



**CONSTRUCTION DEFECTS**  
ALLIANCE

## **Apartment Defects Campaign Update, 13 September, 2023 – PLEASE SHARE**

### **Register with Housing Agency Portal Now**

A web portal for apartment owners, OMC directors and managing agents to register their interest in taking part in the Government's proposed defects remediation scheme is now live. The portal – which the Alliance proposed to Government – can be accessed by all at <https://www.housingagency.ie/remediation-defects-apartments-and-duplexes>

It's important to note that this process is not a formal registration process for the scheme – that can only happen when it is formally launched which will most likely be later next year. However, by connecting with the portal now owners, OMCs and agents will:

- Get helpful information and advice through the portal itself and by email;
- Contribute to the creation of a vital database of defective developments;
- Help the Housing Agency and the Government plan the operation of the proposed defects remediation scheme.

Some practical advice for those registering:

- Ordinary owners come under the category of 'others';
- Information on your OMC will be asked for and all of that information can be easily accessed through your most recent annual report.

### **Retrospection by Mid-2024?**

Over 400 people attended the recent webinar hosted jointly by Minister Darragh O'Brien the Apartment Owners' Network and the Construction Defects Alliance (link here to a recording of the webinar <https://attendee.gotowebinar.com/recording/3675284075722333016>).

During the webinar, the Minister said that he intends to set up an administrative scheme to manage the reimbursement of monies to owners who have paid towards the remediation of defects in their apartments and duplexes.

As the Minister explained, that will mean that retrospection can be brought forward and take place before the full scheme is up and running. While the Minister was understandably cautious around timelines on all of this, we would be hopeful that retrospection could commence before mid 2024.

We will now be pushing – with your help – to make this happen!

### **Interim Measures by Early November**

Another key matter that the Minister addressed is that of the Interim Measures Scheme – this is the scheme to ensure that people can continue to live safely in their apartments while they await remediation through upgrading fire alarm systems and making sure escape routes are safe.

The Minister said that the scheme – which will be run by the Housing Agency – will be up and running by the end of October or early November 2023. Again we will be making sure that this happens – with your help.

As we mentioned in the last newsletter, the Interim Measures Scheme is based on the Fire Safety Code of Practice (<https://www.gov.ie/en/publication/95159-code-of-practice-for-the-remediation-of-fire-safety-defects/>).

It is really, really important that owners, managing agents and OMC directors realise that in order to qualify for the Interim Measures Scheme a Fire Safety Assessment has to be carried out in line with the Code of Practice. We have been informed recently of some assessments being carried out for OMCs that are simply not fit-for-purpose so please remember the following:

- Fire Safety Assessments have to be carried out by a registered architect, engineer or surveyor. You can check whether a person is registered or not through the relevant professional bodies, Royal Institute of the Architects of Ireland [www.riai.ie](http://www.riai.ie), Engineers Ireland [www.engineersireland.ie](http://www.engineersireland.ie) or Society of Chartered Surveyors of Ireland [www.scsi.ie](http://www.scsi.ie).
- The professional carrying out the assessment has to be INDEPENDENT – in other words, they CANNOT have been involved in the original design and construction of your development.
- Fire Safety Assessments involve opening up works in a sample of locations in your development to see – amongst other things – whether fire stopping has been installed properly in the external walls, party walls, common areas, in service risers, under the floorboards and in the ceilings. To be clear, so-called assessments without such opening-up works are not worth the paper they are written on.

Ends.