



## **Apartment Defects Campaign Update, 26 May 2025 – PLEASE SHARE**

### **Interim Remediation Scheme**

In the two-and-a-half months since the last newsletter, a lot of work has been going on in the background on the Interim Remediation Scheme:

- Re-tendering by the pathfinders for contractors has been completed in one case and underway in the other three;
- All things going well, remediation works should commence on the pathfinders in the next few months;
- One of the pathfinders has had its competent professional fees paid and the other three should be paid soon;
- The survey on professional fees for the non-pathfinder applicants – undertaken by the Housing Agency – indicates that €1.65 million has been paid out by these OMCs;
- The Alliance has been engaging with the Minister for Housing's office and the Department to get these fees paid back to the OMCs concerned ASAP.

Once grant agreements have been sorted with the pathfinders – hopefully by Q3 this year – we would expect the Housing Agency to start processing the next tranche of applications.

### **Retrospective Payments**

As you may know, the Housing Agency is scoping out a process through which OMCs – and ultimately owners – that have paid for defects to be remediated will be reimbursed that money. This scoping out process is being done in cooperation with eight OMCs who have volunteered to be pathfinders in this regard.

Over the last six or seven weeks, the eight Retrospective Payments Pathfinders – with support from the Alliance – have been gathering and forwarding a massive amount of information to the Housing Agency including:

- Original assessments/reports on fire safety issues;
- Financial information including invoices from contractors and professionals and proof of payment of these invoices;
- Reports on works done including photographs;
- Certification of works done by competent professionals.

This material will be reviewed by the Housing Agency and they will be reporting to the Department of Housing to enable the Department draft the legislative provisions relating to retrospective payments.

## **Legislation and Full Scheme**

As was referred to above, the Department of Housing is preparing the legislation to underpin the various defects remediation schemes. While the *Apartment and Duplex Defects Remediation Bill* is scheduled for publication before the summer recess in mid-July, the Alliance's expectation is that the Bill (or its General Scheme) will actually be published in the autumn. If this is so, the timetable would likely be as follows:

Q3/4 2025	Publication of the General Scheme of the Bill Pre-Legislative Scrutiny before the Oireachtas Housing Committee Publication of Committee's report and proposed changes
Q1/2 2026	Bill finalised and published Legislative process completed Regulations drafted
Q3/4 2026	Regulations completed Scheme opens for applications

However, in order for the scheme to commence in 2026, it is crucial that the General Scheme of the Bill is published and undergoes Pre-Legislative Scrutiny this autumn. Any slippage in this timetable would take us into 2027 for the scheme to open – 16 years after Priory Hall.

In this context, it would be great if you used the link below to email your Oireachtas members to get them to ensure that this critical timetable is delivered upon:

<https://www.constructiondefectsalliance.ie/act/email-your-tds-senators/>

## **OMCs and Managing Agents**

The Housing Agency held a very useful webinar last week on OMCs and Managing Agents. Anyone interested in finding out more can view a recording of the webinar here:

<https://www.youtube.com/watch?v=ic8CHMeHrqc>