



**An Bille um Leasúchán ar Theaghaisí a nDearnadh
Damáiste Dóibh mar gheall ar Úsáid Bloc Coincréite
Lochtach (Leasú), 2025**

**Remediation of Dwellings Damaged by the Use of
Defective Concrete Blocks (Amendment) Bill 2025**

Meabhrán Míniúcháin
Explanatory Memorandum



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nDEARNADH DAMÁISTE DÓIBH MAR GHEALL AR ÚSÁID
BLOC COINCRÉITE LOCHTACH (LEASÚ), 2025**

**REMEDICATION OF DWELLINGS DAMAGED BY THE USE
OF DEFECTIVE CONCRETE BLOCKS (AMENDMENT) BILL
2025**

EXPLANATORY MEMORANDUM

Purpose of the Bill

The purpose of this Bill is to amend the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022. The Bill contains a number of provisions. The main provision will allow certain relevant owners to apply for an increased grant. The others can be described as technical amendments to the Principal Act and are proposed in order to enhance the efficient and fair operation of the grant scheme.

Increased Grant

The Principal Act provides that the most recent increase in the scheme cap or grant rates will apply to eligible relevant owners that are yet to receive a determination in respect of remediation option and grant amount. These eligible owners are those who had already received a grant determination but were experiencing increased construction costs during their ongoing remediation works. This amendment will mean that applicants that incurred eligible costs since 29 March 2024 may apply for an increased grant.

Technical Reviews to be undertaken by the Housing Agency

The National Standards Authority of Ireland (NSAI) is currently reviewing the national standard (IS:465 of 2018) that underpins the current grant scheme. This amendment will allow the Housing Agency, upon request of an applicant, to carry out a review of a previous remediation option and grant amount determinations (in certain circumstances) and issue a new determination if required.

Ancillary Grants

This amendment will allow homeowners that have been issued with a maximum grant amount to have the option to apply for ancillary grants. They are currently precluded from doing this under the Principal Act. The overall total payment to the homeowner including ancillary grants can still not exceed the stated maximum amount.

Relevant Owner

The Principal Act currently does not allow a person who does not satisfy the definition of a “relevant owner” to become a relevant owner where he or she is, or was, in a relationship with a relevant owner. This amendment will allow the opportunity, subject to certain conditions, to

either a person who was married to, a civil partner of or co-habiting with a relevant owner prior to the commencement the Principal Act, to now become a relevant owner.

Increased time allowed to complete remediation works

The Principal Act provides that an applicant has 78 weeks to commence work after approval before the grant approval is deemed withdrawn. The applicant may submit their final grant payment application following the completion of works within 65 weeks of having commenced works. A relevant owner may request the designated local authority to extend the periods referred to above (by no more than 24 weeks) where, due to exceptional circumstances beyond the control of, and the exercise of all due diligence by, the relevant owner, there is a delay. This amendment will increase the time allowed to complete remediation works from 65 weeks to 130 weeks and reduce the notice period required to seek an extension from 12 week to 2 weeks.

Data Sharing

Information sharing under the Principal Act is facilitated on a one-way basis between specified public bodies. This amendment to the Principal Act will allow for the Sustainable Energy Authority of Ireland (SEAI) to be allowed to share information with a designated local authority where it is necessary in order to avoid the double funding of payments being made to relevant owners in the DCB Scheme under their energy retrofit scheme.

Charging Order

The Act allows certain Residential Tenancies Board registered dwellings eligibility under the grant scheme. Once remediation is completed these dwellings are subject to a charging order for the grant paid to the relevant owner, reducing at 5% over 20 years. Where a relevant owner receives an increased grant this amendment will allow a designated local authority to create a second charge that contains the additional monies received.

PART 1

PRELIMINARY AND GENERAL

Section 1 contains provisions relating to the short title and commencement.

Section 2 contains a definition of the Principal Act.

PART 2

AMENDMENT OF PRINCIPAL ACT

Section 3 inserts a definition into section 2 (Interpretation) of the Principal Act.

Section 4 provides for an amendment to section 7 of the Principal Act, to provide for further definitions under Part 2 of the Principal Act.

Section 5 amends section 10 of the Principal Act, which provides for relevant owners to make an application to the designated local authority for ancillary grants allowed for under the Principal Act.

Previously relevant owners who had received the maximum remediation grant amount under the scheme were excluded from applying for ancillary grants under section 22 of the Principal Act. This exclusion has now been removed.

Section 6 provides for an amendment to section 13 of the Principal Act and extends the period within which an applicant can appeal a decision of a local authority not to deem their application valid, from 28 to 90 days.

Section 7 provides for an amendment to section 17 of the Principal Act, which provides that the current provisions that apply to the payment of a remediation option grant will also apply to the payment of an increased grant amount.

Section 8 inserts a new section 17A into the Principal Act, to permit relevant owners in certain circumstances, to make an application to the designated local authority for an increase to their remediation option grant.

Key conditions the relevant owner must meet include having had their original determination granted prior to 23 October 2024 and to have evidence of qualifying expenditure.

Section 9 amends section 18 of the Principal Act and reduces the grant amount a relevant owner may apply for by any ancillary grants already received or any payments from another person outside of this Act in respect of damage to the relevant dwelling.

Section 10 inserts a new section 18A into the Principal Act and sets down the conditions that a relevant owner must meet in order to receive payment of increased grants under the newly inserted section 18A. These conditions mirror the existing approach taken to the payments of remediation option grants under the Principal Act.

Section 11 amends section 19 of the Principal Act, and increases the time allowed to remediate a dwelling from 65 to 130 weeks and reduces the time a relevant owner is obliged to apply for an extension to this timeframe from 12 to 2 weeks.

Section 12 provides for an amendment to section 21 of the Principal Act, is consequential on section 10, and allows the issuance of letters of assurance where a relevant owner has applied and received an increased grant under the scheme.

Section 13 provides for an amendment to section 22 of the Principal Act, to remove the prohibition on a relevant owner who had received the maximum grant amount available under the scheme from applying for an ancillary grant.

Section 14 amends section 23 of the Principal Act to allow a revised approval to an application to apply to an application for an increased remediation option grant.

Section 15 provides for an amendment of the Principal Act by the insertion of two new sections into the Act, sections 23A and 23B. Taken together these allow a relevant owner in certain circumstances, to make an application for a technical review of their application. The application will be made to the designated local authority and the review will be carried out by the Housing Agency having regard to the revised national standard (when published), I.S 465:2018. This may result in the issuance of a new grant determination option and grant amount.

Section 16 amends section 24 of the Principal Act, and allows a person in certain specified circumstances to be regarded as a relevant owner under the Scheme. These circumstances include where the person is, or was, married, in a civil partnership or co-habiting with a relevant owner.

Section 17 provides for an amendment to section 26 of the Principal Act and mirrors the existing provision in that it provides for a refund of

compensation, where claimants must refund grants received under an increased grant or an updated remediation option grant to local authorities where they received monies otherwise than under this Act in respect of damage to dwellings caused by defective concrete blocks.

Section 18 provides for an amendment to section 27 of the Principal Act, and allows for the recovery of increased grants under specific circumstances.

Section 19 amends Section 29 of the Principal Act and provides for the inclusion of the increased grant for the assignment and subrogation of claims, where the State will take over a legal right or claim related to defective concrete blocks, which a relevant owner may have against any party.

Sections 20, 21, 22, 23 and 24 provide for amendments to Chapter 2 of the Principal Act to allow a designated local authority to create a second charging order where a relevant owner is a landlord of a relevant dwelling. This may be required in circumstances where the relevant owner has received additional grant payments of a sum greater than the first charging order.

Section 25 amends section 39 of the Principal Act and provides a right of appeal under the newly inserted sections 17A (Application for increase to remediation option grant), 18A (Payment of increased grant) and 23A (Application for review of approved remediation option) of the Act. The period within which all appeals must now be made is extended from 28 to 90 days.

Section 26 amends section 43 of the Principal Act and provides that where an authorised officer is not allowed entry to a dwelling for the purposes of the Act then the application for a technical review under the Act is deemed withdrawn. This mirrors the existing provision under section 13 of the Principal Act.

Section 27 amends section 47 of the Principal Act, which provides for the Sustainable Energy Authority of Ireland (SEAI) to be allowed to share information with a designated local authority where necessary in order to avoid double fund payments being made to relevant owners in the Grant Scheme under their energy retrofit scheme.

Section 28 amends section 53 of the Principal Act. It provides that the same conditions regarding potential disqualification of applications that apply regarding the application for a remediation option grant will also apply to applications for a review of such grants.

*An Roinn Tithíochta, Rialtais Áitiúil agus Oidhreachta,
Nollaig, 2025.*

