TITHE AN OIREACHTAIS

An Comhchoiste um Thithíocht, Pleanáil agus Rialtas Áitiúil

Scrúdú ar Liostaí Tithíochta na nÚdarás Áitiúil

Nollaig 2018

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HOUSES OF THE OIREACHTAS

Joint Committee on Housing, Planning & Local Government

Examination of Local Authority Housing Lists

December 2018

32/HPLG/15

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CHAIR'S PREFACE

Having somewhere to call a home is so important in life and it is vital that everyone is able to strive for and achieve this. Some people will need some help and assistance in achieving this and it is essential that this help is provided. Across the country local authorities play a vital role in providing social housing and State support for people that are unable to afford to buy their own home. Local authorities are assisting many people nationwide in having a safe and secure place to call their home until such a time they can become independent of the social housing system.

The system through which people apply for social housing is commonly referred to as the 'waiting list'. There are numerous lists across all local authorities and the Committee saw this as an important area for scrutiny due to their central role in social housing provision.

It is vitally important for the operation of the social housing sector that waiting lists are equitable and fair, but also that they are efficient and transparent. Through examining the topic the Committee has encountered high levels of inconsistency and areas where clarity is lacking. With that in mind, the Joint Committee has undertaken an examination of the topic with the goal of assisting both the Department and local authorities in the operation of these waiting lists.

The Joint Committee has made 13 recommendations which are both practical and achievable and it is fully committed to monitoring the progress being made on the on-going implementation of the recommendations contained in the report.

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Maria Bailey TD
Chair of the Joint Committee
12 December 2018

INTRODUCTION

Accelerating the delivery of social housing is a key component of 'Rebuilding Ireland: Action Plan for Housing and Homelessness', and the Government has committed to delivering 50,000 new social housing units by 2021[1]. These will be achieved through new builds, leases and acquisition schemes. Local authorities are the main providers of social housing for people who have a housing need and there are currently 71,858[2] qualified households registered for social housing. As a result, housing waiting lists across the county have come under severe pressure.

The Committee heard evidence of the importance of delivery of new social housing stock and how it is essential to the success of all aspects of social housing. The Department of Housing, Planning and Local Government (the Department) stated; *"The supply of social housing is a critical success in the management of local authority waiting lists"*. The Department set targets for housing delivery each year, but Local Authorities are each responsible for meeting the demand as part of their own housing functions. Lack of social housing stock is a challenge across all Local Authorities.

The Department explained to the Committee that the acceleration of social housing delivery is its primary objective for the sector and that supports are in place for Local Authorities to avail of in order to meet this objective. The Department stated that;

> *"It is all about acceleration. We know that we need to accelerate more, and we are saying to Local Authorities that the targets are a minimum. Where they can do more, the Minister has made clear that the funding will be available, and we will support Local Authorities on delivery".*

An increase in social housing stock is a key component in decreasing the pressure on social housing waiting lists. Delivery of new builds is a substantial undertaking and one which will inevitably take some time. Additional housing supports are however available for those waiting for social housing.

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[1] Rebuilding Ireland Action Plan for Housing and Homelessness

[2] Summary of Social Housing Assessments 2018

In recent years additional measures such as the Housing Assistance Payment (HAP) and Rental Accommodation Scheme (RAS) have been used to house families who have a housing need. The Department asserts that:

> *"…it will deliver a further 87,500 housing solutions under the housing assistance payment, HAP, scheme and the rental accommodation scheme, RAS, with the aim of meeting the housing needs of over 137,000 households over the lifetime of the action plan"*[3].

Families are being housed through supports outside of traditional social housing allocation, adding new sections of the sector for Local Authorities to manage.

HAP has been available in all Local Authorities since 2017 and is a system where private rental accommodation is used to house those on Local Authority waiting lists. HAP tenants pay a weekly wage-based rent contribution to their Local Authority, who in turn pays the landlord[4]. While HAP has been used to house people in a timely manner, witnesses expressed concern that the scheme is simultaneously contributing to current housing issues.

Threshold stated in evidence that the housing waiting list system is affected by *"…a fundamental lack of supply coupled with insecurities within the private rental sector"*. The private rental sector can increase pressure on housing waiting lists as the inconsistent nature of tenancies can result in more people losing accommodation and either presenting as homeless or applying for housing supports.

Witnesses and Committee Members acknowledged the challenges facing the current Social Housing Sector. However, the aim of the Committee was to gain a better understanding of the operation of Social Housing waiting lists and to try and provide insights and solutions that may help an area of the housing sector that is currently under significant pressure. The Committee agrees with Threshold's assessment that:

> *"The waiting list system does not work as effectively as it could. There is no unified electronic system across all local authorities and no national standard in the methodology of assessing housing needs and the scheme of letting priorities".*

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[3] Rebuilding Ireland Action Plan for Housing and Homelessness

[4] Citizens Information – Housing Assistance Payment

The aim of this report is to assess the operation of current Social Housing waiting lists. This includes scrutinising what is currently working efficiently and identifying areas with room for improvement. The report concludes with a set of recommendations which the Committee believes will help to achieve consistency and greater transparency in the sector, with the aim of improving the understanding and ultimately the operation of Social Housing waiting lists for all citizens in need, or in receipt of, social housing supports.

CURRENT PRACTICE

Regulations exist regarding the allocation of social housing and all Local Authorities are expected to follow these in the management of their housing lists. The following chapter examines the current practice of Local Authorities in the provision of social housing, focusing on the regulation and management of both the application process and the current housing lists.

Under current practice, in order to be placed on a Local Authority housing list the qualified household must apply directly to the Local Authority which governs the area in which they wish to live. This is primarily done through paper based applications and supporting documents must also be submitted, including documents that state any income from work or social welfare that the household receives. The time it takes to process social housing applications varies between Local Authorities. Threshold states:

> *"The housing needs assessment form needs to be processed more quickly. On average it can take six weeks in certain local authority areas".*

The time it can take for applications to be considered delays a household's ability to access housing supports and was specifically raised by witnesses.

The application process for social housing support, the adoption as a reserved function of an allocation scheme and the compilation of local authority housing lists are provided for in Part 3 of the Housing (Miscellaneous Provisions) Act 2009 as amended. The application process is also governed by a number of regulations[5]. The regulations established a two pronged approach to assessing housing needs, which requires applicants to be eligible for social housing and have a genuine housing need. Local authorities assess all applications for social housing support in accordance with the foregoing Act and Regulations using the following criteria to assess eligibility; income, residency status, previous rent arrears, and the availability of alternative accommodation for the household or applicant. Once a household meets those criteria, the local authority progresses their application to the second phase which involves making a determination of their housing need and this is done

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[5] Social Housing Assessment Regulations 2011 S.I. No. 84 of 2011

  Social Housing Assessment (Amendment) Regulations 2011 S.I. No. 136 of 2011

  Social Housing Allocation Regulations 2011 S.I. No. 198 of 2011

  Social Housing Assessment (Amendment) (No. 2) Regulations 2011 S.I. No. 321 of 2011

by considering the household's current accommodation against criteria set out in Regulation 23 of the assessment regulations. To avoid duplicate applications in multiple areas, households can only apply for housing supports in one Local Authority area[6].

Any qualified household which has been placed on a housing list can avail of other housing supports such as HAP and RAS. However, if a household accepts a HAP tenancy they are removed from the housing list and placed on a transfer list[7]. The County and City Management Association (CCMA) stated to the Committee that; *"The large number of people currently within the HAP system means the transparency of the waiting list is distorted as these candidates are deemed to be housed but remain on the transfer list"*. The use of transfer lists has created a situation where HAP tenants are categorised as both housed and in need of housing. There is some confusion over how often candidates move from the transfer list to alternative Local Authority housing and whether they are considered alongside or separately to the standard and emergency housing lists.

Most Local Authorities assign housing based on the time a household has been on the list and the housing stock that is available. 16 Local Authorities also operate a choice-based letting system. This process involves social housing applicants in the allocation of housing, allowing them to view online and apply for council properties when they become available. It has become a success in the local authorities where it is used, with a decrease in refusals of housing being recorded. The CCMA stated that "*in November 2015 Cork City Council introduced the choice based letting scheme…..The refusal rate lowered from between 35 - 60% to 5 -20%"*. A decrease has also been seen in Dun Laoghaire-Rathdown County Council who have used choice–based letting since 2017. The Department has indicated that it plans to roll out choice-based letting in all Local Authorities, however the IT infrastructure needed is not currently in place.

The inconsistencies evident in the application and assignment process are exacerbated by the variation in income thresholds applied across the 31 Local Authorities. Currently each Local Authority sets their own income threshold for social housing applicants. While the mechanisms used in each individual Local Authority to determine income thresholds varies, it is usually based on household income, family dependants and the average cost of housing in the Local Authority. This means that the income thresholds vary across the country and

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[6] Social Housing Assessment Regulations 2011 S.I. No. 84 of 2011

[7] A transfer list is a list of social housing tenants who have applied to move from their current home and have applied for a transfer to alternative accommodation.

within Local Authorities, as households can qualify for a higher income threshold due to dependants being included. Additionally, households can qualify for increases to the income threshold if they include a member with a disability or specific medical needs. All income received by the household is counted, including social welfare and supplementary state supports such as Family Income Supplement (FIS).

Once a household has been placed in social housing their rent is determined by the Local Authority. The Citizens' Information Board gives a simple explanation of what this means in practice:

> *"Local authority rents are based on a system called differential rent. This means that the rent is based on your ability to pay, so if your income is low, your rent will be low; and if your income increases, your rent will increase also. The income of any other members of your household will be added to the rent calculation and there may be deductions for any children in your family. Each local authority operates its own rent scheme".*[8]

Additionally, some Local Authorities operate a minimum or maximum rent based on household members. Rent reviews are held on a yearly basis and social housing tenants are asked to submit proof of all household incomes. Any change in income during the year must also be declared so that rent charges can be reassessed. Changes in household income are audited during the rent review with any increase determined not to have been declared by the household resulting in the rent for the previous year being reassessed, backdated and added to the household's rent as arrears.

Local Authorities are also responsible for the management of their social housing stock and set their own policies regarding maintenance and management. As such, each Local Authority can create policy regarding successor tenancies. Adult members of the household, such as tenant's children living with them and who are not on the tenancy agreement, are sometimes allowed to take over a vacated tenancy by the Local Authority. Other Local Authorities will allow adult household members to inherit the tenancy if they have lived in the property for a certain number of years while some Local Authorities, such as Dublin City Council, require these household members to submit their own application for assessment to ensure that the new occupants are eligible for social housing. While adult children's income is included in the yearly rent assessment, they have to undergo eligibility criteria in these Local Authorities as the household makeup has changed. The Committee is of the

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[8] Citizens Information – Applying for Local Authority/Social Housing

opinion that the lack of consistency across Local Authorities in relation to successor tenants has contributed to a lack of transparency in the operation of Local Authority housing lists.

The application process is the same in emergency situations such as when a household presents as homeless. The issue of sourcing and allocating emergency accommodation for homeless individuals and families has also become an issue for Local Authorities. In examining the current practice of assessing households presenting as homeless, the Committee heard that Local Authorities consider the current definition of homelessness to be in need of clarification or review. The current definition of homelessness, as defined in Section 2 of the *Housing Act 1988* states:

> *"A person shall be regarded by a housing authority as being homeless for the purposes of this Act if;*
>
> > *(a) there is no accommodation available which, in the opinion of the authority, he, together with any other person who normally resides with him or who might reasonably be expected to reside with him, can reasonably occupy or remain in occupation of, or*
> > *(b) he is living in a hospital, county home, night shelter or other such institution, and is so living because he has no accommodation of the kind referred to in paragraph (a),*
> *and he is, in the opinion of the authority, unable to provide accommodation from his own resources".*

In the face of the current housing crisis there was consensus amongst witnesses that the definition of homelessness currently in use be expanded and then adopted by all Local Authorities. Threshold proposed that all Local Authorities should adopt the ETHOS method of housing assessment. They stated:

> *"ETHOS is a broad definition of homelessness and housing exclusion and includes households that are roofless, in insecure housing or sofa-surfing. This approach should be used by all local authorities…".*

By expanding the definition of homelessness there would be less localised interpretations of applicants' 'need' for housing. This would help to create consistent housing criteria across Local Authorities, ensuring that all applicants have equal access to Local Authority housing supports.

Expanding the definition of homelessness would also help Local Authorities when dealing with emergency cases. Currently, each Local Authority responds differently to emergency situations, including when individuals or families present as homeless. Some will house

those who present as homeless immediately, ahead of the applicants who are already on the housing list. Others will source temporary accommodation for the household and then place them on a second, emergency housing list. The creation of an emergency list results in Local Authorities operating two housing lists, with priority unclear over who should be housed first. The issue of priority is further complicated when a Local Authority is operating a transfer list. This can result in a Local Authority operating three lists within their housing sections.

Overall, while each Local Authority must implement Government regulations when assessing applicants, they have significant autonomy in the operation of their social housing lists. The Committee is of the opinion that this has resulted in an inconsistent approach to the Social Housing sector across the country with lists operating differently and issues arising.

SYSTEM ISSUES

Having examined both the current application process and the management of Local Authority housing lists it is clear to the Committee that the system has a number of issues that need to be addressed. Many of these can be attributed to the lack of national policy regarding the social housing sector, which has led to inconsistencies. Threshold stated:

> "…a national policy on housing allocation should be implemented. It would offer better transparency and consistency between the approaches of each local authority".

The inconsistencies created due to a lack of national policy will be examined in this chapter of the report. It will focus on four key issues that regularly arose in evidence: eligibility, transparency, potential disadvantages, and flexibility.

3.1 ELIGIBILITY

The assessment criteria that Local Authorities use when determining need of social housing are set out in Regulation 23 of the Social Assessment (Amendment) Regulations 2011. To be eligible, applicants must have income below that of the Local Authority threshold and have a genuine housing need. While these regulations set out criteria that should be taken in to account when assessing social housing applications, it allows Local Authorities to keep their autonomy when assessing applicants' housing needs. This has created a system where people who could be deemed eligible in one Local Authority are rejected in another. This need can change depending on the applicant and/or the local authority they apply to. For example, many Local Authorities will consider involuntary sharing as a reason to access housing but others will see involuntary sharing as meeting the housing needs of individuals.

Involuntary sharing can create several barriers to accessing social housing supports. Firstly, the whole income of the family is taken in to account when processing a social housing application. This means that the income of adult children who live with their parents is included in determining the eligibility of the parents, even if they do not wish or plan to live with them long-term. In some Local Authorities adults who live with their parents are seen as having their housing needs met. This has resulted in adults who can not afford private rented accommodation being denied access to social housing on the assumption that they can live with their parents long-term.

Households experiencing home repossession also face barriers when trying to access Local Authority housing lists. There is no mechanism in place to support families who will be in

need of social housing supports in the near future, because only after their home is repossessed can they apply for housing supports. One member of the Committee described matters as follows:

> *"The difficulty for families that are having their homes repossessed is they know there will be a date when they lose the property. In some cases, the Local Authority does not know what the income the family will be left with after the house sale if it is positive equity. There is a bizarre scenario where they cannot apply to go on the social housing waiting list until the repossession is complete even though that process takes approximately a year".*

The Department's position is to *"encourage local authorities, to facilitate people they know are going to lose homes, whether through a notice to quit in a private rented dwelling or through the repossession of a home"* The Department also indicates that is it working on a mortgage to rent scheme and other policies to keep people in their homes.

The Committee is of the opinion that barriers to accessing Local Authority Housing Lists and the autonomy of Local Authorities when determining a household's housing need has resulted in a lack of understanding of the process. This lack of transparency continues when a household is eventually placed on the list.

3.2 TRANSPARENCY

The issue of transparency was raised several times by witnesses. There was a general consensus that transparency is an area that Local Authorities are working on but that there are some misconceptions about the social housing sector amongst the general public. Misunderstandings around the allocation scheme and the influence of time spent on the housing list, as well as assumptions of political patronage have led to suspicion.

Local Authorities are expected to conduct their work transparently and while this is true of their housing sectors there are issues that make full transparency difficult. The CCMA outlined how the issue of determining priority can change the make-up of the list regularly. This can result in properties being allocated to people who have not been on the housing list as long as others. They stated:

> *"There is prioritisation. Some local authorities use a numbering system. Housing officials can say to somebody…that he or she is tenth on a list but something can*

happen for any number of reasons where that person is displaced due to an overall priority scenario".

It can be difficult to state with certainty an applicant's place on the list due to the unforeseeable issue of emergency cases.

Once an applicant is placed on the housing list their contact with the local authority can be minimal. Applicants are expected to declare any changes in circumstance and their position on the housing list is re-evaluated every year to ensure they meet the income threshold and eligibility criteria for social housing. Suggestions have been made that households should be updated of their place on the Local Authority housing list. The Committee highlighted different mechanisms used:

- "*Some Local Authorities have a number system*". The numbering system is largely based on time on the waiting list but it is not definite due to the unforeseeable issue of emergency cases.
- Some Local Authorities operate a separate points system. This is where applicants' current housing situations are scored based on specific criteria and their overall score will influence their place on the housing list. As new applicants are added to the housing list the position of households already on the housing list can change due to the points system. This adds to the lack of transparency across the sector.

Members highlighted the inconsistency within these systems stating; "*There are other Local Authorities where someone can ring up and be told something different three times in one week*". Both the numbering and the points system have influence on the allocation of housing but housing stock available must also be taken in to account. Applicants are not always aware of other contributing factors in the allocation scheme and schemes are different throughout the Local Authorities.

3.3 EMERGENCY OR SPECIAL CASES

The lack of transparency in the social housing sector is aided by the lack of definition of emergency cases. It is up to each Local Authority to evaluate emergency applications on a case-by-case basis. Members noted "*The criteria for special cases are not clear…guidelines must be put in place in all local authorities*". The lack of certainty around emergency cases has contributed to the lack transparency in the housing sector. What constitutes an emergency in one Local Authority might not be acknowledged as one elsewhere. While the establishment of emergency criteria would not remove the changeable nature of housing list numbers, it would aid in transparency and an overall understanding of the sector.

Members and witnesses also spoke specifically about the public's belief that local or national politicians can have an influence on the allocation of housing. Members stated;

> "In 'Housing Law, Rights and Policy', Padraic Kenna writes that:
> There is a widespread assumption (whether justified or not) that the allocation of Local Authority housing has been part of the local political patronage or clientelist network of Ireland. The absence of a national, transparent accessible and objective system of managing waiting lists and allocating homes has fuelled this view".

As applicants are not fully aware of the allocation process they can often mistakenly ask a member of government, local or national, to intervene and speed up the process on their behalf.

The Committee heard that political patronage is not the case. The Department stated:

> "All local authorities work to the legislation, regulations and to the personal circumstances of housing applicants. It is a very difficult balancing exercise. Over the years there have been cases where people told public representatives information pertinent to people's housing circumstances but the people have not told the local authority".

The largely held assumption that politicians can influence the allocation of housing can have detrimental effects for applicants as they don't report their change in circumstances to the appropriate people. This can potentially result in their place on the list remaining unchanged even if their circumstances are now different.

As previously stated, a crucial factor in the allocation of social housing is the type of housing stock available. This has to be used as appropriate for the housing needs of those currently on the housing list. This issue will be discussed in the next section which focuses on the potential disadvantages in the current social housing sector.

3.4 HOUSING STOCK VS. HOUSING NEED

Currently there is a mismatch between applicants' family situations and the social housing stock available. According to the 'Summary of Social Housing Assessments 2018', published by the Department, 46.7% of households on Local Authority housing lists are single person

households[9]. However, NOAC's 'A Review of the Management and Maintenance of Local Authority Housing 2015' states that 55% of Local Authority housing stock is comprised of 3 bedroom houses[10]. Therefore, as highlighted by Threshold, the accommodation needs of single people are not being met.

During the Committee meeting Threshold stated: "*We urge the committee to be mindful that the number of single person households in the state is increasing…Neither the housing market nor developers has reflected the change when they choose to build.*" There is a responsibility on Local Authorities to ensure that their housing stock is being used most appropriately, placing single person households at a disadvantage when housing is being assigned.

The potential disadvantage of single people is also a factor when discussing the likelihood of older people on the housing list. Currently 22.6% of people on the housing list were aged 50 years or more, with 13.9 % between the ages of 50-59[11]. This is an important figure as people aged 55 years or more can access specific housing developments for older people. However, the availability of this type of accommodation is not consistent throughout the Local Authorities. The CCMA stated "*In terms of providing accommodation for people who are aged 55 or 60, some of the larger local authorities have specific accommodation for the elderly…".* Housing for older people is a reserved function of Local Authorities and the Committee is concerned at the possibility that people who are close to the age of accessing specific housing supports for older people could be overlooked on the basis that they will be eligible for age specific supports within a short timeframe.

The issue of single person households in the case of single adults who live with their parents was specifically highlighted to the Committee. The previous disadvantages experienced by this group was addressed by CCMA. They stated; "*Different local authorities approach the issue of single people who live at home in different ways….Traditionally, they would have never even been considered, but that has changed*". In the past, adult children who lived at home would have been denied access to the social housing sector. With Local Authority's greater flexibility around the interpretation of the need of housing, some local authorities will accept involuntary sharing as a reason for this group to access public housing. This is

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[9] Summary of Social Housing Assessments 2018

[10] NOAC – A Review of Management and Maintenance of Local Authority Housing

[11] Summary of Social Housing Assessments 2018

often decided on a case-by-case basis. This is to be welcomed as 19.1% of people on housing lists state living with parents as their current form of tenure[12]. The inconsistent approach and lack of guidelines surrounding this category is further evidence of the lack of consistency across the sector. It also penalises people who choose to apply to a specific Local Authority where they do not regularly house adult children involuntary sharing with parents. This could place adult children who live with their parents in a disadvantageous position depending on the Local Authority they apply to.

The possible disadvantages within the current Local Authority housing sector are a key issue. Similar disadvantages can be experienced by low income families who are marginally over the income threshold for housing supports in their local authority. This area will be discussed in the next area of the report.

3.5 INCOME FLEXIBILITY

The inflexible nature of income thresholds poses separate problems for social housing applicants. Two main issues regarding income thresholds were identified by members and witnesses. Firstly, there is variation in income thresholds and rent charges across the 31 Local Authorities, and secondly, the question of whether all forms of welfare payments should be included in income assessments.

In its submission to the committee Threshold stated that:

> "*Income thresholds need to be reviewed. They are too low at present. Many clients coming to us are excluded from social housing altogether because their income threshold is too high. They are unable to afford current market rents*".

There was consensus amongst witnesses that income thresholds should be reviewed. Income thresholds have not increased alongside national increases in private rent, meaning that people who can no longer afford these increased rents cannot apply for, or access social housing. The Department confirmed to the Committee that a review of income thresholds is currently under way.

The issue of income flexibility is also evident in the case of applicants or those already on the housing list who qualify for supplementary supports such as FIS. All social welfare,

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[12] Summary of Social Housing Assessments 2018

including FIS, is included in income eligibility and the yearly income audits. The Committee is of the opinion that "*FIS should not be included in the calculations of the income thresholds for eligibility. The fact that a family is on FIS is the state saying its income is not adequate*". Families in need of additional welfare supports can be penalised by the social housing system. The Committee is of the view that distinctions to be made between income supports and household income.

While income is an important factor when assessing a household's application for Local Authority housing, the inflexibility of the income thresholds poses risks for applicants. If households on the housing list are found to be earning over the income threshold during the yearly audit, they are removed as they are no longer eligible for social housing. The Department stated:

> "*It is a relatively small number that are affected but it happens. The Department's view on this, as communicated to local authorities, is that when a person is removed from the list, he or she should be given every opportunity to engage*".

While Local Authorities are engaged with applicant's who are removed, they are restricted by the income thresholds they are required to set. The Department recognised that these boundaries are part of the process, stating; "*Income would be part of the eligibility criterion and we have to work within that*". Income thresholds are a necessary part of the housing application process but can prove restrictive when assessing social housing applicants.

As previously stated the income thresholds are determined by each Local Authority and approved applicants are reviewed annually to ensure they still meet the income criteria. Members highlighted how the income criteria can affect those already on the list, stating; "*…what are people supposed to do if they are offered a little overtime which would take their income over the threshold?...Are people supposed to refuse overtime to stay on the housing list?*" The inflexible nature of income thresholds makes it difficult for those on the list to earn more money for fear of being removed and this can impact applicant's lives as a marginal increase can have adverse effects on their housing situation.

As we have seen, marginal increases can result in households being removed from the list. This means that persons can fall between the cracks of being eligible for Local Authority housing and being able to afford rent in the private market. This poses the risk of creating a new group of people who are not able to access housing in either the private or social housing sectors.

RECOMMENDATIONS

The Committee recommends that -

1. the Local Authority housing application process be simplified;
2. social housing regions be developed to allow flexibility for applicants to be housed in neighbouring Local Authorities;
3. Local Authorities be encouraged to work together to fill their vacant stock with suitable applicants from other areas;
4. a new definition of homelessness be developed;
5. guidelines be established for Local Authorities when determining 'need' of housing;
6. a prioritisation policy be made to determine the frequency at which housing is assigned to applicants on the standard, emergency and transfer lists. This should include those on the transfer list in receipt of HAP;
7. the examination of income thresholds take place as soon as possible and the results published in a timely fashion;
8. when processing applications Local Authorities distinguish between social welfare and supplementary welfare, only taking the former in to account;
9. a national policy be developed for the determination and dealing of emergency cases;
10. a national policy regarding successor tenancies be developed and adopted by all Local Authorities;
11. a definition and policy regarding involuntary sharing be developed and adopted by all Local Authorities;
12. investment in infrastructure take place to ensure Choice-Based Letting can be established in all Local Authority areas;
13. more diverse housing is built to limit potential disadvantages against single person households.

APPENDIX 1 – ORDERS OF REFERENCE

a. Functions of the Committee – derived from Standing Orders [DSO 84A; SSO 70A]

(1) The Select Committee shall consider and report to the Dáil on—

(*a*) such aspects of the expenditure, administration and policy of a Government Department or Departments and associated public bodies as the Committee may select, and

(*b*) European Union matters within the remit of the relevant Department or Departments.

(2) The Select Committee appointed pursuant to this Standing Order may be joined with a Select Committee appointed by Seanad Éireann for the purposes of the functions set out in this Standing Order, other than at paragraph (3), and to report thereon to both Houses of the Oireachtas.

(3) Without prejudice to the generality of paragraph (1), the Select Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments, such—

(*a*) Bills,

(*b*) proposals contained in any motion, including any motion within the meaning of Standing Order 187,

(*c*) Estimates for Public Services, and

(*d*) other matters

as shall be referred to the Select Committee by the Dáil, and

(*e*) Annual Output Statements including performance, efficiency and effectiveness in the use of public monies, and

(*f*) such Value for Money and Policy Reviews as the Select

Committee may select.

(4) The Joint Committee may consider the following matters in respect of the relevant Department or Departments and associated public bodies:

(*a*) matters of policy and governance for which the Minister is officially responsible,

(*b*) public affairs administered by the Department,

(*c*) policy issues arising from Value for Money and Policy Reviews conducted or commissioned by the Department,

(*d*) Government policy and governance in respect of bodies under the aegis of the Department,

(*e*) policy and governance issues concerning bodies which are partly or wholly funded by the State or which are established or appointed by a member of the Government or the Oireachtas,

(*f*) the general scheme or draft heads of any Bill,

(*g*) any post-enactment report laid before either House or both Houses by a member of the Government or Minister of State on any Bill enacted by the Houses of the Oireachtas,

(*h*) statutory instruments, including those laid or laid in draft before either House or both Houses and those made under the European Communities Acts 1972 to 2009,

(*i*) strategy statements laid before either or both Houses of the Oireachtas pursuant to the Public Service Management Act 1997,

(*j*) annual reports or annual reports and accounts, required by law, and laid before either or both Houses of the Oireachtas, of the Department or bodies referred to in subparagraphs (*d*) and (*e*) and the overall performance and operational results, statements of

strategy and corporate plans of such bodies, and

(*k*) such other matters as may be referred to it by the Dáil from time to time.

(5) Without prejudice to the generality of paragraph (1), the Joint Committee appointed pursuant to this Standing Order shall consider, in respect of the relevant Department or Departments—

(*a*) EU draft legislative acts standing referred to the Select Committee under Standing Order 114, including the compliance of such acts with the principle of subsidiarity,

(*b*) other proposals for EU legislation and related policy issues, including programmes and guidelines prepared by the European Commission as a basis of possible legislative action,

(*c*) non-legislative documents published by any EU institution in relation to EU policy matters, and

(*d*) matters listed for consideration on the agenda for meetings of the relevant EU Council of Ministers and the outcome of such meetings.

(6) The Chairman of the Joint Committee appointed pursuant to this Standing Order, who shall be a member of Dáil Éireann, shall also be the Chairman of the Select Committee.

(7) The following may attend meetings of the Select or Joint Committee appointed pursuant to this Standing Order, for the purposes of the functions set out in paragraph (5) and may take part in proceedings without having a right to vote or to move motions and amendments:

(*a*) Members of the European Parliament elected from constituencies in Ireland, including Northern Ireland,

(*b*) Members of the Irish delegation to the Parliamentary Assembly of the Council of Europe, and

(*c*) at the invitation of the Committee, other Members of the European Parliament.

b. Scope and Context of Activities of Committees (as derived from Standing Orders) [DSO 84; SSO 70]

(1)   The Joint Committee may only consider such matters, engage in such activities, exercise such powers and discharge such functions as are specifically authorised under its orders of reference and under Standing Orders.

(2)   Such matters, activities, powers and functions shall be relevant to, and shall arise only in the context of, the preparation of a report to the Dáil and/or Seanad.

(3)   The Joint Committee shall not consider any matter which is being considered, or of which notice has been given of a proposal to consider, by the Committee of Public Accounts pursuant to Standing Order 186 and/or the Comptroller and Auditor General (Amendment) Act 1993.

(4)   The Joint Committee shall refrain from inquiring into in public session or publishing confidential information regarding any matter if so requested, for stated reasons given in writing, by—

   (a)   a member of the Government or a Minister of State, or

   (b)   the principal office-holder of a body under the aegis of a Department or which is partly or wholly funded by the State or established or appointed by a member of the Government or by the Oireachtas:

   Provided that the Chairman may appeal any such request made to the Ceann Comhairle / Cathaoirleach whose decision shall be final.

(5)   It shall be an instruction to all Select Committees to which Bills are referred that they shall ensure that not more than two Select Committees shall meet to consider a Bill on any given day, unless the Dáil, after due notice given by the Chairman of the Select Committee, waives this instruction on motion made by the Taoiseach pursuant to Dáil Standing Order 28. The Chairmen of Select Committees shall have responsibility for compliance with this instruction.

APPENDIX 2 – MEMBERSHIP

Deputies:

Maria Bailey – Chair (FG)

Pat Casey – Vice Chair (FF)

Mick D. Barry (Solidarity-PBP)

Mattie McGrath (IND) – Rural Independent Technical Group

Darragh O'Brien (FF)

Eoin O Broin (SF)

Fergus O'Dowd (FG)

Senators:

Victor Boyhan (IND)

Martin Conway (FG)

Jennifer Murnane O'Connor (FF)

Grace O'Sullivan (GP)

Notes:

1. Deputies nominated by the Dáil Committee of Selection and appointed by Order of the Dáil of 16 June 2016.

2. Senators nominated by the Seanad Committee of Selection and appointed by Order of the Seanad on 21 July 2016.

3. Elected Vice Chair on 24 May 2017

APPENDIX 3 – LIST OF WITNESSES

❖ **Department of Housing, Planning & Local Government**

Ms Mary Hurley

Ms Marguerite Ryan

Mr Derek Rafferty

❖ **County and City Management Association**

Ms Kathleen Holohan

Ms Catherine Keenan

Ms Mary Mulholland

❖ **Threshold**

Mr John-Mark McCafferty

Mr Andrew Guy

APPENDIX 4 – LINKS TO MEETING TRANSCRIPTS

❖ **Meeting of 23 May 2018**

APPENDIX 5 – LINKS TO SUBMISSIONS & OPENING STATEMENTS

❖ **Department of Housing, Planning & Local Government**

❖ **County and City Management Association**

❖ **Threshold**