



An Bille um Shásamh i leith Lochtanna Neamhfholais, 2019
Latent Defects Redress Bill 2019

Mar a tionscnaíodh

As initiated



AN BILLE UM SHÁSAMH I LEITH LOCHTANNA NEAMHFHOLLAIS, 2019
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AN BILLE UM SHÁSAMH I LEITH LOCHTANNA NEAMHFHOLLAIS, 2019
LATENT DEFECTS REDRESS BILL 2019

Bill

entitled

An Act to establish a Latent Defects Redress Board, the functions of which shall be, *inter alia*, to provide resolution to ordinary owners who purchased homes in good faith, in order that such owners have an opportunity to seek mediation or adjudication in relation to non-compliance with building regulations. 5

Be it enacted by the Oireachtas as follows:

Interpretation

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1. In this Act—

“Minister” means the Minister for Housing, Planning and Local Government.

Establishment day

2. The Minister may by order appoint a day to be the establishment day for the purposes of this Act. 15

Establishment of Board

3. (1) On the establishment day there shall stand established a board to be known as the Latent Defects Redress Board (in this Act referred to as the “Board”) to perform the functions conferred on it by this Act.

(2) The Board shall, subject to the provisions of this Act, be independent in the performance of its functions. 20

(3) The Board shall have all such powers, as determined by the Minister, to enable to perform its functions under this Act.

Functions of Board

4. The functions of the board shall be to— 25

(a) provide an information and advice service for those homeowners and tenants affected by non-compliance and regulatory failure resulting in the discovery of latent defects,

(b) facilitate mediation between disputing parties to have the issue or issues between

the parties resolved by agreement between them,

- (c) adjudicate on cases if any of the parties fails to respond to a mediation request under *paragraph (b)* or responds by stating that he or she does not consent to the matter concerned being the subject of mediation,
- (d) instigate a programme of risk assessments for latent defects including fire safety and water ingress and related structural defects, 5
- (e) conduct a review of the existing sanctions and punishments for developers/builders who breach building and fire safety standards and make recommendations to the Minister, and
- (f) make recommendations to the Minister on the setting up of a fund to assist homeowners affected by pre-2014 non-compliance with building and fire safety regulations. 10

Short title and citation

- 5. This Act may be cited as the Latent Defects Redress Act 2019.

An Bille um Shásamh i leith Lochtanna
Neamhfollais, 2019

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do bhunú Bord um Shásamh i leith Lochtanna Neamhfollais arb iad a fheidhmeanna, *inter alia*, réiteach a sholáthar do ghnáthúinéirí a cheannaigh teaghaisí de mheon macánta, ionas go mbeidh deis ag úinéirí den sórt sin idirghabháil nó breithniú a lorg i ndáil le neamhchomhlíonadh rialachán foirgníochta.

Na Teachtaí Eoin Ó Broin agus Deasún Mac Eilis a thug isteach,

22 Deireadh Fómhair, 2019

Latent Defects Redress Bill 2019

BILL

(as initiated)

entitled

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Introduced by Deputies Eoin Ó Broin and Dessie Ellis,

22nd October, 2019

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
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