities to seek submissions and observations from the relevant regional assembly where a decision to grant planning permission would materially contravene the local development plan.
5. Allowing the Minister to make regulations facilitating electronic planning and obliging planning authorities to provide for systems such as “My-plan,” a free public information system for development or local area plans.
6. A control mechanism obliging Irish Water to have regard to the Minister in relation to installation of necessary infrastructure. This is to ensure that infrastructure is installed only when it is required as part of the core development strategies.

Policy Statement on Planning

The Government also published a non-statutory Policy Statement on Planning along with Planning No.2 Bill. The Policy sets out 10 key principles which should be used as a strategic guide to ensure proper planning and sustainable development. These include principles of sustainable development, creating and developing communities, supporting a transition to a low carbon future and adapting to changing climate, encouraging greater use of public transport, conserving and enhancing natural and cultural heritage and supporting and protecting environment quality. The Policy also highlights Government priorities for planning development, which include: improving planning services, maintaining high standards of public confidence in the planning system, a new National Planning Framework, a renewed construction sector as envisaged by Construction 2020 and future employment growth and development.

Has it gone far enough?

A key concern of the Mahon Tribunal in relation to planning was that changes to the system over the years had resulted in an over-centralisation of power in the hands of the Minister for the Environment, which was not subject to sufficient checks and balances. Planning No.2 Bill and its proposal for the OPR do not reduce the Minister's substantial powers to issue guidelines or directions in relation to planning matters. In particular, Planning No.2 Bill does not address Mahon's recommendation that the Minister's ability to give directions to the regional and local authorities should be entrusted to the OPR. The OPR's powers are therefore limited primarily to observing, reporting and recommending as opposed to having any executive powers or powers of sanction. However, Planning No.2 Bill does follow many of Mahon's recommendations and to the extent that it provides an additional, transparent layer of oversight in relation to key planning strategies and decisions, it is to be welcomed.

Planning No.2 Bill has been transmitted to the Joint Oireachtas Committee on the Environment, Culture and the Gaeltacht for pre-legislative scrutiny. It is scheduled to be enacted by the end of 2015.

328m works done under Home Renovation Incentive scheme

The Home Renovation Incentive scheme, HRI, has been very successful to date, with works on just over 15,900 homes notified to Revenue's online system as of 9 February 2015, Finance Minister Michael Noonan told the Dáil.

This, he said, represents more than €328 million worth of works involving some 4,224 contractors. The incentive is generating significant employment in the tax compliant construction sector and increasing sales in building supplies, hardware and related businesses.

The scheme was introduced in Budget 2014, came into operation on 25 October 2013 and will run until 31 December 2015. The incentive provides tax relief for homeowners by way of a tax credit at 13.5% of qualifying expenditure incurred on repair, renovation or improvement work carried out on a principal private residence. The aim of the measure is to increase and improve housing supply at a time when there is strong demand for housing and insufficient supply in certain areas.

Qualifying expenditure is that which is subject to the 13.5% VAT rate, he said. The work must cost a minimum of €4,405 exclusive of VAT, at which level it would attract a credit of €595. Where the cost of the work exceeds €30,000 exclusive of VAT, a maximum credit of €4,050 will apply. The credit is payable over the two years following the year in which the work is paid for.



The tax credit is only available to the homeowner and not to children or other individuals who may fund the works. However, there are other measures available to individuals or family members who may fund works in their parents' homes.

A housing adaptation grant for people with a disability is also available from local authorities and provides grant aid to applicants to assist in the carrying out of works that are reasonably necessary for the purposes of rendering a house more suitable for the accommodation needs of a person with a disability. This grant can assist with changes and adaptations to a home, such as making it wheelchair accessible, extending it to create more space, adding a ground floor bathroom or toilet, or installing a stair lift. This grant can cover up to 95% of the cost of works carried out, which, Minister Noonan said, is far more generous than the relief available under the home renovation incentive.

Private sector rents in Ireland rose 5.8% in 2014

In 2014, rents in the private rented sector for the whole country rose by 5.8%, with rent for houses up 4.8% and apartment rents up 6.4%, as compared with Q4, 2013. This annual rate of change reflected different performances by location and by property type.

Annual growth in the Dublin market was stronger, up by 9.6% (€104), with Dublin house rents up 7%; up from €1216 to €1301, a rise of €85, and Dublin apartment rents higher by 10.9%; up from €1051 to €1166, a rise of €115. In contrast, annual growth in rents for the market outside Dublin was more subdued, recording growth of 3.9% (€24) when compared to Q4 2013. Again the performance differed by property type. Rent for houses outside Dublin increased by 4.4%; up from €639 to €667, a rise of €28, while apartments outside Dublin experienced an increase of 2.9%; up from €595 to €612, a rise of €17.

This data comes from the PRTB's Quarterly Rent Index which is compiled by the Economic and Social Research Institute (ESRI) for the Board. It is the most accurate and authoritative rent report of its kind on the private accommodation sector in Ireland. This is because it is based on the actual rents being paid, according to the PRTB's records, as distinct from the asking or advertised rent.

Looking at the actual price movements within the fourth quarter of last year, rents rose slightly in Dublin, notably in the apartment sector, while outside Dublin, rents declined. However, the level of rent increase in Dublin, given the size of the Dublin market, meant that when trends for the whole country were measured, there was a slight overall increase in rents, up by 0.6%, when compared with the third quarter of 2014.

Rents in Dublin grew by 2.1% when compared with Q3, 2014. While rents for houses in Dublin increased by 0.4%, rents for Dublin apartments rose by 2.4% compared to Q3, 2014. For properties outside Dublin, rents in Q4, when compared with Q3 last year, were down 0.3%. Rents for houses outside Dublin recorded a quarterly decline of 0.7%. The index for apartment rents outside Dublin, however, recorded a quarterly decline of 0.4% in Q4.

At a national level, monthly rent levels rose at a more moderate rate in Q4, 2014, increasing by 0.6% when compared to Q3; up from €824 to €829; nationally the quarterly growth rate in Q3 had been 2.1%. Looking at trends in more detail, monthly rents for houses were lower in Q4 2014 when compared to Q3 2014, down by 0.6% quarter on quarter; down from €819 to €813. In contrast, rents for apartments were 1.2% higher than in Q3, 2014; up from €845 to €855.

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In the Dáil

THE FOLLOWING IS A SELECTION OF WRITTEN DÁIL REPLIES TO TDS ON TOPICS OF INTEREST TO AUCTIONEERS AND ESTATE AGENTS:

VALUATION SYSTEM

Deputy Sean Fleming (FF, Laois-Offaly) asked the Minister for Public Expenditure and Reform if consideration will be given to introducing a system of self-assessment for commercial rates, in view of the systemic inability of the Valuation Office to carry out valuations in a timely manner.

Minister for Public Expenditure & Reform (Deputy Brendan Howlin):

The national revaluation programme, which amazingly is the first general valuation of all commercial property in the State since the middle of the 19th century, is making progress. It is a very significant undertaking and involves the valuation of some 146,000 properties. Completing the first revaluation and getting every local authority onto what would be a more normal five to ten year cycle of revaluations represents a sea change for the valuation system.

The current position is that all local authorities in Dublin, Waterford and Limerick have been revalued. These 48,000 properties represent 33% of the total. In addition, 13 public utilities representing the largest ratepayers in the State have also been revalued on a global basis.

Significant progress is being made and the programme has established a momentum that will shortly be built upon when the commissioner makes valuation orders for the revaluation of more local authorities. In parallel, the Valuation Office has continued to carry out revision work and, since 2011, a total of 22,467 revision valuations have also been completed. However, as the Deputy is aware, I am introducing measures in the Valuation (Amendment) (No. 2) Bill 2012 to accelerate the revaluation programme. These include provisions for occupier-assisted valuation as well as outsourcing and streamlining the appeals process and wider use of computer-aided techniques.

“Occupier-assisted valuation” is the term being used for the form of self-assessment about which I think the Deputy is talking. It will be introduced as it better reflects what will happen in practice. Valuation of commercial property is often a very complex process, resulting in annual

rates bills that can be very significant for an individual ratepayer. This requires the application of a uniform approach and is much more complex than the self-assessment for local property tax, which has been very successful. Occupier-assisted valuation will be a valuable new addition which will help to accelerate the revaluation programme and bring ratepayers into closer contact with a system that is one of the key determinants of their rates liability.

WATER CHARGES YIELD

Deputy Brian Stanley (SF, Laois-Offaly) asked the Minister for the Environment, Community and Local Government the net figure collected from domestic water charges in 2015, the cost of collection and the projected net cost to the Exchequer of the household conservation grant.

Minister for the Environment, Community and Local Government (Deputy Alan Kelly): The main aspects of the Irish Water funding model are set out in a detailed fact sheet published on my Department’s website. In 2015 Irish Water expects billed income from domestic customers to total €271 million and that from non-domestic customers to total some €229 million, giving a total billed income from customers of €500 million. The estimated annual cost of Irish Water’s billing and customer services for domestic customers is approximately €22 million. Irish Water’s costs have been examined by the Commission for Energy Regulation, CER, and only efficiently incurred costs can be passed on to the customer.

The Government is proposing to provide for the payment of a water conservation grant of €100 per annum, which will be available to all eligible households in respect of their primary residence. The water conservation grant will commence this year and an allocation of €130 million has been provided in my Department’s estimates for 2015. The budget allocation for the water conservation grant is based on an estimate of up to 1.3 million households applying for the grant. This estimated level of demand for 2015 takes account of the number of primary residences recorded in census 2011 as well as experience with other demand-led schemes.

PYRITE REMEDIATION PROGRAMME IMPLEMENTATION

Deputy Clare Daly (Ind., Dublin North) asked the Minister for the Environment, Community and Local Government the progress of the pyrite remediation scheme, the targeted number of properties to be remediated in 2015 and the cost of the project to date.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey):

The pyrite remediation scheme is a targeted initiative to assist a restricted group of home owners who have no other practical options to access redress. It is a scheme of last resort to repair homes affected by significant damage.

The pyrite remediation scheme involves a number of stages commencing with a validation process by the Pyrite Resolution Board to check each application for compliance with the scheme’s eligibility criteria. This procedure is followed by a damage verification process carried out by the Housing Agency. The next stage involves a decision by the Pyrite Resolution Board on whether a dwelling will be included in or excluded from the scheme. Once a dwelling has been included in the scheme, tendering processes are arranged by the Housing Agency for the appointment of a design professional



IPAV member Pat Falvey who has climbed the seven international peaks along with Everest four times with National Council member Brian Dempsey at an after-show event in Dublin’s Marker Hotel following the Pendulum Summit on January 8 where Pat was a speaker.

and works contractor for the preparation and execution of a remedial works plan in respect of the dwelling concerned.

Since details of the scheme were published in February 2014, the Pyrite Resolution Board has received 627 completed applications. A total of 485 applications have been validated and forwarded to the Housing Agency for the verification stage. Of these, 295 have been approved by the board for inclusion in the scheme and applicants have been notified. A pilot project involving the remediation of five dwellings was completed in the latter half of 2014. The funds provided in respect of the pyrite remediation scheme in 2014 amounted to €2.2 million. Over the course of 2015, the board anticipates that remediation works will commence on projects comprising approximately 280 dwellings.

UNFINISHED HOUSING DEVELOPMENTS

Deputy Catherine Murphy (Ind., North Kildare): asked the Minister for the Environment, Community and Local Government his plans to initiate any legislative reforms to address the continued difficulties which exist to the taking in charge of estates where outstanding issues have not been addressed; if his attention has been drawn to the fact that with construction activity increasing the need for these measures has never been greater and if he proposes to tackle the problems caused by extended permissions making it impossible for estates to be taken in charge.

Minister of State at the Department of the Environment, Community and Local Government (Deputy Paudie Coffey): My Department is currently reviewing, in the context of the forthcoming planning and development (No. 2) Bill, the provisions in section 180 of the Planning and Development Act 2000, as amended, relating to the taking in charge of housing estates with a view to improving and streamlining the taking in charge procedures. A particular focus of the review will be the time limits for the taking in charge of housing estates. My Department will consult with planning authorities in this regard.

Consideration will be given in this context to any amendments to the taking in charge procedures required to streamline the arrangements with regard to water services infrastructure, but I would emphasise that there is no barrier to taking in charge of estates as a result of the establishment of Irish Water. This was clarified again in circular 5/14 to local authorities issued by my Department in November 2014.

With regard to the extension of duration of planning permissions, section 42 of the Planning Act provides that the duration of a planning permission may be extended for up to five years where substantial works relating to the permitted development have been carried out during the period of the original planning permission, or where substantial works have not been carried out because there were considerations of a commercial, economic or technical nature beyond the control of the holder of the planning permission which substantially mitigated against either the commencement of development or the carrying out of substantial works during the period of the original planning permission.

A facility to obtain a second extension of duration of planning permission was rescinded in 2010. I am not aware of any particular problems with the current provisions regarding the extension of duration of planning permissions. However, if the Deputy wishes to write to me with specific examples, I would be happy to have my officials examine them.



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A State of Chasis

Some thoughts on the present debate about the Junior Certificate examination

By Peter Brady, Chairman IPAV's Education Advisory Committee

"True teachers are those who use themselves as bridges over which they invite their students to cross; then, having facilitated their crossing, joyfully collapse, encouraging them to create their own."

(Nikos Kazantzakis)

Examinations

It is safe to say that there are very few people in the country who do not have an opinion about examinations given the high proportion of people who experienced them at some time during their time at school or college. The thought of being examined in any subject in any manner is always a potentially terrifying one and one we would all prefer to forego if possible.

Be that as it may, examinations are a reality and it can be argued that every day we are all examined or tested in some way (or at least our actions come under the microscope). The process may be as simple as assessing our own performance – did we complete all the tasks we had to do and how well did we do them? It may involve more formal activities such as sitting a driving test, attending an interview or having a performance appraisal.

In all of these activities our ability and competency are being assessed. Examinations, it might be argued, are a part of life so why should we be so animated about them at school and college level? And the present discourse about the junior certificate examination provides an appropriate opportunity to further consider the issue of examination, objectivity and the role and function of the teacher.

Teaching And Lecturing

Recently, in an interesting exchange in the Dáil about the proposed changes to the junior certificate examination, Tánaiste Joan Burton referred to her time as an academic lecturing and assessing her own students in College. An interesting observation and one which requires examination in the debate about teachers' ability to mark their own students.

There is no issue with the professional competence of teachers to mark their students work. Indeed this is a routine part of their job.

But the issue of assessing students in the context of a national examination begs a different question and is worthy of consideration. Here I would like to consider some of those questions in the context of the Tánaiste's comments. Let me start by considering the role of the teacher and the lecturer.

Superficially, the difference between lecturers and teachers is easily discerned. The most obvious difference is that lecturers deliver to larger groups of students. They are adults and have qualified through examination or other selection method to attend the course in question – they have a proven ability to undertake the programme.

Additionally, Universities are traditionally noted for their own individual approach to subjects and assessment. Very often their reputation is based on this very personal approach and in some cases the personalities delivering the courses are more important than the subject matter in terms of attracting students.

The lecturer in a University of College differs significantly in this respect from the teacher in a school. One has the luxury of designing and determining the assessment method of his/her own subject the other is subject to national subject design and assessment. The university system is characterised then by a highly individual approach and one which is a determining factor when students select their chosen University of College (as noted above). In this respect, individual Universities develop reputations for their excellence in specific disciplines such as medicine, science, humanities etc.

University lecturers are not subject to the same national norms as a teacher. The teacher experience is totally different. S/he works in an environment where s/he has little input to syllabus content or the nature of its assessment. The content of examinations is determined nationally as is the assessment criteria. This has implications for delivery that differ enormously from those of the lecturer.

Community

It is also worth noting that the teacher works in a more intimate environment with smaller groups of students – averaging twenty to twenty five in number. The group may be very diverse in ability and manner posing its own problems for learning. They have limited life experience and are still very raw.

Teachers do not design their own programmes or determine the assessment method. Rather this is done by others who set the examinations, employ others to mark them on the basis of set outcomes. In Ireland, this is the work of the State Examination Commission (SEC).



IPAV Office Manager Laura Raleigh who retired recently pictured with Peter Brady, Chairman of IPAV's Educational Advisory Committee and Margaret Brady, IPAV External Examiner at her farewell reception.

Teachers work within the system and teach their students in accordance with the assessment criteria. It is a personal journey where the teacher works with and develops a strong relationship with the student over a period of years. Very often teachers work outside the national curriculum providing other activities for their students.

This is not the case in Universities where lecturers may only meet students for a semester or two and may never know their names. Neither do they get to know the intimate details of their students as a teacher might. They are not concerned with family background, personal issues and the like. By contrast, this is a constant aspect of the teachers' work and may impact upon the learning situation.

Traditionally students attending University 'read' for their degree. In other words the lecturer is there to guide learning and not to 'fill the imperial glass full' of knowledge. In a university setting students are expected to be self-motivating and take responsibility for their learning.

This is not the case in secondary schools although it is an ambition devoutly wished.

The school occupies a central position in communities. It is a place where students are prepared for adulthood with rules and regulations that generally mirror society. Each has a disciplinary code and this can be applied in given situations. While the same may be said of Universities, it is not often that a student will be sent to the President over a disciplinary issue!

The fact that student attending University are adults means that they are treated as such – in contrast to the secondary school where parents and teachers (in loco parentis) have a different set

of expectations and responsibilities when dealing with students.

In short, it is clear there is a world of difference between lecturing and teaching, not only in the role of each but also in terms of qualifications. Lecturers are not necessarily trained teachers but are more noted for their expertise in a subject area. They are generally more qualified holding masters and doctorate degrees. The teacher, on the other hand, is a trained educator and generally holds a primary degree – although this is changing.

Change

The main concern of teachers in the present circumstances is not the fear of marking students work. As noted earlier, they do this on a daily basis. But to compare the task of a teacher in the context of national examination with that of the lecturer in a University, is at best disingenuous.

It is clear to me that as long as there is a national examination with set assessment criteria it ought to be marked nationally and anonymously for the reasons stated above i.e. the personal relationship that exists between teachers, students, schools and their communities.

Confusing the role of the teacher with that of the lecturer is a dangerous thing and does not advance the understanding of the issues at the heart of the current situation. While there may be a sustainable argument for changing our secondary examination system, tinkering with bits of it does nobody any good.

Real change involves a buy in, resourcing and time. It is unfortunate that the present impasse is the direct result of too much haste and too little buy in.

Sherry FitzGerald O'Reilly, Naas and Sherry FitzGerald Davitt & Davitt Mullingar both won Franchise awards recently. Pictured at the presentation were; John O'Reilly & Gary Corroon.



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