



Cost Rental Tenant in Situ (CRTIS)

Briefing for Joint Oireachtas Committee members

Date: 4 December 2023

1.1. Introduction

The Housing Agency is a government body working with the Department of Housing, Local Government and Heritage (DHLGH), Local Authorities and Approved Housing Bodies (AHBs) in the delivery of housing and housing services. The Agency also implements the Pyrite Remediation Scheme, has a role in the Enhanced Defective Concrete Blocks Scheme and will have a role in the remediation of Apartment Defects.

1.2. Background

On 7 March 2023 the Government announced that the 'Winter Emergency Period' under the Residential Tenancies (Deferment of Termination Dates of Certain Tenancies) Act 2022 would expire on 31 March. As part of a suite of measures to respond to this change in the private rental sector, the Government developed the 'Cost Rental Tenant In-Situ' (CRTiS) scheme to mitigate the impact of the end of the emergency period.

The scheme is for tenants in private rental homes who are at risk of homelessness because a landlord has served a valid Notice of Termination due to an intention to sell the property, but who are not in receipt of social housing supports and have net household incomes within the limit for Cost Rental housing (originally no more than €53,000, but increased on 1 August to €66,000 for Cost Rental homes in Dublin and €59,000 elsewhere).

The Housing Agency (HA) administers the temporary scheme, under which it may acquire a home and so permit a tenant at risk of homelessness to continue to reside in the property. The main benefit to the tenant of this Scheme is the continuation of a stable tenancy, and elimination of the risk of homelessness.

The Housing Agency was requested by the DHLGH to operate the temporary scheme until longer term measures are put in place. Initially established as a temporary measure the scheme which has been in operation on an administrative basis since 1 April 2023.

1.3. Operation of the Scheme

In March the Housing Agency's Local Authority Services Section set up a CRTiS queries phone line, email service and an assessment team to manage referrals from local authorities to assess households deemed potentially eligible for the scheme.

Local Authorities assess tenants who are in receipt of a valid Notice of Termination due to an intended sale of the property. This assessment is conducted by a Local Authority Housing Officer in exactly the same manner and using the same evidence base as any other situation in which someone presents to the Local Authority as being at risk of homelessness.

Where a tenant is judged by the Local Authority to be at risk of homelessness and not in receipt of Housing Assistance Payment or be a tenant supported under the Rental Accommodation Scheme, the Local Authority passes the details of the tenant and the property to the Housing Agency for consideration as a potential acquisition.

The tenant is requested to provide income details to the HA to allow their income to be assessed for eligibility under Cost Rental net household income limits. If the household's income is assessed as being eligible, the HA can commence the process of acquiring their rental property if the landlord is willing to sell to the HA. The HA acquires the homes in line with acquisition cost guidelines, the same acquisition cost guidelines which apply to local authorities. There are various reasons why some applications and properties may not proceed to acquisition by the Housing Agency. These may include the fact that the landlord does not want to sell the property to the Housing Agency, or it may be due to the cost of property or there may be technical issues (legal or building condition issues) with the sale.

When a property is acquired by the HA the tenant will not immediately be in a 'Cost Rental Tenancy' within the meaning of Part 3 of the Affordable Housing Act 2021. This is because the property will not be designated as a 'Cost Rental Dwelling' at the time of acquisition of the property by the Housing Agency. The ultimate policy goal is to transition these acquired properties to the standard Cost Rental framework over the longer term.

As of end Q2 2023, 68 cases had been referred to the Housing Agency by 21 local authorities. It is intended that data in relation to the Scheme will be published on a quarterly basis, Q3 figures have yet to be published by the DHLGH.

1.3 Right to Purchase Bill

Head 7 of the General Scheme of the Residential Tenancies (Right to Purchase) Bill requires a landlord who wishes to sell their rented dwelling to give to their tenant: an Invitation to Bid (first right of refusal); and a Further Invitation to Bid to purchase their rented home.

Under Head 7, it is also envisaged that any Local Authority, Approved Housing Body or the Housing Agency, where appropriate, can make a bid during the initial Invitation to Bid period of 90 days from the date of service of the NoT to purchase a rented dwelling anywhere in the country, where the tenant of that dwelling is not in a position to make a bid, pursuant to an invitation to bid from their landlord and the body in question wishes to purchase the dwelling for the continued occupation of the sitting tenant.

While Head 7 makes provision for a Local Authority, Approved Housing Body or the Housing Agency to acquire a dwelling if the tenant of the dwelling is not in a position to do so, there is no obligation on the listed bodies to acquire the dwelling.