



CONSTRUCTION DEFECTS
ALLIANCE

Apartment Defects Campaign Update, 23 March, 2023 – PLEASE SHARE

Next Steps in Setting Up Defects Scheme

The Construction Defects Alliance has received a lot of queries about when the defects scheme —which the Government agreed to set up two months ago – will finally be in place.

Truthfully, we don't know but our expectation is that it could take up to 15 months or so for a number of reasons.

- Firstly, the scheme has to be underpinned by law. That law has to be drafted and then go through pre-legislative scrutiny before the Oireachtas Housing Committee (possibly in September) followed by a thorough examination by the Dáil and the Seanad (in late 2023 and early 2024). Once passed it will be signed by the President and commenced at some date in early 2024.
- Secondly, funding and staff will have to be put in place to administer the scheme through the Housing Agency.
- Thirdly, once those things are in place, a lead-in period of a couple of months will be required before applications will be considered under the scheme.

All of this explains why we have been saying along that it would be early to mid 2024 before the scheme would be finally up and running.

In the meantime, further to requests from the Construction Defects Alliance the Minister confirmed during his webinar with us a month ago (the webinar can now be viewed at this link for anyone who registered to attend

<https://attendee.gotowebinar.com/recording/7390167724426390448>) the following:

- An Implementation Group to help design the details of scheme – including apartment owner reps – will be set up in April;
- The Housing Agency will put an online portal in place for OMCs, owners and managing agents to register their interest in taking part in the scheme. This will help get much better information on where defective developments are located, the numbers involved and the nature of the defects;

- The Housing Agency will shortly commence an information and advice service on defects.

Interim Measures

Another area, that the Alliance has been pursuing is in relation to interim supports that can be put in place while we're waiting for the scheme to be set up and ultimately while people are waiting for their homes to be remediated.

These include:

- Funding for fire alarm upgrades – including the provision of sensors in bedrooms – so that people are kept safe while waiting for works to be done;
- Funding for Fire Wardens in larger developments;
- Provision of emergency grants to allow works get underway this year in extremely high-risk developments.

Our understanding was that these Interim Measures would be in place from early this year. We hope to meet the Minister and his advisers shortly to get a progress update on all of this and we will report back then.

Thanks to Politicians

Some of you may have seen an article by Jack Horgan Jones in the Irish Times last Monday (<https://www.irishtimes.com/ireland/housing-planning/2023/03/20/ministers-overruled-officials-who-believed-1bn-could-be-shaved-from-apartment-defects-scheme/>) which showed the depth of the opposition from senior civil servants to the inclusion of retrospection in the defects remediation scheme.

To be clear, the Government decision is down to the strength of political support for our campaign from Government ministers and backbenchers as well as the Opposition too. We are very grateful for their support.

The Alliance issued a statement to the Irish Times (<https://www.constructiondefectsalliance.ie/latest/construction-defects-alliance-statement-on-publication-of-in/>) setting out a clear critique of the way the civil servants sought to eliminate options for consideration by Government – they were actually asked to elaborate on the options for Government.

The full suite of documents containing the senior civil servants' views on the proposed defects scheme – shared with us by the Irish Times at our request – is available on the Alliance website at this link: <https://www.constructiondefectsalliance.ie/resources/>

Ends.