



Greater Security of Tenure Bill – Sponsored by Jan O’Sullivan and the Anti-Evictions

Bill – Sponsored by Paul Murphy; Mick Barry; Ruth Coppinger

Chairman, members of the Committee, I want to thank you for the opportunity to present to you today.

We welcome the opportunity to present to the Committee on the Residential Tenancies (Greater Security of Tenure and Rent Certainty) Bill 2018 and the Anti-Evictions Bill 2018. Threshold has advocated for increased security of tenure, affordability, improvement in standards and for a sustainable private rented sector since its foundation by Fr Donal O’Mahony in 1978. We are working toward a vision whereby private rental is on an equal tenure status as other tenure options in Ireland. The two Bills we are here to discuss today tackle many of these very issues and seek to improve the rental sector for those who have made their home in it and for those who will make their home there in the future.

Both Bills seek to include lending or financial institutions in the definition of landlord. The Greater Security of Tenure Bill goes further to include receivers in the definition. As this Committee is aware Threshold has long called for the recognition of banks and receivers as landlords in the case of repossession of homes subject to BTL mortgages. It is essential that both banks and receivers are recognised as landlords to ensure tenants’ rights are respected in the case of repossession or the appointment of a receiver. The establishment of such security is essential if private rental is to exist as a legitimate tenure alternative to owner occupation or social housing.

We welcome the proposal to include licenses for student accommodation in the definition of tenancies and licensees in student accommodation in the definition of tenants. It is our position that all licenses and licensees, and not exclusively those living in student accommodation, should be added to the definitions of tenant and tenancy.

It will be of no great surprise to the Committee that Threshold supports this proposed definition of a deposit as it is outline in the Greater Security of Tenures Bill. At this time of increasing unaffordability, where tenants are being asked for the equivalent of two months’ rent as a deposit in addition to their first month’s rent to secure a home, a legal definition is vital to ensure that tenants are protected.

We have called for this definition for some time and for it to work alongside a “dwelling specific” rent register, which is essential for the protection of tenants and the enforcement of the RPZ rules.

Linking rent increases to the CPI will link rents to a tangible measure, reflective of supply and demand. We are in favour of the proposed amendment. We propose however, that increase be subject to an overall limit of 20% increase over the course of five years. In addition we are in support of the proposal to designate the State as a rent pressure zone. We recommend that the designation be extended beyond the 3 years as Dublin and Cork will cease to be RPZ areas in December this year followed by the remaining areas in 2020.

We see merit in extending Part 4 rights to tenants once they have been in occupation for 2 months. In addition to this we fully support the creation of indefinite tenancies through the removal of 34(b) which has been a long standing position of Threshold. This is an essential step in making the PRS a viable, sustainable tenure choice.

Sale as grounds for termination has no place in a modern rental sector. This has been the number one reason for tenants to contact Threshold in 2016, 2017 and 2018. Continuing to permit sale as grounds for termination prevents the establishment of a sustainable PRS and undercuts the effectiveness of HAP as social housing support. We support the proposed removal of sale as grounds for termination as proposed in both bills.

Threshold is in support of the extension of notice periods for tenants, particularly those who have been in occupation for less than 6 months and for long term residents who may have lived in the home for a substantial period of their life and are possibly at a later stage in life.

If renting is to become a tenure of choice and given that an increasing number of people are renting into older age, one year or more is not an unreasonable notice period.

Again the Committee may well be aware of our view on this matter. Threshold has long called for a creation of a publicly available rent register. It is essential that this register be dwelling specific, allowing a tenant or prospective tenant to determine the rent on the property prior them moving in.