

Residential Tenancies (Student Rents, Rights and Protections) Bill 2018

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Statement to Joint Oireachtas Committee on Housing, Planning and Local Government **Thursday 22nd November 2018**

Intention of the Bill

- The intention of the Student Rents, Rights and Protections Bill 2018 is to clarify the legal standing of licence agreements for Student Specific Accommodation with respect to the protections provided under the Residential Tenancies Acts
- In particular while Sinn Féin shares the view of the Residential Tenancies Board in their submission to Committee today that such licences do fall within the legal definition of tenancies under the RTA we believe that there is a need to make this more explicit
- In particular there is a need to ensure that landlords and students fully understand that RTA provisions such as those governing rent reviews, rent pressure zones and landlord/tenant dispute resolution apply to student specific accommodation
- The need for this legal clarity was brought into sharp relief earlier this year when students in Dublin and Galway were being hooted with proposed rent increases of 18% to 27% despite being inside rent pressure zones
- The impact of such excessive rent increases is not only a clear breach of both the RPZ legislation and the existing rent review provisions of the RTA it is also detrimental to the students involved and their educational development

Response to DoHPLG & DoES

- The written statements from both DoHPLG & DoES are disappointing as they suggest a lack of understanding of the affordability issue and a lack of urgency in addressing this important problem
- Increasing supply in and of itself will not address the issue of affordability, particularly in the context of the supply gap of approx 20,000 units of student accommodation that will remain in 2019 and 2024 even if the targets in Student Accommodation Strategy are met
- There also appears to be a confusion in both Departments as to whether the RTA provisions such as the RPZs apply to student specific accommodation
- However we are more than happy to take advice from the Departments and amendments from the Minister at Committee Stage to strengthen our Bill in order to ensure that there are no unintended consequences

Response to RTB

- We welcome the clarification from the RTB today with respect to the application of the RTA to student specific accommodation

- We also acknowledge the two weaknesses in our Bill that the RTB have highlighted; namely the need for a definition of student specific accommodation and the need for clarity with respect to the issue of Part 4 Tenancies
- The first of these can be addressed by way of amendment at Committee stage based on the Bill produced by Fianna Fáil housing spokesperson Darragh O'Brien on the same topic this year. Sinn Féin would see such an amendment as entirely consistent with the intention behind our own legislation and would be happy to accept it.
- Sinn Féin also believes that appropriate amendment to our Bill to clarify the issue of Part 4 tenancy rights would also be consistent with the intention of our Bill and would be more than happy to take advice from the RTB and DoH LG on this matter.

Conclusion

- Sinn Féin has already indicated our support in principle for the legislation which the Minister for Housing intends to bring before the committee in the coming weeks dealing with increased powers and sanctions for the RTB to deal with breaches of rent protections of the RTA.
- If the Minister includes in his Bill at Second Stage or at Committee Stage RTA amendments dealing with the issues contained in our Bill we would be more than happy to withdraw our proposal at that stage
- However in the absence of any formal proposal from the Minister for Housing we hope the Committee will agree with us on the urgent need to clarify this matter to ensure that students are not charged unaffordable rents and therefore to support the passage of our Bill through Committee stage