



DÁIL ÉIREANN

BILLE NA DTITHE (FORÁLACHA ILGHNÉITHEACHA), 2014 HOUSING (MISCELLANEOUS PROVISIONS) BILL 2014

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

BILLE NA DTITHE (FORÁLACHA ILGHNÉITHEACHA), 2014 —ROGHFHOCHOISTE

HOUSING (MISCELLANEOUS PROVISIONS) BILL 2014 —SELECT SUB-COMMITTEE

Leasuithe Amendments

SECTION 8

1. In page 10, line 28, to delete “the authority and the tenant” and substitute the following:

“the authority is satisfied that the failure to make a repayment or pay rent on a due date was due to circumstances outside the household’s control and the authority and the tenant”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 12

2. In page 16, line 29, after “than” to insert “, where there is no joint tenant,”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 13

3. In page 18, lines 26 and 27, to delete “but a date so specified shall not be in respect of a date that is more than 6 months” and substitute “but the date so specified shall not be more than 6 months”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 14

4. In page 20, line 21, to delete “an employee” and substitute “an officer or employee”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

5. In page 20, line 32, to delete “An employee” and substitute “An officer or employee”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

6. In page 20, line 39, to delete “an employee” and substitute “an officer or employee”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

7. In page 21, line 2, to delete “that employee” and substitute “a named officer or employee”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

[SECTION 14]

8. In page 21, line 3, to delete “employee” and substitute “officer or employee”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 19

9. In page 28, to delete line 16.

—Catherine Murphy.

10. In page 29, between lines 19 and 20, to insert the following:

“and

- (d) by inserting the following new subsection after subsection (3):

“(4) A court, in making a determination under subsections (3)(a) or (3)(b), shall have regard to whether or not an appropriate multi-agency approach has been adopted by the Child and Family Support Agency, the Health Service Executive, representatives of the school or schools being attended by the respondent(s) and An Garda Síochána to determine if the best interests of the respondent(s) would be served by the issuance of an order against them under the aforementioned subsections.”.

—Catherine Murphy.

SECTION 22

11. In page 37, between lines 10 and 11, to insert the following:

“(4) A housing authority shall ensure that, unless otherwise directed by resolution of the elected members of the local authority to which the housing authority is subject, 100 per cent of the proceeds garnered from the sale of a house under this Part shall be retained by the local authority for the specific purpose of providing further accommodation.”.

—Catherine Murphy.

SECTION 23

12. In page 37, line 20, to delete “the tenant” and substitute “subject to *subsection (2)**, the tenant”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

[*This is a reference to the subsection proposed to be inserted by amendment 13.]

13. In page 37, between lines 27 and 28, to insert the following:

“(2) In applying *subsection (1)(a)(ii)**, a housing authority shall disregard the case where the authority or the approved body concerned is satisfied that the failure of the tenant or household member concerned to substantially comply with the terms of the rescheduling arrangements was due to circumstances outside the control of such tenant or household member.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

[*This is the appropriate reference if this amendment is accepted.]

[SECTION 25]

SECTION 25

14. In page 39, to delete lines 22 and 23.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 31

15. In page 45, between lines 20 and 21, to insert the following:

“Part 3 and amendment of Principal Act

31. The Principal Act is amended in section 90—

- (a) by deleting subsections (1)(a)(i), (2), (3), (4A) and (6A), and
- (b) in subsection (7), by deleting paragraphs (a), (b) and (c) and by substituting the following for paragraph (l):

“(l) in the case of a sale under this section, the obtaining of the consent of the Minister to the sale;”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

16. In page 45, between lines 20 and 21, to insert the following:

“Part 3 and amendment of Act of 1992

32. The Act of 1992 is amended by deleting section 26(2).”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 32

17. In page 45, between lines 32 and 33, to insert the following:

“(a) in section 10(a) by substituting the following for subparagraph (iv):

“(iv) the sale, or consent to the sale, of a dwelling under section 90(1) (b) of the Principal Act to a person other than another housing authority;”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

18. In page 46, to delete lines 6 to 18 and substitute the following:

“(c) in section 20 by substituting the following for subsection (5):

“(5) (a) Subject to paragraph (b), a household shall not be eligible for social housing support where—

- (i) at any time during the 3 years immediately before the carrying out of the social housing assessment, the household or a member of his or her household was in arrears of rent, rent contributions, charges, fees or loan repayments or any other moneys due and owing to a housing authority or an approved body for an accumulated period of 12 weeks or more in respect of a dwelling or site to which Chapter 3 of Part 2 of the Act of

[SECTION 32]

2009 relates, and

- (ii) the household or the member concerned has not entered into rescheduling arrangements with the housing authority or approved body concerned for the payment of such arrears, or, having entered into such arrangements, has not, in the opinion of the authority or body, substantially complied with their terms.
- (b) The failure of a household or household member to substantially comply with the terms of rescheduling arrangements shall be disregarded in any case where the housing authority or approved body concerned is satisfied that the failure was due to circumstances outside the control of such household or household member.””.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

19. In page 46, between lines 24 and 25, to insert the following:

“(f) in section 43(1) by substituting the following for paragraph (a) in the definition of “eligible household”:

“(a) a household assessed by a housing authority under section 20 as being qualified for social housing support, which has been allocated a dwelling to which this Part applies in accordance with an allocation scheme, and which applies to purchase the dwelling under this Part within 5 years from the date of such allocation, or””.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

20. In page 46, to delete lines 25 to 42, and in page 47, to delete lines 1 to 11 and substitute the following:

“(f) in section 43 by substituting the following for subsection (2):

“(2) (a) A housing authority shall not proceed with the sale of a dwelling under an incremental purchase arrangement to a household referred to in paragraph (b) of the definition of ‘eligible household’ in subsection (1) where—

- (i) at any time during the 3 years immediately before applying to the authority to purchase a dwelling under this Part, the household or a household member was in arrears of rent, rent contributions, charges, fees or any other moneys due and owing to a housing authority or an approved body for an accumulated period of 12 weeks or more in respect of a dwelling or site to which Chapter 3 of Part 2 of the Act of 2009 relates, and
- (ii) subject to paragraph (b), the household or the member concerned has not entered into rescheduling arrangements with the housing authority or approved body concerned for the payment of such arrears, or, having entered into such

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arrangements, has not, in the opinion of the authority or body, substantially complied with their terms.

- (b) In applying paragraph (a)(ii), a housing authority shall disregard the case where the authority or approved body concerned is satisfied that the failure of the household or the member concerned to substantially comply with the terms of the rescheduling arrangements was due to circumstances outside the control of such household or member.”,

(g) in section 45(2) by deleting paragraph (d),

(h) in section 64(9) by substituting the following for paragraph (a):

“(a) where—

- (i) at any time during the 3 years immediately before applying to the authority to purchase an apartment under this Part, the tenant or a member of his or her household was in arrears of rent, rent contributions, charges, fees or any other moneys due and owing for an accumulated period of 12 weeks or more to a housing authority or an approved body in respect of a dwelling or site to which Chapter 3 of Part 2 of the Act of 2009 relates, and
- (ii) subject to subsection (9A), the tenant or the household member has not entered into rescheduling arrangements with the housing authority or approved body concerned for the payment of such arrears, or, having entered into such arrangements, has not, in the opinion of the authority or body, substantially complied with their terms,”,

and

(i) in section 64 by inserting the following subsection after subsection (9):

“(9A) In applying subsection (9)(a)(ii), a housing authority shall disregard the case where the authority or approved body concerned is satisfied that the failure of the tenant or the household member concerned to substantially comply with the terms of the rescheduling arrangements was due to circumstances outside the control of such tenant or household member.”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 33

21. In page 47, between lines 11 and 12, to insert the following:

“Amendment of section 44 of the Act of 2009

33. Section 44 of the Act of 2009 is amended by the insertion of the following subsections after subsection (1):

[SECTION 33]

“(1A) Subsection (1)(a) does not apply in circumstances where a local authority and an approved body agrees that to dispose of a dwelling to a tenant that was constructed prior to the enactment of this Act would be in the best interests of—

(a) the tenant, and/or

(b) the local community in which the particular dwelling is situated.

(1B) The proceeds of sale of any disposal under subsection (1A) shall be ring-fenced for the purposes of—

(a) provision of additional housing by approved bodies in the local authority area in which the particular dwelling is situated, and

(b) to upgrade existing housing stock in the local authority area in which the particular dwelling is situated.”.”

—Barry Cowen.

SECTION 35

22. In page 48, line 3, after “shall” to insert “not”.

—Barry Cowen.

SECTION 37

23. In page 48, line 12, after “may” to insert “, subject to *subsection (3)**.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

[*This is a reference to the subsection proposed to be inserted by amendment 24.]

24. In page 48, between lines 24 and 25, to insert the following:

“(3) In providing housing assistance to a qualified household in accordance with *subsection (1)*, a housing authority shall ensure that, in respect of the financial year concerned, the aggregate of the authority’s payments of such assistance does not exceed the moneys made available to the authority for that purpose in that year from the Vote for Environment, Community and Local Government in the Estimates for Public Services (within the meaning of section 17(1) (inserted by the Ministers and Secretaries (Amendment) Act 2013) of the Ministers and Secretaries (Amendment) Act 2011).”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 41

25. In page 52, between lines 28 and 29, to insert the following:

“(e) The Minister shall review the maximum amount of rent referred to in *paragraph (b)* every three months in each municipal district as defined under Part 3A of the Local Government Act 2001 (as amended), and, where evidence compiled indicates that less than 10 per cent of available rental accommodation units may be accessed by an individual or a family receiving a payment under this Part, shall increase or decrease the aforementioned maximum amount of rent to ensure an optimal supply of accommodation.”.

SECTION 46

26. In page 56, between lines 6 and 7, to insert the following:

“Review of certain decisions

46. (1) Other than in respect of decisions on a review under this section, the Minister may prescribe one or more than one class of decision made by a housing authority under this Part (in this section referred to as a “prescribed decision”) to which this section applies.
- (2) This section applies where a household does not agree with a prescribed decision made by a housing authority under this Part.
- (3) A household that does not agree with a prescribed decision made by a housing authority under this Part may request a housing authority in writing (in this section referred to as a “review request”) to review the decision.
- (4) A review request shall—
- (a) outline the grounds upon which the household disputes the prescribed decision and be accompanied by any relevant supporting documents, and
 - (b) state whether a member of the household wishes to make oral representations to the housing authority as part of the review.
- (5) (a) Subject to *paragraph (b)*, a review request shall be received by the housing authority within 8 working days from the issuing of the prescribed decision to the household.
- (b) The Minister may prescribe the types of extenuating circumstances as a consequence of which the period of 8 working days referred to in *paragraph (a)* may, at the discretion of the housing authority concerned and upon being satisfied that any such circumstance does apply, be extended upon application by or on behalf of the household for such period as decided by the housing authority, but any such further period so decided shall not, taken together with the 8 working days from the issuing of the prescribed decision concerned, exceed 16 working days from such issue.
- (6) On receipt of a valid review request, the chief executive of the local authority concerned shall appoint as the reviewer of the prescribed decision concerned an officer or employee of a local authority who was not involved in the making of the prescribed decision and who is senior in rank to the officer or employee who made that decision.
- (7) The reviewer shall review the prescribed decision as if the matter were being decided for the first time and on the basis of the information available to him or her.
- (8) A reviewer may make such enquiries and meet with any person, including the household requesting the review, that he or she considers appropriate to meet in the circumstances.

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- (9) Except where the reviewer and the household otherwise agree in writing, the reviewer shall make a decision on the review within 10 working days of his or her appointment or, where—
- (a) the household wishes to make oral representations to the reviewer, or
 - (b) the reviewer wishes to meet the household or a household member as part of the review,
- within 20 working days of his or her appointment.
- (10) A decision on a review request by a household shall—
- (a) confirm the prescribed decision in its original terms,
 - (b) where appropriate, vary the prescribed decision in specified terms, or
 - (c) annul the prescribed decision and, where appropriate, make an alternative decision,
- and shall state the reasons for doing so and the housing authority shall send a copy in writing of the reviewer’s decision and reasons to the household.
- (11) Any variation to a prescribed decision proposed by the reviewer under *subsection (10)(b)*, other than to correct any clerical error of a non-material nature, shall not be made without first giving the household an opportunity to comment or make representations on such a variation.
- (12) A household that has made a review request may, at any time before the review is completed, notify the housing authority in writing that they are withdrawing the review request but any such withdrawal is subject to *subsection (13)*.
- (13) A reviewer may, notwithstanding the withdrawal of a review by the household and where the reviewer is satisfied that it is in order to do so, continue the review under this section as if the withdrawal had not been made and the housing authority shall notify the household in writing accordingly.
- (14) Where, in a review under this section, a member of An Garda Síochána or an officer of a housing authority states that he or she believes that a person is or has been engaged in anti-social behaviour then, if the reviewer believes that there are reasonable grounds for such belief, the reviewer may accept that statement as evidence of such anti-social behaviour.
- (15) In a review of a tenancy warning under this section, the housing authority concerned and the reviewer shall have due regard to protecting the identity of persons informing the authority or reviewer of anti-social behaviour in circumstances where, in the opinion of the authority or the reviewer, not to do so—
- (a) could render those persons or persons associated with them liable to violence, threat or fear as a consequence of so informing, or
 - (b) might otherwise have prevented those persons from so informing because of such violence, threat or fear.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

[SECTION 46]

27. In page 57, to delete lines 6 to 20 and substitute the following:

- “(5A) (a) Subject to paragraph (b), a household in receipt of social housing support shall cease to be eligible for such support where—
- (i) in the preceding 3 years, the household or a household member was in arrears of rent, rent contributions, charges, fees or any other moneys due and owing to a housing authority or an approved body for an accumulated period of 12 weeks or more in respect of a dwelling or site to which Chapter 3 of Part 2 of the Act of 2009 relate, and
 - (ii) the household or the member concerned has not entered into rescheduling arrangements with the housing authority or approved body concerned for the payment of such arrears, or, having entered into such arrangements, has not, in the opinion of the authority or body, substantially complied with their terms.
- (b) The failure of a household or household member to substantially comply with the terms of rescheduling arrangements shall be disregarded in any case where the housing authority or approved body concerned is satisfied that the failure was due to circumstances outside the control of such household or household member.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

28. In page 57, line 36, to delete “subsection.”,” and substitute the following:

“subsection.

- (c) In this subsection ‘specified form of social housing support’ means social housing support of a kind referred to in paragraph (a), (b) or (d) of section 19(2).”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

29. In page 58, to delete lines 3 to 6 and substitute the following:

- “(2) (a) In this section references to rent include a rent contribution payable by a tenant under a Chapter 4 tenancy agreement.
- (b) In this section, other than subsection (6)(h), references to rent include a rent contribution payable under *section 42 of the Housing (Miscellaneous Provisions) Act 2014* by a tenant who is a member of a qualified household within the meaning of *section 33 of that Act*.”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 49

30. In page 59, between lines 2 and 3, to insert the following:

“49. (1) The Minister shall, six months after the coming into operation of this Part, cause a

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review to be conducted which shall assess the effectiveness of the measures contained in this Part under the following categories:

- (a) the net effect on the numbers of families waiting for accommodation to be provided to them by a housing authority in each local authority area;
 - (b) the net number of individuals and families who are on the emergency accommodation waiting lists in their respective areas;
 - (c) the number of local authority staff required by each housing authority for the optimal administration of the measures under this Part;
 - (d) the funding required from the Central Fund or the local government fund for the optimal delivery of the measures under this Part.
- (2) The Minister shall compile the data and analysis undertaken under *subsection (1)* into a report which shall be laid before both Houses of the Oireachtas and transmitted to the Joint Oireachtas Committee on the Environment, Culture and the Gaeltacht, or its successor Committee.”.

—Catherine Murphy.

31. In page 59, between lines 4 and 5, to insert the following:

“Definition (Part 5)

49. In this Part “Act of 2005” means the Social Welfare Consolidation Act 2005.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

32. In page 59, to delete line 7.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

33. In page 59, to delete lines 8 to 16 and substitute the following:

“ “net scheme payments” means the amount payable weekly under a scheme to a relevant recipient by the Minister for Social Protection after—

- (a) any deductions for the purposes referred to in section 341(7) of the Act of 2005, and
- (b) the deduction of any amounts required to be deducted by an order of a court, and, in the case of deductions in respect of—
 - (i) rent, includes any amount specified in columns (2) to (8) of Part 1 of Schedule 2 to the Act of 2005 or columns (2) to (8) of Part 1 of Schedule 4 to that Act, or
 - (ii) rent arrears, excludes any amount specified in columns (3) to (8) of Part 1 of Schedule 2 to the Act of 2005 or columns (3) to (8) of Part 1 of Schedule 4 to that Act;”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

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34. In page 59, lines 35 and 36, and in page 60, lines 1 and 2, to delete all words from and including “Protection;” in line 35 down to and including “be.” in line 2 and substitute “Protection.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

35. In page 60, line 16, after “concerned” to insert “and that Minister shall, as soon as practicable, notify the housing authority concerned accordingly”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

36. In page 60, line 21, after “payments” to insert the following:

“and that Minister shall, as soon as practicable, notify the housing authority concerned of the amount so deducted”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

37. In page 60, lines 25 to 27, to delete all words from and including “accordingly” in line 25 down to and including “continue” in line 27 and substitute “that the requested deduction has not been made”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

38. In page 60, line 39, to delete “and the end date”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

39. In page 61, line 2, to delete “from the start date to the end date” and substitute “from the start date”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

40. In page 61, line 8, to delete “15 per cent” and substitute “5 per cent”.

—Catherine Murphy.

41. In page 61, line 8, after “rate” to insert “(within the meaning provided for by section 341(7B) of the Act of 2005)”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

42. In page 61, between lines 9 and 10, to insert the following:

“(b) The Minister for Social Protection shall, as soon as practicable, notify the housing authority concerned of the amount of rent arrears deducted under *paragraph (a)*.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

43. In page 61, to delete lines 10 to 29.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

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44. In page 61, lines 40 to 42, to delete all words from and including “accordingly,” in line 40 down to and including “continue” in line 42 and substitute “that the requested deduction has not been made”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

45. In page 61, between lines 42 and 43, to insert the following:

“(6) A request by a housing authority under *subsection (2) or (4)* shall cease to have effect on whichever of the following events first occurs:

- (a) receipt by the Minister for Social Protection of notice from the authority terminating the request;
- (b) receipt by the Minister for Social Protection of a new request from the authority under the same subsection relating to the same relevant recipient;
- (c) the second anniversary of the start date specified in the request.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

46. In page 62, to delete lines 8 to 15 and substitute the following:

“(7) (a) Where the Minister for Social Protection is required under this section to notify a housing authority of the amount of a deduction in respect of rent or rent arrears or that a requested deduction has not been made, that requirement shall be satisfied if that Minister has, in respect of the authority to be notified, enabled the authority to have access to the information concerned in a manner that is agreed by the Minister and the Minister for Social Protection.

(b) An agreement between the Minister and the Minister for Social Protection for the purposes of *paragraph (a)*—

- (i) shall include the period within which such information will be made accessible to the local authority concerned, after the deduction was made or after the date the deduction due has not been made, and
- (ii) may include a time limit or a reference to the occurrence of one or more than one event after which the Minister for Social Protection is not required to make that information available to the local authority concerned in accordance with this subsection.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

47. In page 63, line 7, to delete “has not been duly paid out because of the effluxion of time” and substitute “is not, for whatever reason, duly paid to that recipient”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 50

48. In page 63, between lines 29 and 30, to insert the following:

“Amendments to Act of 2005

50. (1) The Act of 2005 is amended in section 196 by inserting the following after subsection

[SECTION 50]

(2):

“(3) A person who is in receipt of any benefit, assistance or supplement under this Act from which a deduction is being made in respect of payment of rent or rent arrears under *section 49 of the Housing (Miscellaneous Provisions) Act 2014* shall not be entitled to claim for supplementary welfare allowance under this section in respect of the monies so deducted.”,

(2) The Act of 2005 is amended in section 198—

(a) in subsection (3F), by substituting “Subject to subsection (3FB), a person shall not be entitled to a payment” for “A person shall not be entitled to a payment”, and

(b) by inserting the following after subsection (3F):

“(3FA) Subject to subsection (3FB), a person shall not be entitled to a payment referred to in subsection (3) unless, and subject to subsection (3H), on the making of the application, a designated person is satisfied that the person is a *bona fide* tenant, and—

(a) subject to subsection (3G) where applicable, was in receipt of a payment referred to in subsection (3) in respect of another tenancy immediately before the making of the application or was in receipt of the payment within a specified period as prescribed,

(b) has been residing, for the period that is prescribed, in rented accommodation in respect of which—

(i) there was at the commencement of the tenancy, an expectation that, in so far as was reasonable in all the circumstances, the person could pay the rent into the future, and

(ii) the person was in a position to pay the rent at the commencement of the tenancy,

and subsequent to the commencement of the tenancy the person has experienced a substantial change in his or her circumstances and is unable to pay the rent and such change in circumstances has not been caused by that person, or

(c) has been residing, for the period that is prescribed—

(i) in accommodation for homeless persons as provided under section 10 of the Housing Act 1988, or

(ii) in an institution,

except where the household of which the person is a member is determined to be qualified for social housing support by a housing authority under a social housing assessment pursuant to section 20 of the Housing (Miscellaneous Provisions) Act 2009.

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- (3FB)(a) Subsection (3F) shall apply, where appropriate, except in respect of a case to which paragraph (b) relates.
- (b) Subsection (3FA) shall apply to a person where—
- (i) regulations made under *section 47* of the *Housing (Miscellaneous Provisions) Act 2014* provide that a specified housing authority shall apply *Part 4* of that Act in respect of a specified class of household, and
 - (ii) he or she is a member of a household within such a class of household and the specified authority is the housing authority for the household for the purposes of *Part 4* of that Act.”.
- (3) The Act of 2005 is amended in section 198 by inserting the following after subsection (3F):
- “(3G)(a)(i) A person in receipt of a payment under subsection (3) in respect of a continuous period that is not shorter than a prescribed period shall—
- (I) on being requested to do so in writing by a designated person, apply to the housing authority concerned for social housing support for his or her household and, as a consequence, for a social housing assessment to be carried out under section 20 of the *Housing (Miscellaneous Provisions) Act 2009*, and
 - (II) subject to subparagraph (ii), within 6 weeks of that request by a designated person, provide to the designated person confirmation that the household has forwarded a duly completed application form for social housing support to that authority for the purpose of a social housing assessment being so carried out.
- (ii) The designated person may, where he or she is satisfied that an extension of time is justified in a particular case, extend the period referred to in subparagraph (i)(II) for a further period that shall not, in any case, exceed 6 weeks.
- (iii) Where a person to whom subparagraph (i) applies fails to duly provide the confirmation in accordance with subparagraph (i)(II) or with that subparagraph and subparagraph (ii), then he or she shall cease to be entitled to a payment under subsection (3) when the period referred to in subparagraph (i)(II) or subparagraph (ii), as the case may be, has expired.
- (b) A person in receipt of a payment under subsection (3) shall cease to be entitled to such a payment where a housing authority notifies the Minister that the household of which the person is a member has failed to duly supply to the authority additional information that the authority requested for the purposes of verifying information, for

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the purposes of a social housing assessment under section 20 of the Housing (Miscellaneous Provisions) Act 2009, that relates to the household's application for social housing support.

- (3H) A person in receipt of a payment under subsection (3) shall cease to be entitled to such a payment where a housing authority determines that a household of which the person is a member is qualified for social housing support and the authority notifies the Minister that—
- (a) social housing support is being provided to that household,
 - (b) housing assistance under *Part 4* of the *Housing (Miscellaneous Provisions) Act 2014* is an appropriate form of support for that household and the household has done or failed to do anything in consequence of which the household has not taken up that form of social housing support, or
 - (c) by virtue of the operation of section 20(5B) of the Housing (Miscellaneous Provisions) Act 2009, the household is ineligible for social housing support for a period prescribed under that enactment.

(4) The Act of 2005 is amended in section 290A—

(a) by substituting the following for subsection (1):

“290A. (1) This section applies to a beneficiary who is—

- (a) a tenant of a housing body, or
- (b) a tenant of a dwelling that is the subject of housing assistance under *section 37* of the *Housing (Miscellaneous Provisions) Act 2014*,

and who is entitled to a benefit prescribed under this section.”,

(b) by substituting the following for subsection (4):

“(4) A deduction and payment made pursuant to this section shall cease—

- (a) where the beneficiary—
 - (i) ceases, upon his or her death or otherwise, to be a tenant of a housing body,
 - (ii) ceases, upon his or her death or otherwise, to be a tenant of a dwelling that is the subject of housing assistance under *section 37* of the *Housing (Miscellaneous Provisions) Act 2014*, or
 - (iii) otherwise ceases to be entitled to a benefit prescribed under this section,

or

- (b) where such deduction and payment are discontinued in accordance with this section.”,

[SECTION 50]

and

- (c) in subsection (7), by substituting “as amended by the Local Government Reform Act 2014” for “amended by section 8 of the Housing (Miscellaneous Provisions) Act 2009”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

49. In page 64, lines 20 and 21, to delete “Social Welfare Consolidation Act 2005” and substitute “Act of 2005”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

SECTION 51

50. In page 65, to delete line 2.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

51. In page 65, line 7, to delete “subsection (3).” and substitute the following:

“subsection (3).”

and

- (c) by substituting the following for paragraph (g) of subsection (6):

“(g) the waiving of rent and other charges, in whole or in part, on a temporary basis, in case of financial hardship;

(h) subject to subsection (6A), the manner in which a housing authority shall, having regard to—

(i) financial circumstances of households and their ability to pay rent,

(ii) the other provisions of regulations made under this subsection, and

(iii) any guidance issued in the matter under section 5,

determine rent and charges under this section during a transitional period that will expire on a date prescribed by the Minister, which date shall not be later than 2 years after the date subsection (3) comes into operation.”

and

- (d) by inserting the following after subsection (6):

“(6A) The Minister may, having regard to the composition, financial circumstances and ability to pay rent of a qualified household in receipt of housing assistance under *Part 4* of the *Housing (Miscellaneous Provisions) Act 2014*, prescribe the rent contribution that will be payable to a housing authority by a tenant who is a member of that household during the transitional period referred to in paragraph (h) of subsection (6).”

[SECTION 51]

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

NEW SECTION

52. In page 65, after line 7, to insert the following:

“Amendment of Local Government Reform Act 2014

52. Schedule 4 to the Local Government Reform Act 2014 is amended in paragraph 14(4) by substituting “30 June 2015” for “31 December 2014”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

53. In page 65, after line 7, to insert the following:

“Amendment of Housing Finance Agency Act 1981

53. The Housing Finance Agency Act 1981 is amended—

(a) in section 4(2)(c) by inserting the following subparagraph after subparagraph (ii):

“(iii) to the Local Government Management Agency, to be used by it for the purpose of the performance of its functions,”

and

(b) in section 5 by inserting the following paragraph after paragraph (c):

“(ca) the Local Government Management Agency, to be used by it for the purpose of the performance of its functions,”.”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.

54. In page 65, after line 7, to insert the following:

“Provision of housing units

52. In the provision of housing units, a local authority shall give priority to persons that have been responsible tenants in leased accommodation under the Rental Accommodation Scheme.”.

—Barry Cowen.

TITLE

55. In page 5, line 11, after “payments,” to insert “to amend the Housing Finance Agency Act 1981,”.

—An tAire Comhshaoil, Pobail agus Rialtais Áitiúil.