

Minister Darragh O'Brien
Department of Housing, Planning and Local Government
Custom House
Custom House Quay
Dublin 1
D01 W6X0

3rd March 2023

Dear Minister,

As we approach the end of the 'winter emergency period' as per the Residential Tenancies (Deferment of Termination Dates of Certain Tenancies) Act 2022, there is widespread political and public debate about whether the moratorium on no-fault evictions should continue and what other action is needed. Given our detailed knowledge of the situation on the ground and our positive interaction with you, we felt it would be useful to set out a collective position from across the housing and homeless sector.

In our engagement with you and your officials last year, we called for an eviction moratorium because there was no further capacity in emergency homeless accommodation, and it was evident from RTB data that a huge number of evictions were pending. If this had been allowed to continue homeless services would have been unable to cope and an unprecedented number of adults and children would have been at grave risk of having to sleep rough. We argued strongly that the period of the moratorium should be used to urgently put in place solutions to address the underlying issues.

The moratorium on evictions has been successful in preventing the scale of evictions which would have been beyond the capacity of homeless services. It is important that this success is recognised, but regrettably the conditions that necessitated the moratorium on evictions last year remain unchanged. As you are aware, when the eviction ban was first introduced in October, there was a total of 11,397 people in emergency accommodation. There are now 11,754 people in emergency accommodation in Ireland, including 1,609 families and 3,431 children.

Our frontline services continue to be inundated with requests from people who face being evicted from their rented homes and emergency accommodation remains at capacity. With the arrival of tourists to our shores from St. Patrick's Day onward, the shortage of emergency accommodation will only be exacerbated. Crucially, there has been a collapse in exits out of emergency accommodation, as there are no homes available.

Last year, we recommended a number of solutions that we felt would go some way to alleviating the crisis, including engaging with all landlords on live Notices of Termination (NOTs) by the RTB and Local Authorities (to devise incentives to retain these landlords in the sector, or arrange purchase of the home in the case of the Local Authorities), develop and implement a strategy for the private rental sector, identify and address the reasons for delays with new-build social housing and accelerate the use of vacant homes.

So far, the Vacant Homes Action Plan has been launched, along with a media campaign which we welcome. You wrote to the Chief Executives of the Local Authorities regarding the purchase of homes where the tenant is at risk of homelessness, and a review to develop a strategy for the private rental sector has commenced and, we understand, will report in June. We understand plans are underway for rapid build housing units, with the first of these not expected to be available until early next year. We welcome these initiatives but none of them has adequately addressed the scale of the problem

within the necessary time period. Since the conditions that necessitated the eviction moratorium persist, and since the eviction moratorium has been successful in its core task of preventing an overwhelming increase in homelessness, we believe that it should and must be continued.

If the Government decides not to extend the moratorium at this point, since the underlying problems have not been addressed, it will face irresistible demands to revisit the issue as we head into next winter with the prospect of widespread rough sleeping. This would be the very worst outcome, increasing the disaffection of property owners while providing very limited security for renters.

We are extremely conscious of the fact that a moratorium is not a solution to this emergency. Consequently, we are not in a position to recommend how long the renewed ban should cover. Selecting too short a period creates the same risk of crisis-driven policy shifts as not extending the moratorium at all.

We believe that the best way forward is for the Government to set out an action plan which will tackle the extreme circumstances which required the eviction moratorium to be put in place. The plan should set a realistic but urgent delivery timeframe, and the moratorium should be extended for the time required for that plan to be delivered.

We propose the following to be actioned alongside an extension of the eviction moratorium.

- 1. Accelerating further the 'purchase with tenant in situ' scheme. A number of measures would assist this:**
 - a. establish a formalised scheme with streamlined Departmental approval and explicit guidance for Local Authorities and Approved Housing Bodies;**
 - b. provide specific guidance for 'group' purchases where landlords of multiple apartments are selling up;**
 - c. suspension of the 'scheme of lettings' for this scheme so that any tenant eligible for social housing can be supported irrespective of 'time on list';**
 - d. provide resources to AHBs and LAs reflecting the labour-intensive nature of these acquisitions;**
 - e. establish a Revolving Acquisition Fund of appropriate scale within the Housing Agency to speed up transaction; and**
 - f. Draw on data from all relevant arms of Government. This could involve utilising data from Revenue and engaging the 'HAP Shared Services' team to identify HAP landlords who have issued NoTs for reason of sale, and proactively engaging with them.**
- 2. The 'purchase with tenant in situ' scheme could also be expanded to include those who are not eligible for social housing but are within the Cost Rental income limits and who are at risk of homelessness and make provision for AHBs to manage these homes on a Cost Rental basis.**
- 3. Maximise the impact of newly available social housing to reduce pressure on homeless services. This can be achieved by ensuring that all local authorities allocate a fairer proportion of the newly available social housing to households who are already long-term homeless.**

4. **Set ambitious quarterly targets for Local Authorities to bring vacant homes (LA owned stock and privately held stock) back into use across all available schemes. Reduce (or transfer to Government) the long-term risk which AHBs engaging in these leasing arrangements must take on. Action by the Local Authorities in this area must be accelerated above and beyond what has been done in the past or what would be expected outside of such an emergency.**
5. **Provide the resources required for the RTB to actively engage with landlords who have issued live Notices of Termination to clarify their reasons for leaving the private rental market and explore incentives which could possibly lead to a reconsideration of doing so.**
6. **Make use of the data collected by the RTB in this process to inform a new strategy for the rental sector and measures to keep landlords in the sector which is due to be completed in June 2023.**
7. **Enact the Simon Bill, so that it can be commenced immediately whenever the eviction moratorium comes to an end. This will provide a framework of protection for those most at risk of homelessness as we return to more normal market conditions.**

We also recommend that, in extending the moratorium, provision is made to address the rare circumstances where property owners would experience extreme hardship.

As in our previous engagement on this matter, we do not propose a moratorium on evictions lightly. Considering the deteriorating situation in the private rental sector and numbers of adults and children in emergency accommodation, it is one we feel is essential to provide an opportunity for measures to not only be put in place but also take effect.

Thank you for your consideration and attention on this matter. The organisations named below remain at your disposal should you require any further information or any further assistance.

Yours sincerely,

