



Briefing Document for the Public Accounts Committee Meeting 24th February 2022

Contents

| | |
|---|----|
| Introduction | 3 |
| What is the Residential Tenancies Board?..... | 3 |
| Strategic Objectives | 3 |
| Core functions | 4 |
| Financial statements | 5 |
| 2020 RTB Income and Expenditure Summary | 5 |
| Income Summary - €18.3m (€19.0m: 2019) | 5 |
| Exchequer Funding €6.7m (€7.8m: 2019)..... | 6 |
| Tenancy Registration Income - €11.7m (€11.5m: 2019)..... | 6 |
| Increasing RTB Funding Requirement..... | 7 |
| Focus of Increased Funding Requirements..... | 7 |
| Update on RTB 2020 Statement of Internal Control..... | 10 |
| RTB360 Tenancy Management System | 10 |
| Extension of contract for outsourced business processing and customer support services..... | 11 |
| Registration process..... | 12 |
| What has to be registered with the RTB..... | 12 |
| What does not come under the RTB's remit | 12 |
| Public Register..... | 12 |
| Registration compliance | 13 |
| Registration Enforcement | 13 |

| | |
|--|----|
| Investigation and sanction powers (as they relate to non-registration) | 14 |
| Services during COVID..... | 14 |
| Promoting Compliance | 15 |
| Future Regulatory environment | 16 |
| New Tenancy Management System | 16 |
| Annual Registration..... | 16 |
| Appendix | 18 |
| Registration Data | 18 |
| Registration Enforcement Data..... | 19 |

Introduction

What is the Residential Tenancies Board?

The Residential Tenancies Board, also known as the RTB, is a public body set up to support and develop a well-functioning rental housing sector. Our remit extends to the private rental, Approved Housing Bodies (AHB) and Student Specific Accommodation (SSA) sectors. Our role is to regulate the rental sector, provide information and research to inform policy, maintain a national register of tenancies, resolve disputes between tenants and landlords, initiate an investigation into Improper Conduct by a landlord, and provide information to the public to ensure tenancies run smoothly and no issues arise.

About the RTB

Vision

An effectively regulated residential rental sector that is fair, accessible and beneficial to all



Strategic Objectives

There are six strategic priorities in their Strategic Plan 2018-2022:

- Customer Focus
- Information & Education
- Improved Regulation
- Dispute Resolution & Prevention
- Data & Research
- Organisational Supports

Core functions

Information, Research and Education

The RTB provides high-quality information and assistance to landlords, tenants and the public on their rental rights and responsibilities, both in terms of living in and providing accommodation in the rental sector. The RTB also provide accurate and authoritative data on the rental sector, such as the Quarterly Rent Index, which allows us to monitor trends in the rental sector, but also allows individuals to check and compare rents in particular locations.

Registrations

All private residential landlords, Approved Housing Bodies (who are not-for-profit housing providers, often referred to as Housing Associations) and landlords of Student Specific Accommodation must register their tenancies with the RTB. The registration of tenancies enables the RTB to collect important data on the sector. It is also a key part of regulating and supporting the sector and ensuring that landlords and tenants are aware of their rights and responsibilities.

The Residential Tenancies (Amendment) Act 2019 provides for the annual registration of tenancies and also creates a new fee structure for annual registration, which will cost €40 for the registration of private rented tenancies and €20 for the registration of Approved Housing Body tenancies. Annual Registration will come into effect in Q2 2022.

Dispute Resolution

Since 2004, the RTB replaced the courts in dealing with the majority of disputes between landlords and tenants through our Dispute Resolution Service. This service offers a choice of resolution types to parties – Telephone Mediation or Adjudication – and the option to appeal through a Tenancy Tribunal.

Investigations and Sanctions

In July 2019, the RTB was given powers to investigate and sanction landlords who engage in certain breaches of rental law, such as increasing the rent by more than is allowed under the calculation set out in the Residential Tenancies Act or ending a tenancy by citing a reason in a notice of termination which the landlord did not ultimately act on, amongst others. Investigations can commence either on the basis of information received from a member of the public or proactively by the RTB on the basis of information available to us under the Residential Tenancies Act. Sanctions include a formal written caution and/or a fine of up to €15,000 and/or costs of up to €15,000.

Financial statements

2020 RTB Income and Expenditure Summary

| | 2020 € | 2019 € | Difference | Variance |
|--|--------------------------|--------------------------|--------------------------|----------|
| Income | | | | |
| RTB fees | 11,654,588 | 11,507,126 | 147,462 | 1% |
| Exchequer funding | 6,694,511 | 7,838,119 | -1,143,608 | -15% |
| Other Income and adjustments* | (37,441) | (333,697) | 296,256 | -89% |
| Sub-total | <u>18,311,658</u> | <u>19,011,548</u> | <u>-699,890</u> | -4% |
| Expenditure | | | | |
| Staff costs | 5,106,243 | 4,350,857 | 755,386 | 17% |
| Panel member and Board Fees | 1,175,923 | 2,054,278 | -878,355 | -43% |
| Administrative and Other costs | 10,540,546 | 10,462,938 | 77,608 | 1% |
| Pension Costs** | 1,206,000 | 750,310 | 455,690 | 61% |
| Sub-total | <u>18,028,712</u> | <u>17,618,383</u> | <u>410,329</u> | 2% |
| Surplus for the year | <u>282,946</u> | <u>1,393,165</u> | <u>-1,110,219</u> | |
| <i>* Primarily reflecting by deferred pension funding and transfers to and from capital account</i> | | | | |
| <i>** Pension Costs are a notional estimate of deferred funding for future pension costs generated by current staff during 2020.</i> | | | | |

Income Summary - €18.3m (€19.0m: 2019)

- The RTB has primarily two sources of operating income – income derived from fees from landlords for the registration of their tenancies & income provided by the Exchequer.
- Tenancy registration income represented approximately 63% of RTB total income during 2020 with Exchequer funding representing 37%. Other income including fees charged for disputes services currently represents less than 1% of total RTB income.
- Exchequer funding has increased significantly in recent years with expansion of the RTB mandate reflecting the increased mandate and significant change in the organisation's activities. While just under €7m funding was drawn down by the RTB in 2020, €11m was provided by the Exchequer during 2021.

Exchequer Funding €6.7m (€7.8m: 2019)

Exchequer funding is provided through the Vote of the Department of Housing, Local Government, & Heritage to fund the anticipated operating costs of the organisation not sufficiently covered by RTB derived income. During 2020 funding of just €6.7m was drawn down by the RTB to fund its operational costs. This was over €3m short of the actual allocation of Exchequer Funding (€9.95m) approved for the RTB in 2020. This represented a reduction of €1.1m (down 15%) compared to the Exchequer drawdown during 2019.

The lower than anticipated drawdown reflects unplanned lower than anticipated operational costs arising during the year due to significantly reduced demand for some key services during the height of the pandemic. This reduced activity and demand was primarily reflected by a significant reduction in demand for dispute services, the requirement to postpone physical dispute hearings, the closure of the courts impacting enforcement and investigation activities and initial sharp reduced demand for customer contact services.

After the drawdown of funding from the Exchequer the RTB generated a small surplus of €0.3m during 2020.

Tenancy Registration Income - €11.7m (€11.5m: 2019)

Fees from tenancy registration during 2020, amounted to €11,654,588 (2019: €11,507,126) representing a 1% increase in tenancy fee income during the year. The fees included €446,980 for the registration of student-specific accommodation which came under the ambit of the RTB's registration requirements for the first time in 2019 and tenancy registration income of €861,850 generated from accommodation operated by Approved Housing Bodies. The balance of tenancy registration income in 2020 of just over €10m was generated from the registration of tenancies in the Private Rental Sector. There was a slight drop in registration income between 2020 and 2019, please see table below.

| | 2020 | 2019 |
|--------------------------|-------------------|-------------------|
| Registration Fees | 10,345,758 | 10,530,751 |
| AHB Fees | 861,850 | 437,795 |
| SSA | 446,980 | 538,580 |
| Total | 11,654,588 | 11,507,126 |

The standard fee during 2020 was €90 for private dwelling and Approved Housing Body registrations. The standard fee was €40 for student-specific accommodation registrations. Across all three sectors there are reductions available for relevant multiple registrations, and late fees apply across all sectors.

Increasing RTB Funding Requirement

Reflecting the expansion of the RTB mandate, Exchequer funding to the RTB has increased significantly over recent years, from a fully self-funded position in 2015 to an approved budget for 2021 of €11m.

Summary of RTB Fee Income and Exchequer Funding 2019-2021

| | 2019 | 2020 | 2021 |
|--------------------------|---------------|---------------|---------------|
| Exchequer Funding | €8.0M (40%) | €6.9M (37%) | €11.0M (53%) |
| Fee Income | €11.8M (60%) | €11.8M (63%) | €9.6M (47%) |
| Total Income | €19.8M | €18.7M | €20.6M |

Focus of Increased Funding Requirements

The current situation in the rented housing sector has greatly increased demand for the services provided by the RTB in recent years, while the various RTA Amendment Acts 2019 -2021 have created a step function expansion in the range of functions and powers and in the services it is expected to provide.

Requirement for increased funding for 'business as usual' activity reflect the continually increasing demand for RTB services over recent years. Included within expanding funding requirements is the annualisation effect (salaries, outsourcing, etc.) of volume driven costs added in recent years and cost increases to meet increased demand on services over the last number of years.

New Functions and the extension of the RTB's remit since 2019

In addition, the primary drivers of expenditure on new functions arising from the expansion of remit are as follows:

- A newly established Investigations and Sanctions unit providing for sanctioning of improper conduct by landlords;
- Preparation and implementation, including system development, for annual registration of tenancies;
- Legal requirement for landlords to forward Notices of Termination to the RTB to properly end tenancies ;
- Extension of obligations and rights under residential tenancies legislation to licence agreements in student-specific accommodation, provided by public educational institutions or by private accommodation providers to both part-time and full-time students including the requirements for such tenancies to be registered;
- Expansion and extension of the RPZ regime and alterations in rent-setting requirements;
- Residential Tenancies and Valuations Act 2020 providing new protections for tenants who fall into rent arrears, and as a result, are at risk of losing their tenancy. The consequential processes involve the RTB:
 - receiving copies of written rent arrears notices from landlords;

- writing to landlords and tenants acknowledging receipt and providing information on supports;
- processing consent of tenant to assist in engagement with MABS;
- receiving self-declarations from relevant persons;
- receiving Notices of Terminations in relation to such cases and;
- Communication of all these substantial adjustments of the right and responsibilities of landlords and tenants living and operating within the rental sector.

Operational Expenditure Summary - €18.0m (€17.6m: 2019)

2020 was a year of significantly lower than anticipated expenditure and this is reflective of the undrawn Exchequer grant of €3m during the year. While Operational Expenditure of €18.0m in 2020 was slightly higher than 2019 by €0.4m (up 2%), planned expenditure was lower than anticipated due to the impact of Covid-19 and associated lower than anticipated operational costs arising during the year due to significantly reduced activity and demand in some key services impacted by the pandemic.

The increase in expenditure that had been anticipated in 2020 was reflective of the expansion of remit of the RTB arising from the enactment in July 2019 of the Residential Tenancies (Amendment) Act 2019. This legislation gave RTB responsibility for registering Student Specific Accommodation and also introduced new powers to investigate and to sanction “improper conduct” by landlords. While work on these areas progressed in 2020, it was not at the level anticipated and, hence, the funding requirement was lower than originally planned.

The following are the main expenditure highlights in 2020:

Staff Costs - €5.1m (€4.4m: 2019)

Staff Costs increased to €5.1m from €4.4m representing an increase in staff costs of €0.7m (17%) during 2020. This increase is primarily reflective of the significant increase of staff numbers from 45 at the beginning of 2019 to 91 by the end of 2020. This was to deal with an expanding remit, increased demand for certain services and further legislative changes introduced during 2020.

Panel Member and Board Fees - €1.2m (€2.1m: 2019)

The main reduction in these costs are related to the decrease in cost associated with Panel Members fees during 2020. These fees are paid out for cases completed by decision-makers involved in adjudication and tribunal hearings and the provision of mediation services for those case parties involved in rental disputes. Panel Member fees reduced from €1.9m in 2019 to just over €1m in 2020, representing a reduction of 44% during the year.

The temporary pause on notices of termination and notices relating to the review and setting rents to protect tenants during the pandemic, led to a temporary reduction in dispute requests, with, overall, a 16.2% decrease on applications received in 2020. In addition, due to public health reasons, the ability to hold hearings was impacted for a number of months while alternative virtual arrangements were put in place. Due to this there was an overall 41.3 % decrease in hearings held during 2020 In reality, tcompared to 2019.

Administrative and Other Costs - €10.5m (€10.5m : 2019)

While costs of €10.5m in 2020 were similar to 2019 with a slight 1% increase, expected costs during 2020 were anticipated to be higher.

Examples of such cost include Customer Contacts, which were €2.25m in 2020 as opposed to €2.35m in 2019. Customer contact expenditure relate to expenditure to support customers by telephone, webchat, e-mail and the processing of documentation and related administrative services to process customers applications and registrations.

While this represents a 3% reduction year-on-year it was anticipated that such costs would increase substantially in 2020 due to the rapid expansion of services from 2019. In reality, there was a sharp fall in demand for these services in the early stages of the pandemic, although demand for services rebounded strongly, and in line with expectations, as the year progressed. During 2020 there were 268,104 customer contacts by phone, email and webchat.

In addition, Legal Fees were €1.96m in 2020 compared to €1.99 in 2019, representing a 1% reduction year-on-year. Once again, the expectation was that these fees would increase, by up to 25%, reflecting primarily expectations around activities relating to RTB's new Investigation and Sanctions powers. Less than anticipated expenditure was mainly due to the unavailability of courts due to pandemic restrictions and the inability to therefore proceed with court activity related to enforcement and to confirmation of sanctions.

Update on RTB 2020 Statement of Internal Control

Two principal items declared in the RTB 2020 Statement on Internal Control were (i) the extension of timelines and increase in budget for the development of the new tenancy management system RTB360 and (ii) the non-competitive extension of a contract for outsourced business processing and customer support services to Capita.

RTB360 Tenancy Management System

The RTB360 system is a major IT project and is the core building block for the next stages in the RTB's digital roadmap. The new system went live for customers on November 15th, 2021. Upon 'go live' the following enhancements became available to the RTB and our customers through the online portal and underlying CRM system:

- Private, corporate, and social housing individuals and organisations can register, update, & renew tenancies on the system
- Full support for digital customer engagement
- Omni-channel capability (e.g. Webchat; portal; telephone; paper)
- Enterprise integrations (e.g. payment provider; print; customer validation; SMS; Companies Registration Office (CRO) validation)
- Full support for both old and new registration fee regimes (new = annual registration)
- Contact and account management; Address and dwelling management
- Customer campaign and engagement automation and capability
- Enterprise reporting and analytical capability
- Auditing capability
- Data compliance and disposition capability (e.g. GDPR)
- Extensible technology platforms (e.g. D365; SharePoint; PowerBI; O365)
- Business process outsourcing management and reporting capability.

The RTB360 system has been bedding in for the past several months while RTB closely monitors the system's performance and stability. It is clear now that the new online system is stable, and performance is strong across all functions. It was critically important to take the time post 'go live' to get this assurance before completing the forthcoming Annual Registrations release and rolling this out to customers via RTB360. Since the system is performing well, the RTB is confident that the system will accommodate and support the significant uplift in activity which the new Annual Registrations regime will introduce (whereby landlords must register their tenancies on the anniversary of the commencement of the tenancy). The RTB expect to have a tripling of tenancy registration volumes once the relevant legislation is commenced in April.

At the time of the C&AG audit of the 2020 accounts, the RTB360 system was expected to 'go live' at the end of June 2021. However, due to issues that arose in User Acceptance Testing (UAT) in the run

up to 'go live', the date had to be re-scheduled to allow time for the software development company to remediate these.

The RTB also decided around this time to commission additional code review and security work on the system to mitigate the risk of material issues arising after the system went live for customers. This was during the period when the HSE had experienced a crippling cyber-attack, so the RTB judged it prudent to seek extra assurance in the area of system security. This ultimately led to the 'go live' date for the system of November 15th, 2021.

Extension of contract for outsourced business processing and customer support services

Capita provides customer service and business processing support to the RTB in the area of registrations. This is a critical area where the RTB360 project will have significant impacts and which are particularly affected by the "go live" delay. The Capita contract extension was considered by the RTB Board to meet the exceptional conditions justifying a direct award under procurement guidelines. In the interests of full disclosure, this was declared in the Statement of Internal Control in order to be fully transparent given the size of the contract award. Updates were provided to the C&AG in April 2021.

The Capita contract briefing note to the C&AG (23rd April, 2021) details that the Capita service centre is completely integrated into the RTB's Registrations and Customer Servicing system and operating model. The note also makes clear the reasons why the RTB Board judged that the risks which would arise in migrating Capita's functions to a new provider would be at such a level that these could threaten the stability of ongoing operations. Hence, the Board decided that there was a justifiable need to maintain the status quo position with Capita until after the new RTB360 system was developed and rolled out. This was particularly so given further rounds of legislative change were anticipated and that Annual Registration of tenancies was to be introduced in 2022.

In July 2021 the RTB extended its contract with Capita from November 2021 for a further 12 months to November 2022. This extension has allowed the RTB to safely navigate the transition of registration and customer operations to the new RTB360 system, including preparations for the commencement of Annual Registrations due to occur in April 2022.

Registration process

What has to be registered with the RTB

Landlords are legally obliged under the Residential Tenancies Act 2004 (RTA), as amended, to register all tenancies with the RTB within one month of the tenancy commencing. All private landlords, Approved Housing Bodies (AHBs) and, since August 2019, all providers of Student Specific Accommodation are required to register their tenancies with the RTB.

What does not come under the RTB's remit

The scenarios outlined below do not need to be registered with the RTB and fall outside of the RTB's jurisdiction:

- The Rent a Room scheme or DIGS.
- If a tenant lives with the spouse, civil partner, parent or child of the landlord and there is no written letting agreement in place.
- Homes owned by parents and lived in by their adult children, without a tenancy arrangement, do not require registration and are outside of the RTB's jurisdiction. Some parents invest in property for their children's use, such as during a period of time in third level education.
- Homes where the landlord lives with tenants do not require registration.
- Short term lets and those let through AirBnB.
- Tenancies in local authority housing or under shared ownership lease arrangements.

Public Register

The [register of tenancies](https://www.rtb.ie/register-of-tenancies) is available at www.rtb.ie. All tenancies that fall within the remit of the Residential Tenancies Act 2004, as amended, are required to be registered with the RTB within one month of the tenancy commencing. The RTB public register of tenancies is updated weekly, on a Sunday. It is important to point out that addresses on tenancy registrations are self-declared and are entered by those obliged to register.

In addition, the RTB's [Research and Data Hub](https://www.rtb.ie/research-and-data-hub) provides members of the public with the number of private registered tenancies nationally and by county, amongst other data.

Details on the number of registrations with the RTB can be found in the appendix.

Registration compliance

The RTB has two specific processes to address compliance of non-registration. Firstly, the RTB's Registration Enforcement Unit, and secondly, its Investigations and Sanctions Unit. Both processes are discussed further below.

Non-registration cases may be pursued in two ways as appropriate:

- Criminally, through the Registration Enforcement Unit, or
- Through imposition of sanctions via the RTB's Investigations and Sanctions unit which was established on 1st July 2019 or;

Registration Enforcement

The RTB's Registration Enforcement Unit works with landlords and partner organisations to support registration compliance, to investigate and, if necessary, follow through enforcement procedures for landlords who do not register their tenancies. Failure to register is an offence which may result in a criminal conviction, a fine of up to €4,000 and/or up to six months imprisonment. The RTB makes every effort to inform landlords of their obligations to register and to support them in complying. Legal action is only taken as a last resort.

The Registration Enforcement Unit receives information from different sources regarding whether a tenancy is registered or not. The Registration Enforcement Unit can receive information from:

- Members of the public. If someone believes a tenancy has not been registered with the RTB within one month of the tenancy commencing, they can contact the RTB's Registration Enforcement section on 0818-303038 (Mon-Fri 9.30am-5pm) or by email at enforcement@rtb.ie.
- Local Authorities;
- The Department of Employment Affairs and Social Protection (DEASP);
- Internal information gathered as a result of a dispute resolution application.

To help landlords comply with the legislation, the RTB writes to landlords directly and gives them opportunities to comply before legal action is taken. Landlords receive two reminder letters (Notices) from the RTB, before any legal letters are issued. The majority of landlords who are contacted are already complying with their obligation or move to comply with their obligation to register. This halts any requirement for the formal enforcement process. However, in a small number of cases formal notices and Solicitor letters must be issued.

A District Court Summons is issued for failure to comply with the 2nd Notice. Landlords are given ample opportunity to mend their hand before a Summons to Court is issued. When a matter proceeds to Court, Judges tend to look more favourably on a landlord who has since rectified the issue and has become fully compliant. On most occasions, once a landlord engages with the RTB, cases are adjourned to allow the landlord to register their tenancies. In these instances where the landlord is fully compliant, the Judge can direct that the Probation Act be applied, and a charitable donation made.

Details on the number of prosecution cases can be found in the appendix.

Investigation and sanction powers (as they relate to non-registration)

The RTB has an Investigations and Sanctions unit dedicated to investigating certain potential breaches of rental law by a landlord called “improper conducts”. These include:

- failure to comply with RPZ requirements;
- failure to register a tenancy;
- a reason given on a Notice of Termination that is known to be false or misleading; and
- failure to offer a tenant their tenancy back when certain conditions have been met.

As stated above, one of the breaches that can be investigated is a failure to register a tenancy with the RTB within one month of the tenancy commencing. The Investigations and Sanctions Unit can start an investigation either as a result of information received from members of the public or as a result of information gathered from records that the RTB has access to under the Residential Tenancies Act.

A potential improper conduct can be brought to the attention of the Investigations and Sanctions Unit in one of three ways as set out below.

- Call the RTB unrecorded phone line at 0818 776297 or 01 6753724.
- Email -at investigations@rtb.ie.
- Make a formal complaint.

Further information on the improper conducts that can be investigated by the RTB and on the investigation and sanctions process is available on the RTB website [here](#). It is important to note that the vast majority of landlord and tenant grievances are dealt with through the RTB’s Dispute Resolution Service, which includes free mediation.

If a landlord is found to have committed improper conduct, a sanction may be imposed on them by an independent Decision Maker of a written caution and/or a monetary sanction of €15,000 and €15,000 in costs. All sanctions must be confirmed by the Circuit Court and all monetary sanctions are paid to the exchequer. If an improper conduct is reported by way of a formal complaint the complainant will be informed whether or not an investigation will commence and of the results of any such investigation. The I&S Unit cannot provide updates on information provided by email or through our unrecorded phone line.

At the end of Q4 2021, 438 investigations into alleged Improper Conduct were in process and 15% of those cases related to unregistered tenancies.

Services during COVID

At the RTB’s core is delivering services on a daily basis that meet the needs of both tenants and landlords and assist them in resolving issues which arise in a tenancy. The RTB has focussed over the last number of years on developing flexibility and resilience within it’s services. This has given the organisation improved agility to adapt to changing environments. Nevertheless, 2020 was an exceptional year and few could have imagined or planned for the degree of disruption the Covid-19

pandemic would bring. Work and investment from previous years enabled the RTB to immediately adjust to a largely remote working environment. The focus was on speedily adopting innovative ways of working, through the use of technology, digitalisation of services and automation of processes, to ensure the continuation in the provision and quality of the services provided.

The organisation moved quickly and effectively to remote working with minimum disruption to most of the functions. Early and decisive action was taken to ensure the sustainability and protection of key services. Immediate measures and protocols were put in place to ensure a safe working environment for the staff and members of the public who continued to work on-site in essential roles that could not be operated remotely

Fortunately, during this time there was no disruption to the RTB's registration / compliance capability in terms of being able to make a registration, due to COVID and lockdown. Core activities that continued during the pandemic included:

- The RTB call centre remained open.
- WebChat Live remained available.
- Paper registrations were processed, even under strictest restrictions
- The Registration Portal continued uninterrupted.

Promoting Compliance

A fundamental goal of the RTB is to support a well-functioning rental sector by supporting compliance in the sector through education and information.

The RTB provides information about the rental sector to landlords, tenants and the wider public to help support landlords and tenants to understand their rental rights and responsibilities, and to raise awareness of the RTB and the services it provides. Some highlights of the communications activities managed by the RTB include:

- National and regional multimedia campaigns to raise awareness of the legislative changes introduced
- Increasing the RTB's stakeholder reach and engagement activity;
- Expanding the RTB's communications channels.

In relation to registrations, the RTB launched a specific registration compliance campaign to highlight that it is a legal requirement for landlords to register their tenancies. The campaign used outdoor, press, radio, social media and online advertising to reach landlords. This campaign resulted in increased engagement with landlords as well as driving more users to the RTB website. A similar scale campaign is in development to inform landlords of the incoming Annual Registration requirement.

The RTB also created a voluntary landlord accreditation scheme called Betterlet: RTB Accredited Landlord. The purpose of the Betterlet scheme is to support landlords to better manage their tenancies and help them to be able to comply with the Residential Tenancies Act. The full day training provides participants with an overview of the legal requirements to being a landlord. As such, in order to participate in the scheme, active landlords are required to have their tenancies registered with the RTB and participants who are interested in becoming landlords are also informed of the requirement to register their tenancy

Future Regulatory environment

New Tenancy Management System

The RTB360 Registrations system went live for customers on November 15th, 2021. The RTB360 project is a significant digital transformation project for the RTB. RTB360 is an enterprise system that will support core end-to-end business functionality. The first phase delivers a new online account and registration portal for landlords and agents and is the most significant and necessary step forward in the RTB being in the position to support annual registration. This new system provides a core enterprise platform for the RTB, establishing key operational pillars in terms of data management and organisational capability and agility.

Apart from supporting the core functions of the organisation it is also a key component to allow the RTB to:

- o Provide more efficient and effective services by strongly focusing on supporting web-enabled and user-friendly services and maximising the opportunities for self-service by customers
- o Provide the means for the organisation to reduce transactional costs and deliver improvements to processes, services, data capture and analysis
- o Deliver on the expanding remit, being a necessary precursor to the successful delivery and support of legislative changes and improved service delivery
- o Assist in dealing with escalating demand for services

Access to better business intelligence and advanced data collection and reporting capabilities will also position the RTB as a more effective regulator. RTB360 is a central solution for the organisation to leverage and build upon as the rental landscape changes and develops, allowing it to continue to support and develop a well-functioning rental sector.

Annual Registration

The intention of the RTB is to launch Annual Registration functionality of the new system in April 2022 following the commencement of the legislation. RTB360 is functioning well and in turn can support the significant upturn in customer transactions which Annual Registration will introduce, expected to be a tripling of tenancy registration transactions.

The new online registration system is now capable of handling higher volumes of registrations - a significant increase in the number of registrations is anticipated with the RTB moving from a current average of 6,000 to 7,000 registrations per month, to potentially 20,000 per month. Landlords will be required to register their tenancies each year on their anniversary of the tenancy commencement, unlike the current model whereby tenancies are registered only at inception or every 6 years. Annual Registration on RTB360 will provide the RTB and policy makers with greatly improved data on the rental market. It will support an enhanced *RTB/ESRI Quarterly Rent Index* as the new system will allow for a distinction to be identified between rents paid for continuing tenancies and, the generally higher, rents paid for new tenancies.

Annual registration will improve the data integrity of the register of landlords and be pertinent to having the best data on rental levels, and various other aspects of the rental housing system.

A new fee and late fee structure will be introduced for landlords which will operate on a cumulative basis. This means that the longer a landlord delays in making a registration, the higher the financial penalty. This should be an incentive to keep registrations up to date.

The new system will also have the ability to identify possible breaches of RPZs and therefore allow action to be taken through the Sanctions process, as appropriate. The new CRM system will also allow multiple points of contacts to support and remind landlords to stay on top of their registrations via SMS, online portal messages, campaigns and letters.

When fully delivered, annual registration will provide much increased and improved self-service facilities for customers, greater usage and accessibility for online registration, improved system scalability, reduced processing times, and create significant improvements in data quality, data verification, reporting and analytics capability.

The RTB will roll out a communications strategy in advance of the commencement of annual registration to support and inform landlords.

Appendix

Registration Data

The below tables outline data on the number of tenancies registered with the RTB. Further data can be found on the RTB Research and Data Hub.

The Number of Tenancy Registration Applications Received by the RTB Each Year 2016-2020

| | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 |
|--|---------|---------|---------|---------|---------|----------------|
| Private rental tenancies registration applications received by the RTB each year (new & renewal) | 105,566 | 106,177 | 101,640 | 98,362 | 95,245 | 95,646 |
| AHB tenancies registration applications received by the RTB each year (new & renewal) | - | 5,452 | 23,092 | 3,738 | 3,878 | 21,587 |
| Student Specific Accommodation tenancies registered with the RTB for the academic year | - | - | - | - | 28,414 | 12,784 |
| Total number of tenancy registration applications received | 105,566 | 111,629 | 124,732 | 102,100 | 127,537 | 130,017 |

Private Tenancies registered by RTB broken down by Local Authority – (Point in Time January 2021)

| Local Authority Name | Private |
|---------------------------------------|---------------|
| CARLOW COUNTY COUNCIL | 3,219 |
| CAVAN COUNTY COUNCIL | 3,033 |
| CLARE COUNTY COUNCIL | 4,674 |
| CORK CITY COUNTY COUNCIL | 18,262 |
| CORK COUNTY COUNCIL | 14,791 |
| DONEGAL COUNTY COUNCIL | 6,026 |
| DUBLIN CITY COUNTY COUNCIL | 69,866 |
| DUN LAOGHAIRE-RATHDOWN COUNTY COUNCIL | 18,397 |
| FINGAL COUNTY COUNCIL | 19,025 |
| GALWAY CITY COUNTY COUNCIL | 10,612 |
| GALWAY COUNTY COUNCIL | 6,645 |
| KERRY COUNTY COUNCIL | 7,548 |
| KILDARE COUNTY COUNCIL | 11,288 |
| KILKENNY COUNTY COUNCIL | 4,218 |
| LAOIS COUNTY COUNCIL | 3,629 |
| LEITRIM COUNTY COUNCIL | 1,569 |
| LIMERICK CITY AND COUNTY COUNCIL | 11,766 |
| LONGFORD COUNTY COUNCIL | 2,407 |
| LOUTH COUNTY COUNCIL | 6,671 |
| MAYO COUNTY COUNCIL | 6,035 |
| MEATH COUNTY COUNCIL | 7,720 |

| | |
|-----------------------------------|---------|
| MONAGHAN COUNTY COUNCIL | 2,092 |
| OFFALY COUNTY COUNCIL | 3,169 |
| ROSCOMMON COUNTY COUNCIL | 2,891 |
| SLIGO COUNTY COUNCIL | 4,368 |
| SOUTH DUBLIN COUNTY COUNCIL | 14,727 |
| TIPPERARY COUNTY COUNCIL | 6,794 |
| WATERFORD CITY AND COUNTY COUNCIL | 7,918 |
| WESTMEATH COUNTY COUNCIL | 5,818 |
| WEXFORD COUNTY COUNCIL | 7,682 |
| WICKLOW COUNTY COUNCIL | 6,287 |
| | 299,147 |

Registration Enforcement Data

Issued Registration Enforcement Notices and Letters*

| Year | 1st Notice | 2nd Notice | 1st Solicitor Letter | 2nd Solicitor Letter | Other* | Total |
|------|------------|------------|----------------------|----------------------|--------|-------|
| 2018 | 4,651 | 2,384 | 748 | 253 | 363 | 8,399 |
| 2019 | 6,013 | 1,823 | 540 | 188 | 111 | 8,675 |
| 2020 | 1,282 | 148 | 167 | 73 | 108 | 1,778 |

* These are letters either to occupiers of the rental property or to landlords who have an incomplete tenancy registration on the system.

| Numbers of summonses, notices issued and convictions between 2016-2020. | | | | | | | |
|---|--------------------------------|--------------------------------|--------------------------------|--------------------------------|--|---|---------------------------|
| County* | 2016 Number of Summonses | 2017 Number of Summonses | 2018 Number of Summonses | 2019 Number of Summonses | 2020 Number of Summonses | 2021 Number of Summonses (up to May 2021) | Total 2016- (May) 2021 |
| Carlow | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Cork | 0 | 0 | 2 | 0 | 2 | 0 | 4 |
| Donegal | 1 | 0 | 0 | 0 | 1 | 0 | 2 |
| Dublin | 10 | 3 | 2 | 12 | 4 | 0 | 31 |
| Galway | 4 | 1 | 1 | 0 | 0 | 0 | 6 |
| Kerry | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| Kilkenny | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Limerick | 3 | 1 | 0 | 0 | 0 | 0 | 4 |
| Roscommon | 0 | 0 | 0 | 0 | 1 | 0 | 1 |
| Louth | 1 | 0 | 0 | 0 | 0 | 0 | 1 |
| Tipperary | 4 | 0 | 0 | 0 | 1 | 0 | 5 |
| Waterford | 0 | 0 | 1 | 0 | 0 | 0 | 1 |
| Westmeath | 5 | 0 | 0 | 0 | 0 | 0 | 5 |
| Wexford | 0 | 1 | 0 | 0 | 0 | 0 | 1 |
| National Total: | 29 | 7 | 7 | 12 | 10 | 0 | 65 |
| Convictions: | 20 | 3 | 1 | 1 | None - all cases adjourned due to Covid restrictions | 0 | 25 |
| 1st & 2nd Notices issued 2016: | 7,020 | 5,406 | 7,035 | 7,836 | 1,430 | 1,120 | 29,847 |