



Comhshaoil, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government



Circular: Housing 12/2014

10 March 2014

Changes to the Housing Adaptation Grant Schemes for Older People and People with a disability.

Dear Director

Further to my correspondence dated 31 December 2013 in relation to the review of the Housing Adaptation Grants for Older People and People with a Disability grant schemes, please find attached updated Administrative Guidelines for each of the 3 schemes. These have been sent in soft copy to Housing Practitioners in each local authority. The changes are intended to spread the benefits of the schemes as widely as possible and to ensure fairness in their operation.

The schemes have been revised to:

- Include the income of all adult household members in the assessment of means for grant purposes for all 3 schemes.
- Reduce the number of income bands from 9 to 6 for the Housing Adaptation Grants for Older People and People with a Disability and adjust the reckonable percentage of costs accordingly.
- Reduce from €65,000 to €60,000 the amount of income over which no grant is payable in respect of the Housing Adaptation Grants for Older People and People with a Disability.
- Decrease the maximum amount of grant payable by local authorities under the Housing Aid for Older People Scheme from €10,500 to €8,000.

The revised statutory provisions for the suite of Housing Adaptation Grants for Older People and People with a Disability are set out in S.I. No. 104 of 2014. Given that the amending S.I. came into effect on 27 February 2014, applications received prior to this should be processed under the old guidelines.

Yours sincerely



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Comhshaoil, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government



Housing Adaptation Grant Scheme for People with a Disability

Administrative Guidance for Local Authorities

Amended February 2014



Housing Adaptation Grant Scheme for People

with a Disability

Administered by the Local Authorities

Amended February 2014

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Housing Adaptation Grant for People with a Disability

1. General

1.1 The Housing Adaptation Grant for People with a Disability is available to assist in the carrying out of works that are reasonably necessary for the purposes of rendering a house more suitable for the accommodation of a person with a disability who is a member of the household.

1.2 The administration of the scheme is a matter for the local authority. Accordingly, local authorities should determine whether a grant is payable in the first instance in accordance with the Statutory Regulations, Housing (Adaption Grants for Older People and People with a Disability), Regulations 2007 [S.I. No. 670 of 2007], Amendment Regulations 2014 [S.I. No. 104 of 2014] and the criteria outlined herein, and if so, the works which are necessary to make the accommodation more suitable for the person with a disability. These guidelines are an updated version of those issued previously by this Department and the terms of S.I. No. 104 of 2014 take effect from 27 February 2014.

1.3 Local authorities should administer the Housing Adaptation Grant for People with a Disability in a sympathetic manner bearing in mind the purpose of the scheme, i.e. **to assist in the carrying out of works which are reasonably necessary for the purposes of rendering a house more suitable for the accommodation needs of a person with a disability who is a member of the household.**

2. Types of Housing

2.1 The Housing Adaptation Grant for People with a Disability may be paid, where appropriate, in respect of works carried out to:

- Owner occupied housing;
- Houses being purchased from a local authority under the tenant purchase scheme;
- Private rented accommodation;
- Accommodation provided under the voluntary housing Capital Assistance and Rental Subsidy schemes; and
- Accommodation occupied by persons living in communal residences.

2.2 Local authorities should note that the general provisions of this guidance shall also apply in respect of adaptation works carried out to local authority rented dwellings to meet the needs of a person with a disability. The cost of adapting local authority rented dwellings is met by the local authorities themselves through Internal Capital Receipts.

2.3 Local authorities should satisfy themselves that, the person with the disability for whom the adaptation works are to be carried out, will occupy the property as his or her normal place of residence on completion of the works.

2.4 In the case of an application for grant aid to adapt private rented accommodation to meet the needs of a person with a disability who is a tenant of the property, the written approval of the landlord must be sought. In determining eligibility in such cases, local authorities may consider the duration of the tenancy agreement.

3. Commencement of Works

3.1 Applicants should be encouraged to carry out works as quickly as possible following grant approval. In general, works should be commenced **within 6 months** following written approval from the local authority.

3.2 In cases where works are not commenced within 6 months following approval, local authorities should examine each case individually and, if necessary, offer an appropriate time extension for the commencement of works.

4. Timeline for Decision on Applications

4.1 Local authorities should endeavour to decide on each application under the Housing Adaptation Grant Scheme for People with a Disability as quickly as possible following receipt of a fully completed and valid application.

4.2 Where an application form is not fully completed, an applicant should be notified as soon as possible and requested to submit the outstanding information.

5. Definition of Disability

5.1 For the purposes of the Housing Grant for People with a Disability, the Regulations define a disability as “an enduring physical, sensory, mental health or intellectual impairment”.

5.2 Local authorities may wish to note that the Disability Act 2005 defines disability as follows:

“disability”, in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation

in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment”.

5.3 Local authorities should note that all applications for grant aid in respect of people suffering from Autistic Spectrum Disorders shall be considered under the Housing Adaptation Grant for People with a Disability, provided that the works are reasonably necessary for the purposes of rendering a house more suitable for the accommodation needs of that person.

6. Prioritisation on the Basis of Medical Need

6.1 Local authorities should prioritise applications on the basis of the medical needs of the applicant. Please see below 3 general levels of medical priority identified:

Priority 1

Terminally ill or fully/mainly dependant on family or carer; or where alterations/adaptations would facilitate discharge from hospital or alleviate the need for hospitalisation in the future;

Priority 2

Mobile but needs assistance in accessing washing, toilet facilities, bedroom etc; or where without the alterations/adaptations the disabled person's ability to function independently would be hindered;

Priority 3

Independent but requires special facilities to improve the quality of life, e.g. separate bedroom/living space.

7. Qualifying Works

7.1 General Works Allowed

The types of works allowable under the scheme can be varied and shall include the provision of:

- access ramps;
- stair-lifts;
- downstairs toilet facilities;
- accessible showers;
- adaptations to facilitate wheelchair access;
- extensions; and
- any other works that are reasonably necessary for the purposes of rendering a house more suitable for the accommodation of a person with a disability.

7.2 Minor Works

In general, individuals who require grant aid for minor works (i.e. ramps, level access showers, grab rails and stair-lifts), and who satisfy the means test provisions, should apply for assistance under the Mobility Aids Grant Scheme.

7.3 Water/Sewage Facilities

The provision of water supply and/or sewerage facilities shall be considered by an authority for inclusion in works to be grant aided.

7.4 Heating

Local authorities shall assist with the provision of heating under the scheme under the following conditions:

- where central heating is already installed in an existing house, the cost of extending that system to any new accommodation provided would qualify for grant purposes. Alternatively, the applicant may wish to provide a different type of heating e.g. individual room heaters in the

new accommodation and these costs will also qualify for grant purposes. Authorities should take into account the applicant's preferences in deciding on the most appropriate approach.

- where an existing house has no central heating, electric storage heaters or other arrangements can serve the new accommodation. However, it may occur that a central heating system is being installed in the whole house in conjunction with the provision of the additional accommodation for the disabled person – in such cases, the cost of the heating system may be apportioned and the proportional amount for installing the heating in the accommodation for the disabled person may be covered by the grant.
- in the case of an application for a Housing Adaptation Grant solely in respect of the provision of a central heating system, authorities should exercise appropriate discretion taking into account the nature of the disability, etc. The payment of grants in respect of such works should only occur in exceptional circumstances. It is a matter for the local authority to determine whether exceptional circumstances apply in individual cases.

8. Quotations for Works

8.1 All applicants for the Housing Adaptation Grant Scheme for People with a Disability shall be required to submit **two** written itemised quotations from contractors indicating the cost of the adaptation to be carried out to cater for the accommodation needs of the person with a disability.

8.2 In exceptional circumstances, where applicants are experiencing difficulties in obtaining more than one quotation for the cost of the works, or where, in the opinion of the local authority, cases of hardship exist, local authorities may accept one quotation for the cost of works, provided that the

authority is satisfied that the quotation is reasonable and accurately reflects the type of works to be undertaken.

9. Provision of Additional Accommodation under the Scheme

9.1 Where an application under the Housing Adaptation Grant Scheme for People with a Disability is in respect of additional accommodation, it may be incorporated in an extension or involve the adaptation of existing accommodation within the house. To qualify under the scheme, the additional accommodation must provide for the needs of the person with a disability.

10. Alarms – Smoke/Carbon Monoxide

10.1 It is recommended that local authorities should, with the consent of the applicant, include smoke/carbon monoxide alarms in any suite of works undertaken, if not already present and operating in the dwelling. It is recommended that at least two, self-contained, 10 year battery operated alarms are installed.

11. Grant Level and Recoupment

11.1 The effective maximum grant under the Housing Adaptation Grant scheme shall be €30,000, which may cover 95% of the cost of works.

11.2 The Department of Environment Community and Local Government will recoup to local authorities 80% of the grant paid, or €24,000, whichever is the lesser. The authorities will be required to provide the remaining 20% from their own resources as provided for in annual estimates of expenditure.

11.3 In the event that a local authority is not in a position, or anticipates not being in a position to provide the remaining 20% from their own resources, the

authority should notify the Department of the Environment, Community and Local Government immediately.

12. Means Testing

12.1 All applications for grant aid under the Housing Adaptation Grant Scheme shall be assessed on the basis of household means. The maximum grant of €30,000, which will cover 95% of the cost of works, will be available to applicants whose gross household income is less than €30,000 per annum, tapering to 30% for applicants with gross household incomes of between €50,001 to €60,000 per annum.

12.2 The percentage of the grant available is set out in the table below:

**Housing Adaptation Grant for People with a Disability
 (Houses over 12 Months Old)**

Gross Maximum Household Income p.a.	% of Costs available	Maximum Grant Available
€	%	€
Up to €30,000	95%	€30,000
€30,001 - €35,000	85%	€25,500
€35,001 - €40,000	75%	€22,500
€40,001 - €50,000	50%	€15,000
€50,001 - €60,000	30%	€9,000
Over €60,000	No Grant	

12.3 The same means test shall apply in all local authority areas.

12.4 Please see Income Disregards at Section 19 below.

13. Housing Adaptation Grant for New Houses

13.1 A Housing Adaptation Grant is provided for new houses and is a targeted grant for people with a disability who purchase or build new houses (houses less than 12 months old). A housing adaptation grant in respect of a house which has been built for less than 12 months cannot be paid where the applicant obtained a grant either under Article 6 (3) of the Housing (New House Grants etc.) Regulations 1990 (S.I. No. 34 of 1990). Applicants seeking Housing Adaptation Grants for new houses shall be subject to the same means testing procedure as specified for houses more than 12 months old.

14. New House Grant Level and Recoupment

14.1 The effective maximum grant under the Housing Adaptation Grant scheme for new houses shall be €14,500, which may cover 95% of the cost of works.

14.2 The Department of the Environment, Community and Local Government will recoup to local authorities 80% of the grant paid, or €11,600, which ever is the lesser. The authorities will be required to provide the remaining 20% from their own resources as provided for in annual estimates of expenditure.

15. New House Grant - Means Testing

15.1 All applications for grant aid shall be assessed on the basis of household means. The maximum grant of €14,500, which will cover 95% of

the cost of works, will be available to applicants whose gross household income is less than €30,000 per annum, tapering to 30% for applicants with gross household incomes of between €50,001 to €60,000 per annum.

15.2 The percentage of the grant available to each applicant is set out in the table below:

**Housing Adaptation Grant for People with a Disability
 (House less than 12 Months Old)**

Gross Maximum Household Income p.a.	% of Costs available	Maximum Grant Available
€	%	€
Up to €30,000	95%	€14,500
€30,001 - €35,000	85%	€12,325
€35,001 - €40,000	75%	€10,875
€40,001 - €50,000	50%	€7,250
€50,001 - €60,000	30%	€4,350
Over €60,000	No Grant	

15.3 The same means test shall apply in all local authority areas.

15.4 Please see Income Disregards at Section 19 below.

16. Calculation of Household Income

16.1 For the purposes of the Housing Adaptation Grant for People with a Disability, household income shall be calculated as:

the annual gross income of the registered property owner together with all household members over 18 (or over 23 if in full-time education) in the previous tax year.

16.2 In the case of private rented accommodation, household income shall be calculated as:

the annual gross income of the registered property owner and all tenants over 18 (or over 23 if in full time education) in the previous tax year.

16.3 In determining the property owner in the case of communal residences, the owner of the property can be deemed to be either a natural person or a legal entity.

17. Evidence of Ownership of Property

17.1 Local authorities should satisfy themselves regarding the status of the property owner and seek appropriate evidence of ownership of a property prior to processing grant applications under the Housing Adaptation Grant for People with a Disability Scheme. Local authorities should satisfy themselves that applicants are registered for the payment of the Local Property Tax.

18. Evidence of Household Income

18.1 Evidence of household income must be submitted with all applications under the Housing Adaptation Grant Scheme for People with a Disability, as follows:

- In the case of PAYE workers, P60 or Balancing Statement for the previous tax year;

- In the case of self-employed or farmers, Income Tax Assessment form, together with a copy of accounts for the previous tax year;
- In the case of social welfare recipients, a statement from the Department of Social Protection stating weekly/annual payments. In the case of State Pensioners, a copy of the current pension book will suffice;
- Where income is received from more than one source, documentation to support all incomes should be submitted.

18.2 Evidence of household income should be submitted in respect of all relevant household members.

18.3 Applications will be assessed based on the income from the previous tax year as at the date of application for the grant. In cases where the processing of a Housing Adaptation Grant falls into a new tax year, applicants will not be required to re-submit updated evidence of income.

19. Income Disregards

19.1 In determining gross household income, local authorities shall, for eligibility purposes, reduce the amount of household income by the following payments/disregards:

- €5,000 for each member of the household aged up to age 18 years;
- €5,000 for each member of the household aged between 18 and 23 years and in full time education, or engaged in a Community Employment Scheme or equivalent;

- the amount of the following payments received in the previous tax year:
 - Child Benefit;
 - Family Income Supplement;
 - Domiciliary Care Allowance;
 - Respite Care Grant;
 - Carer's Benefit / Allowance

20. Indexation

20.1 The maximum grant levels may be amended annually in line with the building cost index, as notified to the local authorities by the Department of the Environment, Community and Local Government.

20.2 Income bands for the purposes of means testing may be amended annually, in line with the amount of wage inflation in the preceding year, as notified to the local authorities by the Department of the Environment, Community and Local Government.

20.3 Local authorities shall ensure that applications are determined on the basis of the grant levels and income band levels in force at the time of approval.

20.4 In cases where applicants do not satisfy the means test and are refused grant aid, it is recommended that local authorities should, at the time of refusal, notify the applicant that the income bands are amended on an annual basis.

21. Occupational Therapists

21.1 It is in the interests of the person with a disability and the local authority alike to ensure that the works to be carried out are appropriate to the long-term circumstances of the applicant. Having regard to this and the need to deal speedily with applications submitted, local authorities should ensure that the most appropriate arrangements are in place to administer the scheme.

21.2 Although the Regulations do not require the submission of each application to an Occupational Therapist, local authorities should consider, based on the reports of the authority's Inspector and the applicant's General Practitioner and the long term needs of the applicant, whether it is necessary to refer the application to an Occupational Therapist.

21.3 In cases where Occupational Therapist assessment is deemed necessary, the following arrangements shall apply:

- The applicant may engage a private sector Occupational Therapist to assess their needs. In these cases, the cost of engaging the Occupational Therapist shall be recouped to the applicant as part of the total grant paid (subject to the effective maximum grant level of €30,000). The recoupment shall be subject to a limit of €200 per assessment, 80% of which will be recouped to the local authorities from the department.
- Local authorities may avail of the following options in relation to occupational therapy assessment:
 - Local Authorities may retain the services of a private sector Occupational Therapist on a fee per case basis or on a contract basis.

- Local authorities may enter into an arrangement with their local HSE office in order to avail of HSE Occupational Therapists in their area;
- Local authorities may also continue any other satisfactory existing arrangement through which they employ the services of an Occupational Therapist.

21.4 In cases where a local authority engages a private sector Occupational Therapist on a fee per case basis or on a contract basis, the Department of the Environment, Community and Local Government will recoup to local authorities 80% of the cost of each assessment. This cost should be included in the claim for recoupment submitted to the Department.

Occupational Therapist Assessment – Children aged under 5 years

21.5 In the case of a Housing Adaptation Grant application in respect of a child with a disability, who is aged under 5 years, local authorities should note the provisions of **SIU Circular 2/07**, which governs liaison between the housing authorities and the Health Service Executive in respect of people who have been assessed under Part 2 of the Disability Act, 2005 and have been identified as likely to require housing support.

21.6 In such cases, local authorities should confirm if the child has undergone an assessment of need consistent with Part 2 of the Disability Act, 2005. Where an assessment has taken place, authorities should refer to the Occupational Therapist recommendations contained in the assessment report as provided by the HSE Liaison Officer.

22. Payment of a Housing Adaptation Grant where a Housing Adaptation Grant has been previously paid

22.1 Generally, the need for payment of a Housing Adaptation Grant where a grant has been paid previously under the Housing Adaptation or schemes should not occur if the authority and the applicant ensure that the initial grant-aided works are properly executed and appropriate to the current and future needs of the applicant. **However there is no legal bar to the payment of a Housing Adaptation Grant in such circumstances.** For example, the payment of a second grant may be appropriate where the applicants needs have changed substantially over time.

22.2 Local authorities should not set any minimum time limits between the payment of a first and second Housing Adaptation Grant.

23. Part M of the Building Regulations

23.1 Local Authorities should have due regard to the requirements of Part M of the Building Regulations. Part M ensures visitability by people with disabilities and applies to new houses granted planning permission on or after 1 January 2001. The main features generally applicable in new houses include:

- Accessible entrance to the dwelling site or plot,
- Level or gently sloping approach to the main door of the dwelling,
- An entrance door that is of adequate width and incorporates a level entry threshold,
- Sufficiently wide corridors and doorways to allow for circulation at the entry level,
- Door handles and light switches at an appropriate height,

- A WC cubicle at entry level that is sufficiently large to allow a wheelchair user access.

23.2 As these features are now required to be included in new houses granted planning permission on or after 1 January 2001, they should not, in general, be considered when determining the amount of a Housing Adaptation grant payable in respect of such houses. Any additional works deemed necessary to make the accommodation more suitable to the needs of the person with a disability, over and above those required by the building regulations, may be considered by the authority in determining the grant amount paid, up to the effective maximum of €14,500 in the case of houses less than 12 months old.

24. Appeals Procedure

24.1 In processing applications under the Housing Adaptation Grant Scheme for People with a Disability, it is recognised that some applicants may be dissatisfied with the decision of the local authority.

24.2 The following procedure shall apply to each appeal:

- Applicants are invited to submit a written appeal on any decision notified to them by the local authority on their application within 3 weeks of the date of the decision;
- The appeal must state the reasons for the appeal and the grounds for same;
- Appeals will be considered and adjudicated on by the Director of Services of the Housing Section or an official designated by the Director for such purpose;

- Appeals will be considered and adjudicated upon with 4 weeks of receipt of the appeal;
- A decision on an appeal will be notified to each applicant within 2 weeks of the decision being made.

25. Standard Costs

25.1 It is recommended that local authorities should assemble a schedule of standard costs for each element of works available for funding under the Housing Adaptation Grant Scheme for People with a Disability. It is intended that the standardisation of unit costs should have a cost-stabilising effect on grant levels in each local authority area. The publication of standard costs should ensure greater transparency in the quotation and grant process for applicants and for local authorities.

25.2 Where possible, authorities should keep an up to date list of costs charged by local contractors and suppliers, which should be an accurate representation of the cost of each element of work in the area.

25.3 It is not open to authorities to reduce the percentage cost of any element of works below what has been identified as the standard cost. It is open to authorities to fund a higher cost than the identified standard cost for that set of works, if the authority feels that such a higher cost is justified.

25.4 In cases where quotations are considerably lower than the standard cost, local authorities should satisfy themselves that the proposed works are appropriate and will meet required standards.

25.5 It is recommended that local authorities should review their schedule of standardised cost on a regular basis.

26. Panel of contractors

26.1 It is recommended that local authorities should advertise for interested contractors who wish to have their names included on a panel of contractors available for the carrying out of works under the Housing Adaptation Grant for People with a Disability scheme. The panel of contractors should be available publicly and to applicants to the scheme.

26.2 It is not intended that the panel once assembled should be an exclusive list of contractors who applicants may employ to carry out works under the scheme, but rather should be considered as an administrative mechanism to assist applicants.

26.3 The inclusion of a contractor on the panel is not an inference as regards the quality of work which an applicant can expect. Local authorities shall not be held liable for any deficient works which may arise as a result of a person engaging a contractor from the panel.

27. Tax Clearance Procedures

27.1 Department of Finance Circular 44/2006 sets down revised procedures in relation to tax clearance requirements in relation to grant payments from State and public sector bodies, which apply to all applications received after 1 January 2007.

27.2 Tax clearance issues for Applicants - In the case of a grant application totalling €10,000 or more, applicants are required to produce a valid Tax Clearance Certificate. As an alternative to producing a valid Tax Clearance Certificate, applicants may authorise the local authority to confirm electronically that he/she holds a valid Tax Clearance Certificate by quoting their customer number and tax clearance certificate number which appears on their Tax Clearance Certificate.

Local authorities may confirm an applicant's tax clearance status by using the on-line verification facility on the Revenue Commissioners' website, www.revenue.ie. In cases where on-line confirmation that an applicant is in possession of a tax clearance certificate is sought, it is not necessary for the applicant to produce the original certificate.

27.3 Tax clearance issues for Contractors - In the case of payments exceeding €650 applicants are required to provide the following details in respect of each contractor:

- Name, address, tax reference number and tax district of each contractor;
- The C2/tax clearance number of each contractor; and
- The expiry date of the C2/Tax Clearance Certificate.

Where the grant payment does not exceed €10,000, contractors are not normally required to submit their C2/Tax Clearance Certificate or authorise the local authority to confirm their tax clearance status. However, Circular 44/06 states that, for control purposes, the contractor details of 10% of applications for grants of between €650 and €10,000 should be checked with the Revenue Commissioners.

For all grant payments totalling €10,000 and above, contractors are required to either produce a valid C2/Tax Clearance Certificate or authorise the local authority to confirm their tax clearance status electronically using the on-line verification facility on the Revenue Commissioners' website, www.revenue.ie

In cases where contractor details are being checked with the Revenue Commissioners, local authorities are required to submit the contractor details together with Form TC10 to the applicant's tax district. Form TC 10 is available to download on the Revenue Commissioners' website.

27.4 The provisions of Department of Finance Circular 44/06 should be brought to the attention off all staff involved in the processing of grants under the Housing Adaptation Grant Scheme for People with a Disability. Copies of the Circular can be accessed at the Department of Finance website, www.finance.gov.ie.

28. Monitoring of Expenditure

28.1 From time to time the Department of the Environment, Community and Local Government will contact local authorities to request certain data in relation to applications/approvals etc. Returns should be made promptly on receipt of such a request.

29. Application Forms

29.1 Each local authority will be required to use the standardised application form as per the template issued by the Department of the Environment, Community and Local Government. It is a matter for each local authority to insert details of address, contact persons and logos.

30. Enquiries

30.1 Any enquiries in relation to this administrative guidance should be addressed to Paul Geraghty, tel: (096) 24390 e-mail paul.geraghty@environ.ie or Belinda Treacy tel: (096) 24338, e-mail: belinda.treacy@environ.ie

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