



Annual Report and Accounts **2012**



MISSION

To develop and support a well-regulated residential rental sector in Ireland for the equal benefit of landlords, tenants and society at large through the provision of a high quality national register of tenancies, the provision of modern professional mechanisms to resolve tenancy disputes in a timely cost-effective and equitable manner, and the provision of information and advice which enhance the knowledge and understanding of the sector.

VISION

A well-functioning rental housing sector in Ireland that is fair, accessible and beneficial for all.

VALUES

The PRTB seeks to reflect a set of values that underpins and supports the way it works and interacts with all its stakeholders. The following values are central to the fulfilment of our vision, mission and mandate:

- › Equity and fairness for landlords and tenants
- › Proactive engagement for faster, most cost effective results
- › Client and quality focus
- › Efficiency and professionalism
- › Value for money service to society
- › Openness and responsiveness to change
- › Catalyst for improvement in the residential rental sector

MANDATE

The Private Residential Tenancies Board mandate is defined by the Residential Tenancies Act 2004 (Section 151), and can be summarised as follows:

- › the resolution of disputes between tenants and landlords;
- › the registration of particulars in respect of tenancies in the private residential rented sector;
- › the provision to the Minister of advice concerning policy in relation to the private rented sector;
- › the development and publication to guidelines for good practice by those involved in the private rented sector;
- › the collection and provision of information relating to the private rented sector, including information concerning prevailing rent levels;
- › the conduct of research into the private rented sector and monitoring the operation of various aspects of the sector where the Board considers it appropriate;
- › the review of the operation of the Act and any related enactments, and the making of recommendations to the Minister for amendments to same;
- › the performance of any additional functions conferred on the Board.

The PRTB is currently mandated to carry out these functions within the private residential rental sector only but notes that other sectors of the overall market such as Approved Housing Bodies Sector, and other market functions such as a Deposit Retention Scheme, may be assigned to it by the Minister in accordance with the changing political and legislative landscape. The PRTB is committed to transitioning any such new additions to its mandate in an efficient and effective manner if and when the need arises, subject to having the necessary resources.

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Chairperson's Statement



Annual Report 2012.

I am honoured to have been recently appointed as Chairperson of

the PRTB. As I write the traditional Chairpersons statement for the 2012 annual report it is an opportunity to assess the current position of the PRTB and a time to reflect on what has been achieved to date.

In doing so, I would like to pay tribute to the dedication and commitment of my predecessor Chairpersons Ms. Orla Coyne and Tom Dunne and the previous board members and existing long standing board members who have guided the PRTB successfully through challenging times.

It is also an opportunity for me, as Chairperson, to assess the areas where I would like to see further progress and the ways in which the PRTB can develop and improve our services to a wide range of stakeholders, foremost amongst them, landlords and tenants.

Acknowledging Progress...

I have been impressed with the manner in which the PRTB has revolutionised the manner in which its services are delivered by embracing Government policy to “deliver more with less” by exploiting ICT, outsourcing and shared services. In July 2008 the ICT systems in the PRTB were assessed in an independent report which found that “the systems and business processes that currently support the regulatory services are a mesh of servers, applications, data collections and manual procedures. Historically, the PRTB has not had an ICT strategy in place, and the organisation’s technical infrastructure has thus evolved on an ad-hoc basis”. The PRTB is now highly ICT leveraged. In addition to the online registration system, 2012 saw the rollout of online dispute services, electronic case management, providing remote secure access via portals, and a modern, accessible website.

Innovative PRTB ICT projects have been shortlisted for the Irish ICT Awards on two occasions in the past three years. PRTB has also embraced the Government shared services policy by implementing extensive data exchange programmes with other Departments and State Agencies, introducing electronic tracking and certification of postal delivery of legal documentation, a Rent Index hosted by the CSO, and disaster recovery facilities by the Revenue Commissioners, amongst others.

In the course of 2012, the PRTB tendered for outsourced services relating to its call centre activity and document management services. This contract was subsequently awarded to SouthWestern in Clonakilty and the two projects went live in September and November of 2012.

All of this change has been delivered despite the reduction in staffing from 70 to 35. It has also been paid for entirely from the PRTB's own resources, as the Board maintained its self-financing status for the third successive year.

Challenges ahead...

SIZE OF THE SECTOR: The private rental sector is growing exponentially. The 2011 Census shows that 29% of the population now rent, i.e. 475,000 households, of which 65% (308,750) are in the private sector, 30% in the public sector, and 5% in the voluntary sector. The rental sector overall represents 29% of households, compared with 22% in 2002 – a structural shift towards renting. This trend is likely to continue, with less direct provision of Local Authority housing, difficulties in securing mortgages, and lower confidence regarding both employment and house prices. In other words, the private rental sector has never been more important in terms of Ireland's housing needs.

EXPANDING REMIT: The Approved Housing Bodies Sector will also come within the remit of the PRTB for the first time. The Board and staff of the PRTB are proud to include this important sector within our remit, and anxious to ensure that we serve the needs of this sector effectively and efficiently.

PROCESSING TIMES: It is a matter of concern that disputes are taking up to 12 months to resolve. In particular instances, where rent is not been paid to the landlord, or where a tenant needs a deposit returned in order to secure a new tenancy, a delay of this length can cause considerable hardship. The PRTB has committed to reducing this to seven months by the end of 2013, and further thereafter. The Board will be closely monitoring progress to reduce processing times. We will also be working with the Department to ensure the Board is properly resourced.

LEGISLATION: It is acknowledged that the Residential Tenancies Act is very complex. This complexity contributes to delays and to a lack of understanding as to individuals' rights and obligations. The Residential Tenancies Amendment Bill provides us with a long awaited opportunity to address these issues. The Board will take every opportunity to contribute to the development of the legislation. We look forward to measures which streamline internal procedures and address long-standing issues such as deposit retention and rent arrears.

DEPOSIT PROTECTION SCHEME: The Minister has announced the Government's intention to honour the commitment in the Programme for Government to introduce a Deposit Protection Scheme in Ireland.

The PRTB has already commissioned research by Indecon Economic Consultants into the financial viability of such a scheme. This was presented to the Minister in November of 2012 and is publicly available on the DECLG website. While it is not clear at this point the role that the Minister envisages for the PRTB in the new scheme, the Board and staff are committed to working towards the successful establishment of the new scheme in whatever capacity the Government decides.

It is an exciting time going forward for the PRTB. It is hoped to see the real effect of the hard work of the staff, directorate and board over the last number of years to streamline services. It is also noted, however, that we must remain committed and vigilant to the task at hand and continue to seek to improve and advance our service for the benefit of our users.

Ms Catriona Walsh

Chairperson

Directors 2012

Executive Summary

Directors Executive Summary of 2012 Activities



Significant Progress

The year 2012 was a significant one in the ongoing modernisation of the PRTB. In April

2012 a very important ICT project, the final phase of the Tenancy Management System (TMS), went live.

This involves the electronic case management of Dispute files, online Dispute applications and secure remote access via a portal for Mediators, Adjudicators and Tribunal Members. Apart from testing and launching the new ICT system, over 1,000 existing Dispute files were scanned/uploaded and training was held for all users.

The year also saw the introduction of outsourcing in the PRTB. Following a competitive dialogue tender over several months, the contract was awarded to SouthWestern, based in Clonakilty. Call centre activity was outsourced in October and the Document Management service, including registrations, went live in November. PRTB staffing reduced from 50 to 35 in the course of 2012, following on from a cut from 70 to 50 in the previous year. PRTB remained self financing for the third successive year.

Ongoing Work

Registrations: There were 97,181 new tenancies registered in 2012. By end year there were 264,434 tenancies on the PRTB Register. This is a very valuable public sector database which is provided to the Revenue Commissioners for tax collection purposes (e.g. the Local Property Tax), the Department of Social Protection (rent supplement and fraud detection) and Local Authorities. The €90 registration fees funds the activities of the PRTB. In 2012 we also paid €2.2 million to Local Authorities to fund the minimum standards inspection regime.

In 2012, with the assistance of new ICT system, and ever closer co-operation with other public sector bodies, the PRTB intensified activity against unregistered landlords. A total of 43,549 enforcement notices/solicitor warning letters issued to Landlords in 2012.

Disputes

The PRTB received 2,272 dispute applications in respect of 4,224 alleged breaches of the Act. We provide Mediation and Adjudication services in the first instance, at a cost of €25. The outcome may be appealed to a three person Tribunal within 21 days at a cost of €100. PRTB received 268 appeals to Tribunal in 2012; 60% of dispute applications came from tenants, 37% from landlords and 3% from third parties.

Eight hundred and thirty six of the dispute applications related to the alleged unlawful retention of tenant's deposits. A deposit is the Tenant's money. The landlord is only entitled to retain that part of the deposit which compensates for damage in excess of normal wear and tear, or for any rent arrears, or utility bills outstanding. Of those cases determined in 2012, the deposit was fully refunded to the tenant in 33% of cases; it was retained by the landlord in full in 24% of cases, and a partial refund was allowed to the tenant in 43% of cases. It is expected that the deposit Protection Scheme, to be legislated for in 2013, will address the problem of illegally retained Deposits.

Rent arrears accounted for 32% of dispute applications to the PRTB, or 719 applications in 2012. This represents a 129% increase in rent arrears cases over the past four years. Tenants are obliged by law to continue to pay rent, regardless of whether they are in dispute. It is intended to change the legislation in 2013 to make it easier to terminate a tenancy where rent is not being paid. The Government has approved in principle the transfer of responsibility for the provision of rental assistance for those who are in receipt of long term rent supplement support from the Department of Social Protection to housing authorities with the establishment of a new scheme, the Housing Assistance Payment Scheme (HAP). It is envisaged that central to HAP will be that landlords are paid directly by the housing authorities but that such landlords must register with the PRTB.

Enforcement

The PRTB received 346 new requests for Enforcement of Determination Orders in 2012. This is in respect of cases where the determination or judgement of the PRTB has not been complied with. It is open to the parties to a case to enforce the award/decision through the Courts on their own behalf, or the board of the PRTB may decide to do so. The number of requests received from landlords (180) marginally exceeded those

received from tenants (161), with five other requests. This reflects the trend in the disputes applications received where rent arrears is now a serious and growing issue. Every effort is made to settle the matter without resorting to court action, including instalment payments. It is not always possible to trace a respondent party to a case (eg where a party no longer lives in the country.) However, 263 files were passed to our Legal Advisors in 2012 (81 cases related to 2012 enforcement requests; 182 related to cases ongoing at the end of 2011). With regard to cases which were heard in court during 2012, Section 126 (criminal) convictions were obtained in four cases and Section 124 (Civil Prosecutions) Orders were obtained in 91 cases.

Research

The PRTB commissioned and oversaw a number of important pieces of research work during 2012. These included the Indecon assessment of the financial viability of a Deposit Protection Scheme in Ireland (published in November 2012) and the ESRI Hedonic Rent Index/Average Rent Report (launched in early 2013).

Acknowledgements

I would like to thank our outgoing Chairperson, Ms. Orla Coyne, and her fellow Board Members for their work on behalf of the PRTB. The current PRTB Chairperson, Ms. Catriona Walsh took up office in April 2013. I wish her and the new Board Members every success. I look forward to working with them.

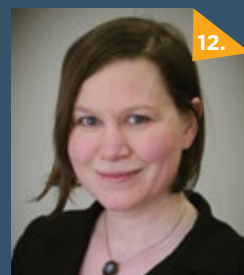
Our landlord and tenant stakeholders have played an active role in the development of the PRTB and I am grateful for their constructive feedback. Thanks also to our colleagues in the DECLG for their support, in particular on reforming and streamlining the legislation.

I would like to thank the senior management of the PRTB, Kathryn Ward, Pdraig McGoldrick, Carmel Diskin and Janette Fogarty/Annmarie Quinn for their work during the year, not just on a growing workload, but also on the implementation of a number of important modernisation projects. Finally, many thanks to the staff of the PRTB for their flexibility, commitment and positive outlook in sometimes challenging circumstances!

Anne Marie Caulfield

Director

Members of the Board



1. Orla Coyne
Solicitor (Chairperson)

2. Gene Feighery
Environmentalist

3. Vincent P. Martin
Barrister-at-Law

4. Finian Matthews
Retired Civil Servant

5. Dr. Eoin O'Sullivan
*Associate Professor in Social Policy,
Trinity College Dublin*

6. Thomas J Reilly
Property Professional

7. John Tiernan
Former County Manager

8. Conn Murray
County Manager

9. Joseph Meehan
Civil Servant, Department of Social Protection

10. Paula O'Reilly
*Civil Servant, Department of Environment,
Community & Local Government*

11. Tim Ryan
PR Consultant

12. Tricia Sheehy Skeffington
Barrister

*Aidan Brennan, Civil Servant, Department of Environment,
Community & Local Government - Resigned February 2012*

The Board and its Governance Structures

Board Members

Board Members are appointed by the Minister as persons who have experience in a field of expertise relevant to the Board's functions (Section 153 of the Act). The PRTB Board is committed to maintaining the highest standards of corporate governance in compliance with the Code of Practice for the Governance of State Bodies. The Board has prepared and adopted Codes of Business Conduct for its Board Members, Director and Staff and for Adjudicators and Mediators. It has also prepared three year Corporate Strategies and Annual Business Plans.

The Board met on 37 occasions during 2012, to deal with matters relating to both Policy and Disputes. In addition there were 33 meetings of the Board's six committees. In 2012, Board members were paid fees totalling €207,592 (Gross) of which €107,632 was in respect of attendances at board meetings (Policy, Disputes & Committees) and €93,077 for work associated with Tribunals. For a breakdown of Tribunal Fees for Board Members and non-Board DRC Members, please see the Tribunals Section (page 25).

Board members were also paid a total of €7,633 for travel and subsistence incurred for attendances at meetings and Tribunals in accordance with the Department of Finance guidelines.

The fees payable in 2012 for Board related duties were as follows:

Activity	Fees effective from 1 May 2012 onwards
Board Meetings/Committee Meetings/Training	€196
Board Meetings/Committee Meetings - Chairperson	€217
Dispute Meetings	€348
Dispute Meetings/Chairperson	€543
Tribunals	€525*
Tribunals/Chairperson	€1,090*

* A report fee is included in this amount.



Board Members' Attendance and Remuneration 2012

The attendance of Board Members at meetings and participation in other Board related work throughout 2012 is set out below along with the fees received by them for the period 1 January to 31 December 2012.

Board Member	Number of Meetings attended in 2012			Fees Received (gross)
	Board Policy	Board Disputes	Committees & Training	
Orla Coyne	13	21	19	€30,071****
Aidan Brennan **	2	0	2	–
Gene Feighery	12	21	9	€12,795
Vincent P. Martin	10	17	4	€9,639
Finian Matthews	14	22	11	€14,922
Joseph Meehan**	6	0	8	–
Conn Murray**	4	0	4	–
Dr. Eoin O'Sullivan**	13	4	7	€546
Thomas J Reilly	13	22	27	€16,406
John Tiernan	10	17	20	€12,209
Tim Ryan*	12	11	9	€7,792
Tricia Sheehy Skeffington*	12	16	8	€9,880
Paula O'Reilly* **	11	11	11	–
Total Number of meetings	14	23		€114,260

The above figures are gross and are fully taxable.

* *Joined the Board in 2012*

** *These board members were not paid fees as they are full-time public servants.*

**** *This figure also includes payment to the Chairperson for 43 additional meetings on PRTB related business.*

(A fee of €546 was paid to Dr. Eoin O'Sullivan for his participation at a training seminar and interviewing.)

PRTB Governance: Committees Activity and Membership

In accordance with Section 157 of the Residential Tenancies Act 2004, the Board has established a number of committees to assist in the discharge of its responsibilities:

1. Dispute Resolution Committee

Orla Coyne (*Chair*)
 Jim Bridgeman
 Kieran Buckley
 Anne Colley
 Charles Corcoran
 Tom Dunne
 Ciara Doyle
 Mary Doyle
 Gene Feighery
 Geraldine Feeney
 Mary Heaslip
 Michael Irvine
 Nesta Kelly
 Anne Leech
 John Lynch
 Vincent P. Martin
 Finian Matthews
 Fintan McNamara
 Claire Millrine
 Louise Moloney
 Mary Morris
 Henry Murdoch
 Liam Nolan
 Maurice O'Donoghue
 Cian Ó Lionáin
 Dr. Eoin O'Sullivan
 Dervla Quinn
 Prof Bairbre Redmond
 Tim Ryan
 Tricia Sheehy Skeffington
 John Tiernan

Section 159 of the Residential Tenancies Act 2004 empowers the Board of the PRTB to establish a Dispute Resolution Committee and to delegate functions and appoint members to that committee.

The Dispute Resolution Committee (DRC) of the PRTB is the panel from which the members of the three person Tenancy Tribunals are drawn. Since Tribunal Determinations can only be appealed on a point of law to the High Court, members of the DRC perform an important quasi-judicial function. The Tribunal upon completion of a hearing make a determination and notify the Board of the determination, pursuant to Section 108(1) of the Act. Following this the Board, in accordance with Section 121 of the Act, make a legally binding Determination Order that together with the Tribunal Report issues to the parties concerned. 196 such Tribunals were held during 2012. The Dispute Resolution Committee also held its annual meeting on the 21 November 2012.

2. Research, Education and Awareness Committee

Dr. Eoin O'Sullivan (*Chair*)
 Orla Coyne
 Tom Dunne
 Bob Jordan
 Gene Feighery
 Thomas J Reilly
 Dr. Áine Ryall
 John Leahy

The Research, Education and Awareness Committee (REA) oversaw the following research in 2012:

- › The proposed merger of the PRTB and the Property Services Regulatory Authority.

- › The Feasibility of a Tenancy Deposit Protection Scheme in Ireland by Indecon. This was submitted to the Minister in October 2012.
- › The REA also tendered for the PRTB Rent Index and appointed the ESRI to carry out this work.

The Committee hosted meetings in May and November with key stakeholders such as the IPOA, IPAV, Society of Chartered Surveyors Ireland, IrishLandlord.com, Focus Ireland, Threshold and Union of Students in Ireland (USI). The PRTB sponsored a Rent Book for Students in conjunction with the USI, which was launched to coincide with the new academic year in September 2012.

3. Audit Committee

Noel O'Connell (*Chair*)
 Dermot Byrne
 Finian Matthews
 Cian Ó Lionáin
 Dr. Eoin O'Sullivan

The Audit Committee consists of five members, two of whom are Board members and three who are external to the PRTB. The Committee is chaired by Mr Noel O'Connell, Director of Audit, Local Government Audit Service, and was convened on four occasions in 2012.

An Internal Audit Plan 2010-2012 was agreed and from that plan, Crowleys DFK, Chartered Accountants conducted the following reviews during 2012:

- › Wages and Salaries Audit
- › PRTB Financial Controls Audit - Follow Up Report
- › Disputes Resolution Service Audit

4. Finance Committee

Orla Coyne (*Chair*)
 Aidan Brennan*
 John Tiernan
 Thomas J. Reilly
 Conn Murray
 Joseph Meehan
 Paula O'Reilly*

** Mr Aidan Brennan, DECLG resigned from the committee in February 2012 and was replaced by Ms Paula O'Reilly, DECLG*

The Finance Committee met on 13 occasions in 2012. It considers the Board's finances and policies in detail; reviews budgets and financial reports; advises and makes recommendations to the Board, Director and senior management. It also examines the Board's annual accounts. The PRTB is entirely self financing organisation since 2009.

5. Legislative, Practice and Procedure Committee

Finian Matthews
 (*Chair from 7 Dec 2011*)
 Orla Coyne
 Anne Colley
 Vincent P. Martin
 Tom Reilly
 John Tiernan
 William B. Devine

The Legislative, Practice and Procedure Committee met on six occasions in 2012 to consider and advise the Board in relation to the operation of the Residential Tenancies Act and in particular the proposed amendments to same. In 2012, the committee also compiled a Practices and Procedures manual for the conduct of Tribunals.

6. Section 189 Committee

Orla Coyne*
 Finian Matthews*
 Conn Murray*
 Thomas J Reilly*
 Paula O'Reilly
 Dr. Eoin O'Sullivan
 John Tiernan
(reappointed 18 April 2012)
 Tricia Sheehy Skeffington
 Tim Ryan

* Term expired 16 March 2012

Section 189 of the Residential Tenancies Act provides for the Board to apply to the Circuit Court for interim or interlocutory relief where the Board considers it appropriate to do so (for example in cases of illegal evictions). The Committee was convened once in 2012.

7. Public Relations Committee

Thomas J Reilly (Chair)
 Dr. Eoin O'Sullivan
 John Tiernan
 Tricia Sheehy Skeffington
 Gene Feighery
 Tim Ryan

The Board established a Public Relations Committee in May 2012. The function of the Public Relations Committee is to increase awareness amongst landlords and tenants of the PRTB and its role, as well as promoting best practice across the sector. In total the Public Relations Committee met six times in 2012.



Registration Activities 2012

Registrations Activities 2012 at a glance	
Total Number of tenancies registered	264,434
Number of landlords	212,306
Number of tenants	593,382
Total number of new tenancy agreements registered in 2012	97,181
Average number of new applications received daily	360
Number of phone calls answered in 2012	34,185
Funds paid to Local Authorities to conduct minimum standard inspections	€2.2 million

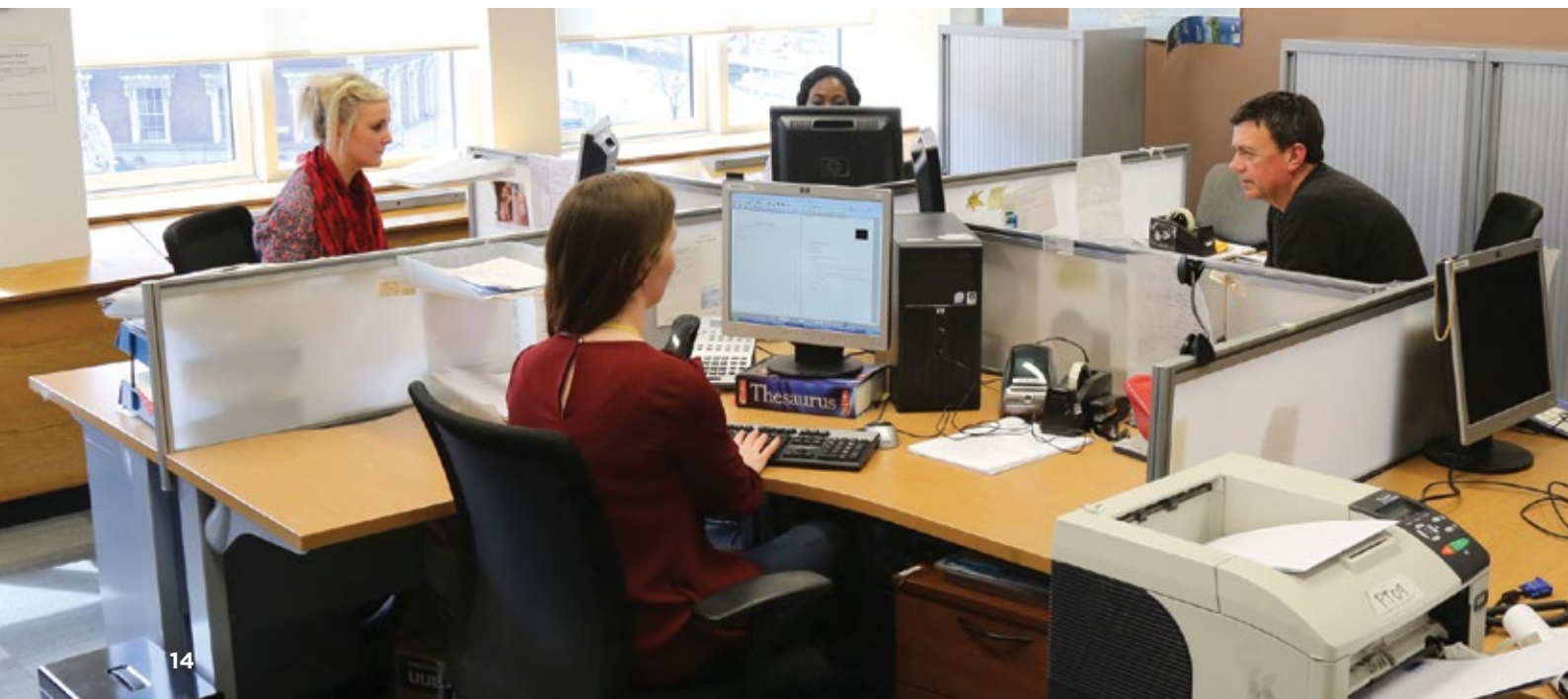
Under the Residential Tenancies Act 2004, landlords are required to apply to the Board to register tenancies with the PRTB within one month of their commencement. Landlords of unregistered tenancies are precluded from referring a dispute to the PRTB. Non-registration does not affect tenant rights and tenants will have access to the dispute resolution service irrespective of whether the tenancy is registered.

Tenancy Registration Fees

The PRTB is entirely self funding, financed by Registration fees. For tenancies commencing on or after the 1st January 2011

- › **€90** per tenancy provided the completed application to register is received by the PRTB within one month from the tenancy commencement date. A late fee of €180 will apply thereafter.

- › Registration lasts the length of the tenancy, subject to a maximum of four years. Tenancies must be re-registered where they have existed for four years.
- › **€375** for multiple tenancies (composite fee) in the one building being registered at the same time by the one landlord within one month of the commencement date of the first tenancy.
- › No fee is payable where two payments in respect of the tenancy have been made to the Private Residential Tenancies Board in the previous 12 months. No fee is payable for an update of details of a tenancy already registered.



Outsourcing of Contact Centre and Document Management Services

The PRTB commissioned an independent study on outsourcing in February 2011. The Report's main conclusion was that the PRTB could not function with the staff complement of 33 imposed by the Employment Control Framework (which governs staffing in all areas of the Public Sector), particularly given the ever increased demand for PRTB Dispute, Tribunal and Enforcement services, and the ongoing level of intervention required to assist landlords in the registration process. The report concluded that in order for the PRTB to achieve its remit that outsourcing seemed to be the only viable option over the next number of years. This approach was agreed with the Board.

During 2012 procurement for outsourcing was conducted under the competitive dialogue procedure, under the supervision of a Board appointed Steering Committee and with the assistance of Achilles Procurement Consultants. The contract was awarded in July 2012 to SouthWestern, Clonakilty, Co. Cork.

Phase 1 of the outsourcing service (call centre services) was implemented at end September 2012 followed by Phase 2 (document management services) at end November 2012. The service provides for a single supplier solution, for contact management services and for a fully integrated document management service (scanning, data entry) for registration of all PRTB applications, disputes/tribunal applications and associated payments and client follow up.

Online Registration Services

The PRTB launched its online registration service in November 2010. Tenancies can be registered in a matter of minutes at www.prtb.ie. There is a series of frequently asked questions and useful prompts on the website to assist landlords and agents in registering tenancies online with the PRTB.

By year end 2012 the uptake of online registration was 41% and the PRTB continues to promote and encourage landlords to use this service.

Aspects of Register of Tenancies available to the Public

The PRTB is required to maintain a register of tenancies in accordance with the Residential Tenancies Act 2004 and to provide and manage an up-to-date database for information, policy-making and statistical purposes. The published register is an extract from the register of tenancies and contains details from the registration form that is supplied by the landlord or agent. The register provides the address of the rented dwelling; a description of the dwelling; the number of bedrooms and bed spaces; and the floor area.

The published register does not contain any information that could lead to the disclosure of the identity of the landlord or the tenant or the rent payable.

How to check if a rented property is registered?

To check the published register, log on to the PRTB's website at www.prtb.ie. Go to Published Register and click into the appropriate county and search under the address of the rented dwelling. The register is available in both PDF and Excel format. The published register is updated on the website on a weekly basis. If you are aware of a rented property which is not registered you can report this to the PRTB, in strict confidence, at Enforcement@prtb.ie

PRTB Funding of Local Authorities to enforce Minimum Standards

In accordance with the provisions of the Residential Tenancies Act 2004, funding is provided to the Local Authorities to meet the cost of inspections of private rented residential accommodation. On foot of specific payment directions made by the Minister for Environment, Community and Local Government, one fifth of the registration fee income was allocated to the Local Authorities in 2012. The remainder was retained by the PRTB to defray its own operating costs. The PRTB holds this money in a fiduciary capacity and the amount disbursed to local authorities in 2012 under instruction from the DoECLG was €2.2 million, bringing the total disbursed to Local Authorities by the PRTB since 2004 to €25,419,000.

Further information on Local Authority inspection rates and the new minimum standards in Private Rental Accommodation is available on the DoECLG's website: www.environ.ie.

Registration Enforcement Activities 2012

Registrations Enforcement 2012 at a glance	
General Information Notices to Landlords of the legal obligation to register	33,625
Official Enforcement Notices	9,052
Solicitor’s warning letters	872
Court Summons	26

The PRTB actively pursues landlords for non-registration. Failure to register tenancies can result in prosecution with fines of up to €4,000 and/or six months imprisonment. Enforcement activities undertaken by the PRTB are in accordance with the provisions of the Residential Tenancies Act 2004, in particular, sections 144 and 145.

The PRTB receives information from a number of sources including:

- › Department of Social Protection – Rent Supplement Database
- › Local Authorities - Standards for Rented Dwellings Inspections
- › General Public - Neighbours
- › TDs, Councilors, Gardaí
- › Tenants
- › Dispute/Registration Sections (internal PRTB referrals)

New ICT systems were introduced in early 2011 to facilitate database comparisons with other state agencies and departments to identify unregistered landlords for compliance purposes. New case management software also assists in managing cases being prosecuted.

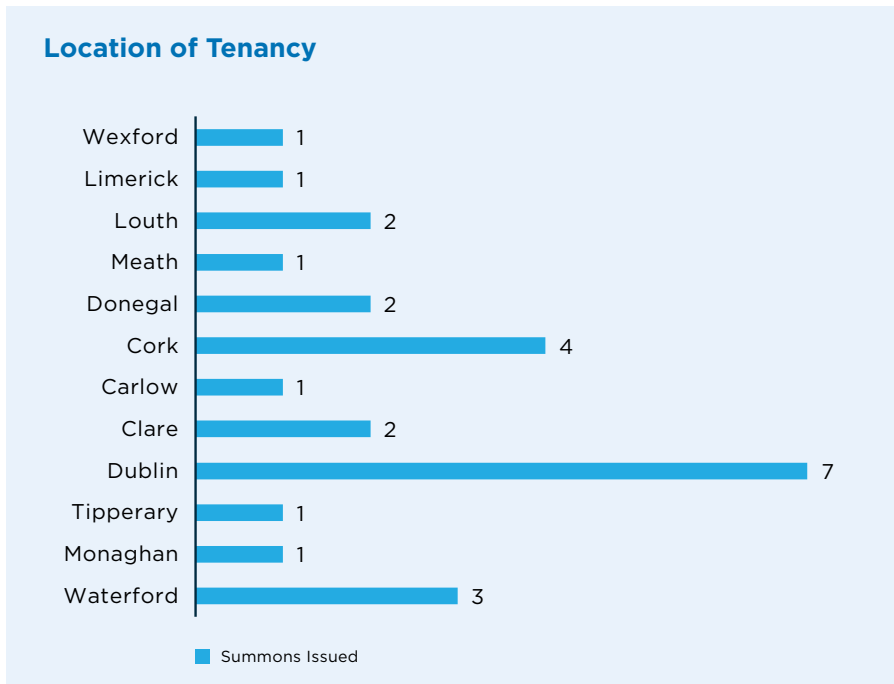
In 2012, with the assistance of new ICT system and ever closer co-operation with other public sector bodies the PRTB intensified activity against unregistered landlords. A total of 43,549 enforcement notices/solicitor warning letters issued to Landlords in 2012, they can be broken down as follows:

- › 33,625 General Information Notices informing Landlords of their legal obligation to register under the Act and the penalties for non-compliance
- › 9,052 Official Enforcement Notices under Section 144 of the Act informing Landlords that the Board has formed an opinion that a tenancy is or has been in existence and intend to prosecute if the tenancy is not registered
- › 872 Solicitor warning letters

This led to 26 District Court Summons been served on landlords who failed to register their tenancies with the PRTB despite having received a number of statutory notices and warnings requesting them to do so. The cases are due for hearing in early 2013.



Every effort is made to ensure enforcement action targets Landlords in various locations around the country in a fair manner. The chart below shows the distribution of summons issued in 2012.



Dispute Resolution Activities 2012

PRTB Dispute Resolution Services 2012	Number of Applications	Number of reasons for dispute
Adjudication & Mediation Services Applications	2,272	4,224
Tribunals Applications	268	307 within the 196 Tribunals convened
Number of calls handled in relation to Disputes	15,138	
Electronic case management system, including Online Services, developed and tested	Live April 2012	

Computerising PRTB Dispute Service in 2012

In 2012 the PRTB Disputes Section invested considerable time and effort in the introduction of the Tenancy Management System (TMS). This provided an electronic case management system for all Disputes, with online application capability. Photocopying and distributing case materials and evidence was very manual and inefficient in the past with all cases being maintained on basic ring folders. All cases and related materials are now scanned into an electronic format on receipt and distributed electronically thereafter via secure portals, to Adjudicators, Mediators and Tribunal Members around the country. By the end of 2012 over 50% of new Dispute applications are submitted by our clients online.

Up to half of the Disputes staff were involved in testing the system, which went live in April 2012. The Revenue Commissioners supported the introduction by scanning over 1000 case files on hand. After an initial learning the system is producing the planned efficiencies. While case processing timelines slipped in the first half of 2012 as a result of diverting scarce staff resources into the introduction of this system, we aim to reduce timelines to seven months in 2013.

PRTB received 2,272 applications for Dispute Resolution in 2012. Our new technology allows us for the first time to fully analyse the dispute categories and reasons that parties apply to the Board for dispute resolution. Of the 2,272

applications received, there were 4,224 reasons for dispute indicated by applicant parties that must all be handled through the dispute resolution process.

Accessing the Dispute Resolution Service

The PRTB replaces the Courts for the vast majority of Landlord and Tenant disputes. For a **modest fee of €25**, parties in dispute can apply to the Board for adjudication or mediation services. Adjudications and Mediations take place in Dublin, Cork, Galway, Limerick, Athlone, Sligo and Wexford.

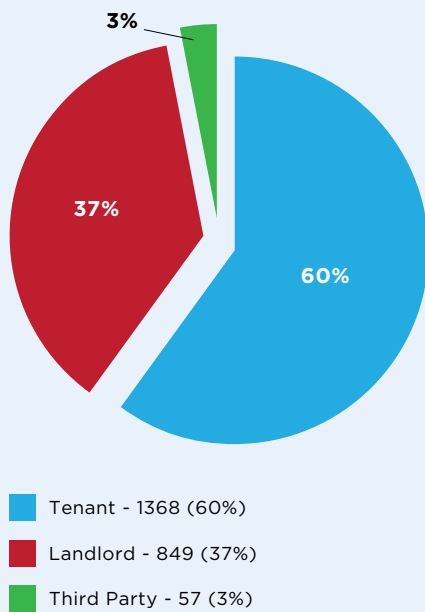
An adjudication or mediation decision that is not appealed to Tribunal within 21 days will become a binding Determination Order of the PRTB. Parties can request enforcement of this Order through the Courts, in instances of non compliance. It is the policy of the PRTB to publish Determination Order outcomes of all cases; however, mediation is the exception to this rule, as the outcome of mediation is confidential.

The main categories of Dispute in 2012

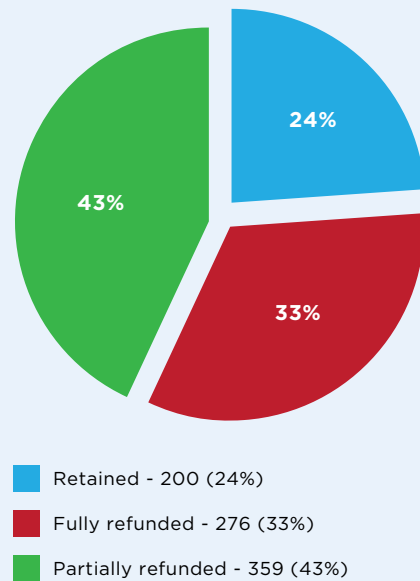
As previously indicated the Board received 2,272 applications for Dispute Resolution in 2012, incorporating 4,224 categories of dispute from applicant parties. The main category of Dispute was Deposit Retention, at 836 cases followed by Rent Arrears at 719 cases.

Dispute Type	Total Dispute Types
Deposit retention	836
Rent arrears	719
Breach of landlord obligations	462
Breach of tenant obligations	424
Invalid Notice of termination	419
Standard and maintenance of dwelling	369
Overholding	283
Unlawful termination of tenancy (Illegal eviction)	202
Other	116
Anti-social behaviour	115
Breach of fixed term lease	113
Damage in excess of normal wear and tear	105
Rent more than market rate	61
Total	4224

2012 Breakdown by Applicant Type



2012 Determinations on Deposit Retention cases



Landlords made 849 applications to the PRTB Dispute Resolution Services in 2012 with Tenants taking 1368 and Third Parties 57 cases.

Deposit Retention

The chart on page 19 indicates the outcome of the deposit retention cases heard in 2012. A tenancy deposit is the property of the tenant. A landlord is only entitled to retain a deposit where there is damage in excess of normal wear and tear or where there are rent arrears or utility bills outstanding. The Board have reinforced this message as part of ongoing training, through both seminars and guidance material issued over the last year to the Adjudicator panel. As a result of this guidance, where the delay in returning the deposit has caused the tenant proven inconvenience and hardship, there has been a notable increase in damages awarded against landlords in this category of dispute.

Rent Arrears

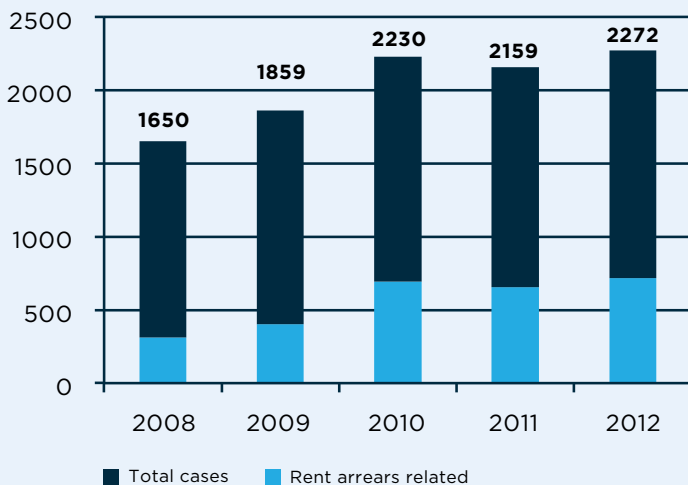
Rent arrears is the most common reason for a landlord to refer a dispute to the PRTB and has grown to 32% of the overall number of dispute applications received by the Board. 719 applications relating to arrears were received by the Board in 2012. By comparison, there were 324 rent arrears cases referred in 2008. The 2012 figure represents an increase of 122% and is a reflection of the overall economic situation. Tenants are required by law to pay their rent when it falls due, regardless of whether or not they are in an ongoing dispute with their landlord. A landlord may serve a notice of termination to a tenant who is in arrears of rent.

The Board has noted an increase in the number of cases referred in 2012 with rent arrears exceeding the jurisdiction of the Board under Section 115 of the Residential Tenancies Act. Section 115 limits the jurisdiction of the Board to an award of €20,000 rent arrears, or twice the annual rent, whichever is the higher figure to a maximum of €60,000. This increase highlights the need for landlords to deal with matters of rent arrears when they arise, as if the arrears accrue to a level outside of the jurisdiction of the Board, they will have no other option but to refer the matter to the Courts and incur legal costs to do so.

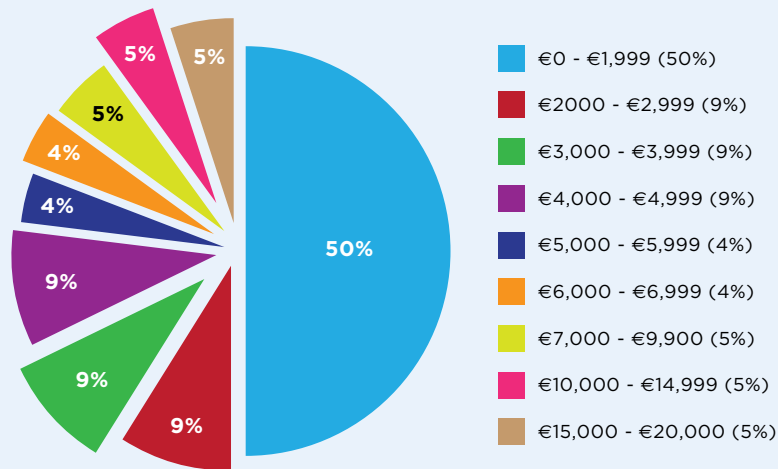
Unlawful Termination of Tenancy

An unlawful termination of tenancy, or illegal eviction, is deemed to have taken place where a landlord through force or otherwise, prevents a tenant from accessing the rented dwelling or removes their belongings from a dwelling. In 2012, 69% of complaints of illegal eviction were upheld by the PRTB and 31% were not upheld. Awards for unlawful termination in 2012 were made up to the maximum allowed under the Act of €20,000.

**Rent Arrears-related Disputes
2008-2012**



Awards in Unlawful Termination cases



Adjudicator/Mediator payments 2012

The current panel of Adjudicators and Mediators were appointed in 2011 through an open competition run by the Public Appointments Service for the PRTB and are appointed for a period of just over three years. Adjudicators are paid a flat fee of €660 per day for three hearings, or five paper based assessments.

ADJUDICATOR / MEDIATOR PAYMENTS MADE 2012

Panel Member	Total (€)	Panel Member	Total (€)	Panel Member	Total (€)
Aisling Fair	6,600	Deirdre Bignell	12,540	Kevin Baneham	11,220
Angela Becker	7,260	Emma Travers	660	Marissa O'Keeffe	7,260
Barry McCormack	6,600	Eoin Byrne	11,880	Mervyn Hickey	4,620
Brian Whelan	10,780	Frank Brady	15,840	Michelle Kellegher	4,620
Catherine McGuigan	11,220	Gerard Murphy	11,220	Monica Brennan	9,240
Cathy Hamilton	9,900	Healy Hynes	9,240	Niall Farrell	2,640
Ciaran Smith	9,900	Helen Connaughton	3,300	Paddy Keogh	3,960
Colm Keating	3,300	Helen-Claire O'Hanlon	11,220	Roderick Maguire	8,580
Corona Grennan	11,220	Jack Nicholas	9,900	Sarah Brophy	15,180
Cynthia Lennon	10,560	James Egan	11,880	Simon Noone	9,240
Dairine Mac Fadden	11,220	John Conran	14,520	Suzy Quirke	6,600
Daniela Bills Everett	5,940	John Keane	12,540	Tracey McGee	7,920
David Duncan	15,840	John Keaney	13,860		
				Grand Total	350,020

Dispute Cases Appealed to Tenancy Tribunals 2012

Parties to a dispute can appeal the decision of an adjudicator/mediator to a Tenancy Tribunal within 21 days of the date of receiving the decision. Tribunals are heard by a panel of three members of the Dispute Resolution Committee of the Board. Tribunals are more formal than the adjudication/mediation hearings. They are public hearings. The parties are required to take an oath or affirmation and a stenographer is present to record the evidence raised. The outcomes of Tribunal hearings are also public. Both the report and determination of a Tribunal are published on the PRTB website (www.prtb.ie)

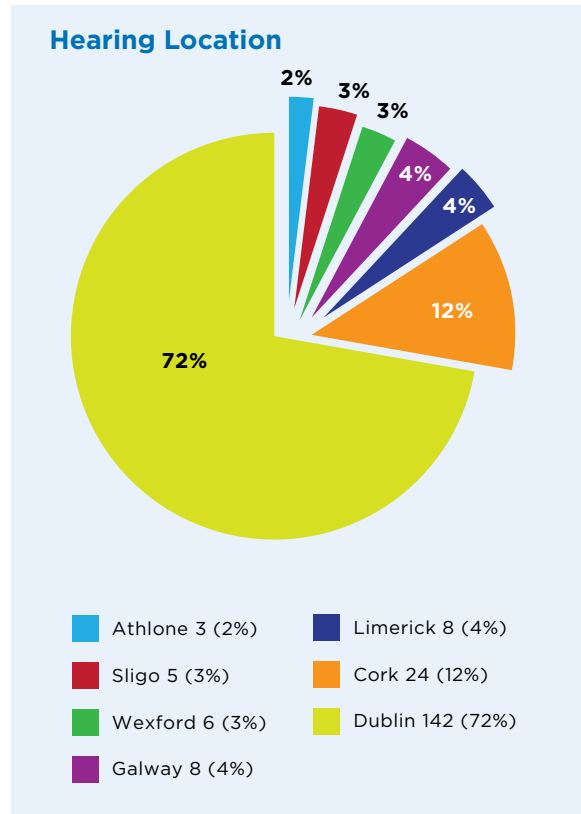
The PRTB received 268 appeals which were considered by the Board in 2012, of which 181 were granted and 87 were refused. Appeals were refused by the Board as they were either late or failed to submit the requisite fee.

There were 196 Tribunals convened in 2012. This represents a 10% increase in Tribunal hearings from 2011 to 2012; this is despite the implementation of the new TMS system and a reduction in staff numbers. There was an average waiting time of six months from the appeal granted date to the issue of a determination in 2012.

Breakdown of Tribunal Cases Heard in 2012 by Appellant Party and Location

33% (64 cases) of the appeals that went before a Tenancy Tribunal in 2012 were from landlords, 60% (115 case) by tenants, 3% (6 cases) by a third party and 4% (8 cases) were counter appeals which means that both parties to a dispute case submitted an appeal application.

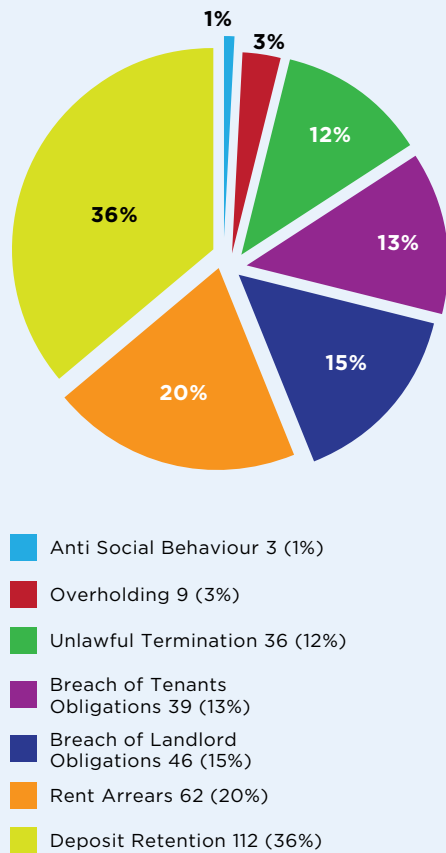
72% of Tribunals were convened in the Dublin area and 28% relate to the rest of the country.



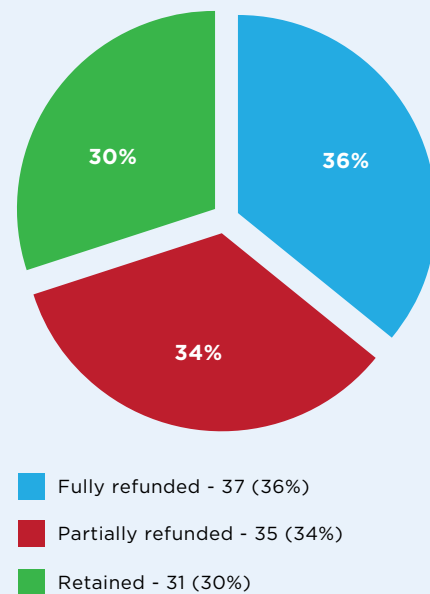
Tribunal Cases in 2012 – Categories and Outcomes

The below chart shows the breakdown of Tribunals convened by dispute type. Of the 196 Tribunals convened in 2012 there were 307 different Dispute Types cited as a reason for the appeal. Deposit retention continues to be the largest category of appeal before a tenancy tribunal with 112 (36%) examples of this dispute type being cited in 2012. Rent arrears is also a common dispute type accounting for 62 (20%) of the 307 dispute types listed.

Tribunal Cases by Dispute Type



Tribunal Determinations on Deposit Retention



Tribunal Damages Awarded

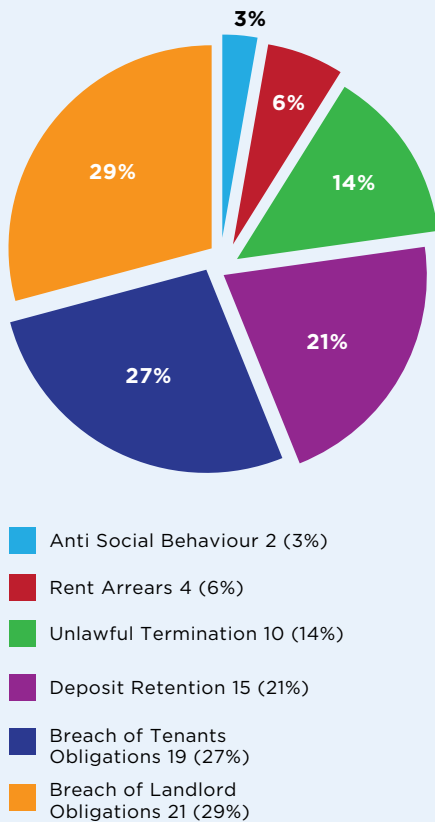
Damages were awarded against parties to an appeal in 47% of cases referred to a Tenancy Tribunal. Please see below a breakdown of damages awarded against Landlords and Tenants in Tenancy Tribunals in 2012.

Deposit Retention cases appealed to Tribunal

It is clear from this chart that deposit retention is the main dispute type that is appealed to a Tenancy Tribunal (this is detailed below), followed by rent arrears.

Deposit retention cases have remained the single largest category of appeal before a Tenancy Tribunal, representing 112 (36%) of the appeal reasons at the 196 Tribunal hearings in 2012. In 70% of these cases the Tribunal determined that landlords should refund part or all of the deposit to their tenants. In 30% of the deposit retention cases heard by a tribunal, it was determined that the landlord would fully retain the deposit. Tenants frequently require deposits to be returned promptly to secure another tenancy and failure to return a deposit without delay may cause inconvenience and financial hardship to a Tenant. Section 115 of the Act permits Tribunal members to award damages against a landlord who unjustifiably retain the deposit.

Breakdown of reasons for the award of damages



Damages for deposit retention and breach of landlord obligations

Of the cases referred to Tribunal, where damages were awarded, 50% were in the Deposit Retention and Breach of Landlord Obligations categories. Damages of between €100 and €2,300 were awarded in Deposit Retention cases, while damages awarded for Breaches of Landlord Obligations ranged from €126 to €2,700.

Damages for rent arrears

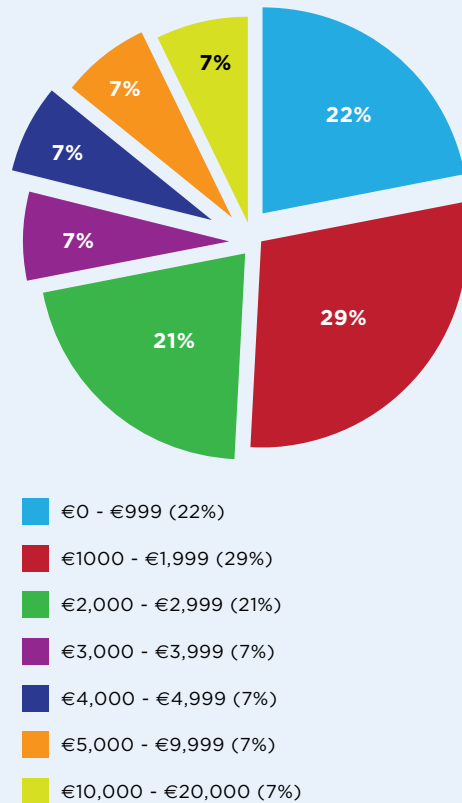
As per above chart, 6% of overall awards of damages were made in cases concerning rent arrears. Awards of damages against tenants were between €400 and €3,800.

Damages for Unlawful termination of tenancy

Unlawful termination of tenancy accounted for 36 (12%) of the 196 tribunal hearings in 2012.

Where an award was made to tenants against the landlord these ranged between €400 and €20,000 as illustrated in the chart below:

Damages for unlawful Termination of Tenancy



Tribunals Payments 2012

DRC member	Chair	Member	AMOUNT (€)
Anne Colley	8	10	16,259
Anne Leech	5	21	14,343
Bairbre Redmond	6	7	11,737
Charles Corcoran	2	13	7,529
Ciara Doyle	7	10	10,607
Claire Millrine	3	18	13,078
Dervla Quinn	12	15	16,947
Eoin O'Sullivan	12	13	15,648
Finian Matthews	11	7	16,268
Fintan McNamara	13	16	13,664
Gene Feighery	14	8	16,844
Geraldine Feeney	3	13	10,361
Gus Cummins	3	5	5,612
Henry Murdoch	8	11	13,668
James Bridgeman	4	11	10,084
John Lynch	7	17	16,662
John Tiernan	9	11	12,425
Kieran Buckley	4	11	9,150
Liam Nolan	11	18	15,713
Louise Moloney	3	15	11,255
Mary Doyle	2	15	10,938
Mary H Morris	2	4	4,216
Mary Heaslip	4	15	12,725
Maurice O'Donoghue	8	17	14,451
Michael Farry	0	0	2,322
Michael Irvine	1	16	15,152
Nesta Kelly	4	26	20,555
Orla Coyne	9	10	13,205
Tricia Sheehy Skeffington	2	7	1,925
Tim Ryan	1	3	700
Tom Dunne	2	15	9,576
Vincent P Martin	17	12	15,866
Grand Total			379,485

* The above figures refer to actual payments made to DRC Members during 2012. As a result of their nature some of these payments relate to Tribunals convened in 2011.

Enforcement of PRTB Determination Orders 2012

The Residential Tenancies Act 2004 stipulates that failure to comply with a Determination Order made by the PRTB may be enforced by the PRTB or the party in whose favour the Order is made, to pursue a criminal prosecution, civil proceedings, or both. Pursuing either of these options pose serious implications for the party who fails to comply with a PRTB Order.

- › **Criminal prosecutions** can be initiated, in accordance with Section 126 of the 2004 Act, by the PRTB or the party named on the Determination Order, and are brought in the District Court. The penalties for a Criminal Conviction can be severe, comprising a fine of up to €4,000 and/or a period of imprisonment of up to six months, plus a further fine of €250 per day for continuing non-compliance. In addition to receiving a criminal conviction plus an order for costs, the Court generally grants a Compensation Order up to the maximum limit of the District Court (i.e. almost €6,350).
- › **Civil proceedings** are taken in the Circuit Court, in accordance with Section 124 of the 2004 Act. The PRTB or a party named on a Determination Order may initiate civil proceedings. In the vast majority of cases the Court has awarded the PRTB its costs in cases brought to date.

Requests for Enforcement of Determination Orders				
2008	2009	2010	2011	2012
100	307	577	589	346

Under the Act, enforcement is a discretionary power and the PRTB exercises this power taking account of the circumstances pertaining to each case and in the context of the more challenging financial situation within which the PRTB, like other Public Sector bodies, now has to operate. The PRTB is a self-financing agency and must operate within its budget. As can be seen from the table above, the number of requests received by the PRTB to enforce Orders has risen year on year.

Given the increased demand for enforcement it is not sustainable for the PRTB to take proceedings on all requests.

As the Board was established to take cases out of the Courts it endeavours to secure enforcement initially by non judicial means. However, as in the case of other Judicial/Quasi – Judicial bodies, there is no legal obligation on the PRTB to enforce. This does not in any way preclude parties from seeking enforcement independently of the PRTB.

Decisions on whether or not to pursue legal enforcement are made by the Board Members on a case by case basis, taking into account the likely success of achieving a favourable outcome for the requester; a favourable outcome being that monies yet to be paid are discharged. The criteria which the Board Members refer to when making that decision are:

- › Dispute Type,
- › History of compliance with landlord/tenant legislation,
- › Technical strength of the case,
- › What contact/steps, if any, the person seeking compliance has taken with the non-compliant party to obtain compliance of the Order,
- › Existing representations made by the PRTB to the non-compliant party and relevant information obtained,
- › Geographical spread,
- › Particular circumstances of the case.

The cost of taking all requests to Court would mean that significant Exchequer funding would be required or PRTB fees would have to be increased. Neither of these are viable options. However, the PRTB takes the issue of non-compliance with Determination Orders very seriously and during 2012 alone the PRTB referred 263 cases to its Legal Advisors for enforcement proceedings. Many of these cases are at various stages in the process with judgements registered or settlements achieved.

Legal proceedings can be lengthy and costly but to date, the PRTB has been extremely successful in obtaining judgement orders in its proceedings. That said, going to Court does not of itself ensure successful enforcement and more particularly, financial compensation. In these times of significant personal debt, there is a real risk that the monies due will not be paid even after successful court proceedings. In many cases the best option and one which the PRTB facilitates, is to agree a schedule of payments.

New Enforcement Requests Received in 2012

A total of 346 new enforcement requests were received in 2012, a reduction from the previous year. This is accounted for by the fact that in 2012, the PRTB rolled out the dispute processing element of its Tenancy Management System (TMS) project and staff were deployed in testing the system so there was a reduction in the number of cases processed overall in 2012.

Compliance or settlement following initial intervention from the PRTB's Enforcement Unit was achieved without the requirement of legal proceedings in a total of 45 of the requests received. A further 17 cases were on hold due to settlements ongoing and 13 cases were withdrawn/proceedings taken by party.

The number of requests received from **Landlords (180)** marginally exceeded those received from **Tenants (161)**. This reflects the trend in the Disputes applications received where Rent arrears is now a serious and growing issue.

Four requests were received from Third Parties (relating to Landlords failing to enforce tenant obligations) and one internal request was received for money owing to the PRTB as a result of parties appealing their case to a Tribunal and then, without notice or good reason, failed to attend the Tribunal.

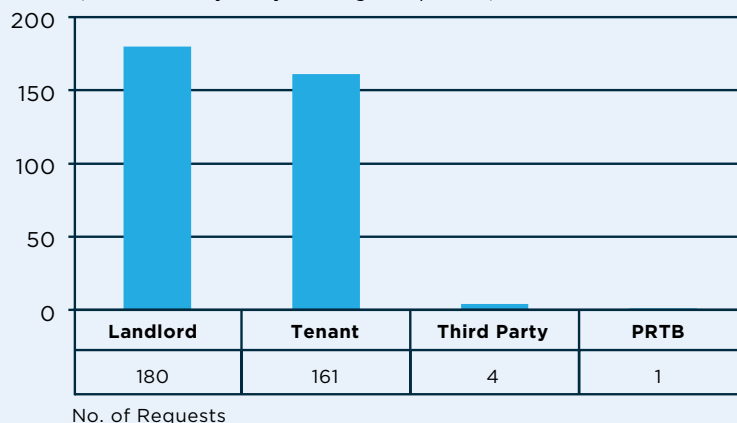
Enforcement Work in 2012

In addition to the 346 new enforcement requests received in 2012, the PRTB's Enforcement section also carried out work on circa 800 cases that remained ongoing at the end of 2011. These 800 cases were made up of 2010 and 2011 cases.

263 files were passed to our Legal Advisors in 2012 (81 cases related to 2012 enforcement requests; 182 related to cases ongoing at the end of 2011).

Total Enforcement Requests received in 2012

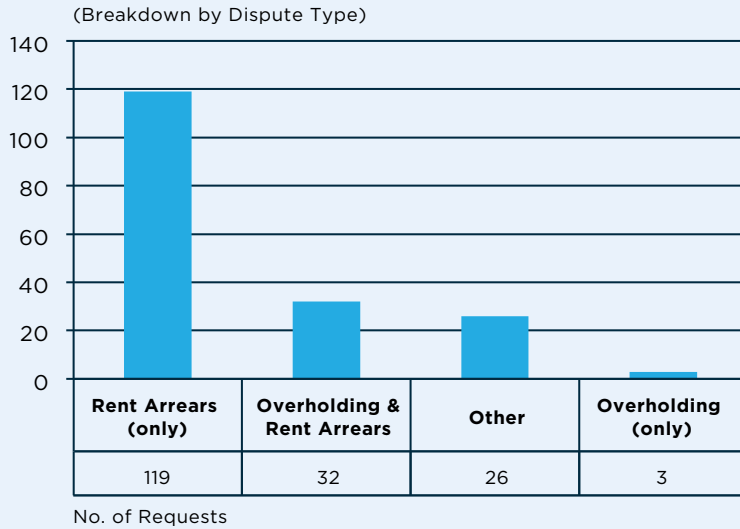
(Breakdown by Party Seeking Compliance)



Landlord Enforcement requests received in 2012 categorised by Type of Dispute

It is evident from the 180 requests from landlords that the principal problems experienced related to rent arrears. Other matters included damage in excess of normal wear and tear; notice of termination; breach of tenant obligations; and breach of fixed-term lease.

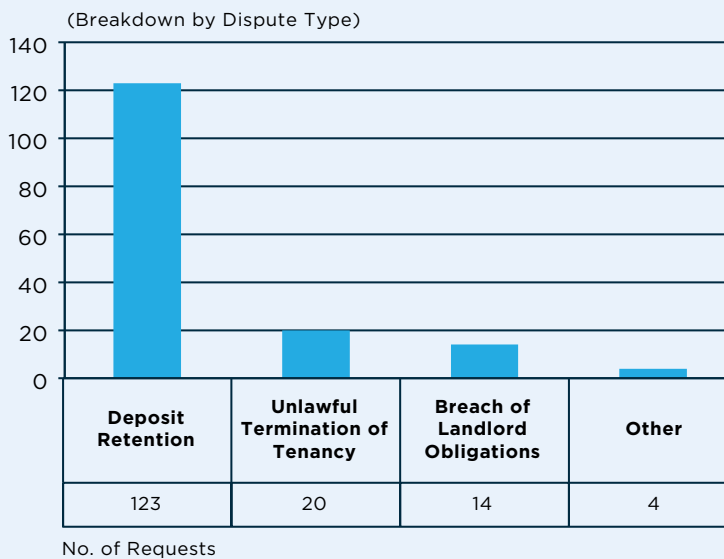
Enforcement Requests received from Landlords in 2012



Tenant Enforcement requests received in 2012 categorised by Type of Dispute

From the 161 requests received from tenants the principal difficulty was deposit retention.

Enforcement Requests received from Tenants in 2012



Court Outcomes in 2012

Court Outcome	Year 2012
Section 126 Conviction	4
Section 124 Order Obtained	91

District Court Orders (Section 126 Convictions)

Four convictions were secured in 2012. Fines were imposed in most cases and ranged from €650 up to €4,000. Costs Orders were also obtained in favour of the PRTB and ranged from €1,000 up to €2,952.

Circuit Court Orders (Section 124 Orders Obtained)

91 Circuit Court Orders were obtained in 2012. In almost all cases an order for costs, to be taxed in default of agreement, were awarded. The services of the Sheriff was required in approximately five cases to recover vacant possession with many vacating on notice that the Sherriff was engaged.

Registering Judgements

PRTB policy for all cases of non-compliance is to register judgements obtained where the party fails to clear the debt. These judgements may be published in Trade Gazettes which can seriously affect a person's credit rating. In 2012, in almost all of the 91 Order obtained such judgements were registered and continue to be registered.

Successful Outcomes

Compliance or settlement following initial intervention was achieved without the requirement of full legal proceedings in a total of 29 cases after referral to our Legal Advisors.



Information Communication Technology (ICT) Strategy

The key thrust of 2012 for the PRTB's ICT initiatives was to complete the implementation of our Tenancy Management System. The final phase, which serves the Disputes and Tribunals side of the business, went live in April 2012 to internal users. This included the utilisation of a shared service initiative with the Revenue Commissioners whereby they scanned our backlog of case files. The launch of this phase took the PRTB out of a paper-based era of case file management to a completely electronic paradigm. In July 2012 this functionality was extended to our Internet portal whereby applications for disputes/tribunals can now be done online. 52% of new applications in the disputes/tribunals area are now done on-line.

This phase of TMS included integration with a new An Post track and trace and proof of delivery system which conforms to the latest eCommerce legislation and has since been used and upheld in Court use. This innovative project with An Post has since been shortlisted for the 2013 ICT Awards.

The new system features a streamlined scheduling engine. This ensures that the rooms we have for disputes/tribunals are utilised to the highest degree and in a way that minimises cost to the organisation. Where in Dublin there used to be only 3 rooms in use for dispute resolution purposes there are now 5. The system has therefore expedited the throughput of cases.

As part of the outsourcing arrangement with SouthWestern, our call centre was moved from Dublin to Clonakilty in September 2012. This facilitated the use of more advanced telephony and relevant monitoring systems so that less calls are being dropped and more capacity is being made available for callers. Tight integration with existing PRTB systems in O'Connell Bridge House have been utilised to try and give clients as seamless an experience as possible with regard to their contact with the PRTB.

In November SouthWestern launched a system for scanning in paper-based forms. Interfaces were developed to electronically transfer this form data to our TMS system and to hold an electronic copy of the document with same. This involved detailed work between the PRTB ICT unit, Vulcan

Systems (our supplier of the TMS system) and SouthWestern (our outsourcer). This has proved very successful and we anticipate other projects between same to help make these processes more efficient.

An ICT procurement framework was published in May 2012 and awarded in July 2012. Four groupings of ICT vendors are now available to PRTB for mini-tenders in order to fulfil all foreseen ICT needs going forward.

To facilitate the outsourcing initiative major change had to be made to our ICT infrastructure. Because third parties now had to be admitted to our internal systems in a best practice manner, two projects; one to do with allowing remote access and another to further secure our networks by increased firewalling and other networking methodologies were put in place. The remote access (Citrix) project was ready by the end of September in time for the SouthWestern take on of our registrations processing function and the network and security work was complete by the end of December.

This process improvement approach will continue next year as we redevelop our website and portal, put in place more eGovernment initiatives, improve the public's and other stakeholders ability to communicate with us by voice, instant messaging, video, social media or web, and the streamlining of TMS to support new legislation and other initiatives in the Approved Housing Bodies Sector. Given the organisations increasing reliance on ICT technology a new Disaster Recovery program will be put in place to support all relevant new technologies implemented. It is planned to use the TMS registration database as the basis for a national rent index in Qtr 2 2013.

The 2009 - 2012 ICT Strategy has been nearly completely implemented. Work is ongoing on the final two projects, i.e. a new PRTB Website and a PRTB Rent Index, which will be launched in the first half of 2013.

Procurement and Tenders Sought and Awarded

The PRTB confirms compliance with procurement procedures in respect of competitive Tendering. This includes adherence to both national guidelines and the relevant EU Directives, which have the force of law in this State. Competitive tendering is the normal procedure utilised by the PRTB in the procurement process. All tenders issued have had due regard to the value thresholds for the application of procurement rules.

Any person who wishes to be engaged by the Board as a consultant or adviser may notify the Board in writing and any notification for that purpose shall include particulars of the person's qualifications and experience. The PRTB follows public procurement requirements when seeking tenders or quotations. During 2012, the Board or the Director approved a number of contracts as outlined below, following appropriate public tendering:

- › PRTB Corporate Strategy 2012 – 2015
– Mazars Consultants – February 2012
- › Assessment of the Feasibility of a Tenancy Deposit Scheme – Indecon – April 2012
- › Outsourcing – SouthWestern Services
– July 2012
- › IT Professional Services Framework
– I.T. Alliance Group Limited, IT Force,
DNM Technology – July 2012
- › PRTB National Rent Index – ESRI – August 2012



Report and Financial Statements

for the year ended 31 December 2012

Subject to C & AG Audit

Information

Members of the Private Residential Tenancies Board

Orla Coyne	Solicitor (Chairperson)
Gene Feighery	Environmentalist
Vincent P. Martin	Barrister-at-Law
Finian Matthews	Retired Civil Servant
Dr. Eoin O'Sullivan	Lecturer in Trinity College Dublin
Thomas J Reilly	Property Professional
John Tiernan	Former County Manager
Conn Murray	County Manager
Joseph Meehan	Civil Servant, Department of Social Protection
Aidan Brennan	Civil Servant, Department of the Environment, Community and Local Government
Paula O'Reilly	Civil Servant, Department of the Environment, Community and Local Government
Tim Ryan	PR Consultant
Tricia Sheehy Skeffington	Barrister

Board Members who resigned in 2012

Aidan Brennan	Civil Servant, Department of the Environment, Community and Local Government
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Subject to C & AG Audit

Statement of Responsibilities

Section 178 of the Residential Tenancies Act, 2004, requires the Financial Statements to be prepared by the Director in such form as may be specified by the Minister for the Environment, Community and Local Government and in accordance with generally accepted accounting principles. The Financial Statements must be approved by the Board.

In preparing those financial statements, the Director and the Board are required to:

- › Select suitable accounting policies and then apply them consistently;
- › Make judgements and estimates that are reasonable and prudent;
- › State whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements;
- › Prepare the financial statements on the going concern basis unless it is inappropriate to presume that the Board will continue in operation.

The Director, under the direction of the Board, is responsible for keeping proper books of account which disclose with reasonable accuracy at any time the financial position of the Board and which enable it to ensure that the financial statements comply with section 178 of the Act. The Board is responsible for ensuring that the business of the Board is conducted in a proper and regular manner and for safeguarding all assets under its operational control and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Director

Chairperson

Subject to C & AG Audit

Statement on Internal Financial Control

Responsibility for the system of Internal Financial Control

On behalf of the members of the Private Residential Tenancies Board, I acknowledge our responsibility for ensuring that an effective system of internal financial control is maintained and operated.

The system can only provide reasonable, and not absolute, assurance that the assets are safeguarded, transactions authorised and properly recorded, and that material error or other irregularities are either prevented or would be detected in a timely period. In considering the effectiveness of internal financial controls, the Board and its Audit Committee have regard among other things, to the requirements of the Code of Practice for the Governance of State Bodies.

Key control procedures

The Private Residential Tenancies Board has taken steps to ensure an appropriate control environment by:

- › ensuring the Board complies with its Financial obligations under the Act;
- › ensuring that assets and liabilities of the Board are properly accounted for;
- › clearly defining management responsibilities;
- › establishing formal procedures for reporting significant control failures and ensuring appropriate corrective action;
- › the establishment of appropriate sub-committees of the Board to give greater focus on specific areas.

The members of the Board have agreed that the Director and staff of the Board (subject to delegation by the Director) are responsible for operational matters.

Subject to C & AG Audit

Statement on Internal Financial Control

The system of internal financial control within the Private Residential Tenancies Board is based on a framework of monthly management information, administrative procedures (including segregation of duties and authorisation limits), and a system of delegation and accountability. In particular it includes:

- › a comprehensive budgeting system with an annual budget, which is reviewed and agreed with the Executive and the Board;
- › regular review by the Executive and the Board of periodic and annual financial reports which indicate financial performance against targets;
- › clearly defined procurement, tendering and capital investment guidelines.

The Board's monitoring and review of the effectiveness of the system of internal financial control is informed by the Audit Committee, the Executive Management team, who have responsibility for the development and maintenance of the financial control framework, and comments made by the Comptroller & Auditor General in his management letter or other reports.

The Board has continued its work to establish the extent and likelihood of business risk in 2011 and this work will continue in 2012.

Annual Review of Controls

I confirm that the Board conducted a review of the effectiveness of internal controls in respect of the year ended 31 December 2012.

Chairperson

Subject to C & AG Audit

Statement of Accounting Policies

The significant accounting policies adopted in these financial statements are as follows:

General

The general functions of the Board are:

- › the operation of a national registration system for all private residential tenancies that come under the remit of the Residential Tenancies Act, 2004;
- › the operation of a dispute resolution service and;
- › the provision of information, carrying out of research and the provision of policy advice to the Minister regarding the private rented sector;
- › the provision of administrative and secretarial support for the Tribunals (the related costs are included in administrative expenses).

Basis of accounting

The financial statements have been prepared under the accruals basis of accounting in accordance with generally accepted accounting principles and under the historic cost convention. The statements are in a form approved by the Minister for the Environment, Community and Local Government. The accounts are stated in euro.

Income

State funding

State funding represents cash received in the year from the Department of the Environment, Community and Local Government.

Registration and dispute fees

Fees in respect of registrations and disputes are recognised at the point when an application is received.

Other income

Other income represents interest accruing deposits held with other financial institutions, and any legal costs recovered in the year.

Tangible fixed assets

Tangible fixed assets are stated at cost less accumulated depreciation.

Depreciation is provided on a straight line basis at rates which are estimated to write off the cost of the assets over their expected useful lives as follows:

Leasehold improvements	5%	Straight Line
Furniture and fittings	10%	Straight Line
Office equipment	20%	Straight Line
Computer equipment and software development	20%	Straight Line

Statement of Accounting Policies

Foreign currencies

Transactions denominated in foreign currencies are translated into euro at the rates of exchange prevailing at the transaction date. Any difference arising on translation between transaction dates and payment dates are charged to the Income and Expenditure account.

Capital account

The capital account represents the unamortised amount of income used to finance fixed assets.

Staff pensions

The Private Residential Tenancies Board (PRTB) operates a defined benefit pension scheme which is funded annually on a pay as you go basis from monies available to it. Statutory Instrument (S.I. No 625 of 2011) gave effect to the PRTB Superannuation Scheme and was approved by the Minister for the Environment, Community and Local Government with the consent of the Minister for Public Expenditure and Reform in November 2011 (commencing with effect from 1 September 2004).

Pension costs reflect pension benefits earned by employees in the period and are shown net of staff pension contributions which are treated as payable to the Department of the Environment, Community and Local Government. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable and offset when necessary, by grants received in the year to discharge pension payments.

Actuarial gains and losses arising on scheme liabilities are reflected in the Statement of Total Recognised Gains and Losses and a corresponding adjustment is recognised in the amount recoverable from the Department of Environment, Community and Local Government.

Pension liabilities represent the present value of future pension payments earned by staff to date. Deferred pension funding represents the corresponding asset to be recovered in future periods from the Department of Environment, Community and Local Government.

Subject to C & AG Audit

Income and Expenditure Account

for the year ended 31 December 2012

	Notes	Year Ended 31 December 2012 €'000	Year Ended 31 December 2011 €'000
Income			
State funding	1	-	-
Deferred pension funding	11c	198,000	205,000
Registration fees	2	9,319,365	9,575,244
Amounts due to local authorities	7	(1,864,296)	(1,915,049)
Disputes fees		44,693	62,660
Other income	3	136,793	173,458
Transfer (to)/from capital account	8	51,199	279,863)
		<u>7,885,754</u>	<u>7,821,450</u>
Expenditure			
Staff costs	4a	(2,567,180)	(2,919,276)
Administration costs	4b	(4,675,973)	(3,939,621)
Depreciation	5	(384, 896)	(365,564)
		<u>(7,430,049)</u>	<u>(7,224,461)</u>
Surplus for the year	9	<u>257,705</u>	<u>596,989</u>

The statement of accounting policies and notes 1 to 16 form part of these financial statements.

All income and expenditure for the year ended 31 December 2011 relate to continuing activities.

Director

Subject to C & AG Audit

Chairperson

Statement of Total Recognised Gains & Losses

for the year ended 31 December 2012

	Year Ended 31 December 2012 €'000	Year Ended 31 December 2011 €'000
Notes		
Surplus for the year	257,705	596,989
Experience (loss)/gain on pension scheme liabilities	(22,000)	115,000
Changes in assumptions underlying the present value of pension scheme liabilities	-	-
Actuarial (loss)/gain recognised	(22,000)	115,000
Adjustment to deferred pension funding	22,000	(115,000)
Total recognised (loss)/gain for the year	257,705	596,989

Director

Chairperson

Subject to C & AG Audit

Balance Sheet

as at 31 December 2012

	Notes	Year Ended 31 December 2012 €'000	Year Ended 31 December 2011 €'000
Fixed Assets			
Tangible assets	5	2,969,352	3,020,551
Current Assets			
Debtors	6	53,433	66,311
Cash at bank		6,596,377	6,115,544
		6,649,810	6,181,855
Creditors			
Amounts falling due within one year	7	(3,979,365)	(3,769,115)
Net Current assets		2,670,445	2,412,740
Total assets less current liabilities before pensions		5,639,797	5,433,291
Deferred pension funding	11	(1,100,000)	(880,000)
Pension scheme liabilities	11	1,100,000	880,000
Total assets less current liabilities		5,639,797	5,433,291
Financed by			
Accumulated surplus	9	2,670,445	2,412,740
Cash at bank	8	2,969,352	3,020,551
		5,639,797	5,433,291

The statement of accounting policies and notes 1 to 16 form part of these financial statements.

Subject to C & AG Audit

Director

Chairperson

Cashflow Statement

for the year ended 31 December 2012

	Notes	Year Ended 31 December 2012 €'000	Year Ended 31 December 2011 €'000
Reconciliation of operating surplus to net Cash inflow from operating activities			
Operating surplus for year	9	257,205	596,989
Depreciation	5	384,896	365,564
Interest Earned	3	(123,540)	(140,779)
Transfer (from)/to Capital Account	8	(51,199)	279,863
Decrease/(increase) in debtors	6	12,878	(24,173)
Increase/(decrease) in creditors	7	210,250	(3,413,032)
Net cash inflow / (outflow) from operating activities		690,990	(2,335,568)
Cashflow Statement			
Net cash inflow/(outflow) from operating activities		690,990	(2,335,568)
Returns on Investment and Servicing of Finance			
Interest received	3	123,540	140,779
Net Capital Expenditure			
Payments to acquire tangible fixed assets	8	(333,697)	(645,427)
Increase/(decrease) in cash	9	257,705	596,989
Reconciliation of net cashflow to movement in net funds			
Net funds at 1 January		6,115,544	8,955,760
Net funds at 31 December		6,596,377	6,115,544
Increase/(decrease) in cash		480,833	(2,840,216)

The statement of accounting policies and notes 1 to 16 form part of these financial statements.

Subject to C & AG Audit

Director

Chairperson

Notes

(forming part of the financial statements)

1. State Funding

The PRTB operates on a self financing basis since 1st January 2010 and did not receive any State funding in 2012.

2. Registration Fees Income

Fees which were received from landlords as payment for the registration of their tenancies amounted to €9,319,365 (2011) - €9,575,244).

As per Ministerial direction, made under Section 176(5) of the Residential Tenancies Act, 2004, registration fee income received by the PRTB is dealt with in the following manner:

To Local Authorities:

- 20% in the year which amounted to €1,864,296

Retained by the PRTB towards its administration costs:

- 80% in the year which amounted to €7,455,069

3. Other Income

	31 December 2012 €'000	31 December 2011 €'000
Interest income	123,540	140,779
Legal costs recovered	13,253	2,679
	136,793	173,458

4a. Staff Costs

	Year Ended 31 December 2012 €'000	Year Ended 31 December 2011 €'000
Seconded & PRTB staff	1,601,512	1,619,663
Agency staff	501,487	869,429
Pension costs	357,658	335,225
Training of staff and office holders	19,793	12,736
Other staff costs	2,639	-
Social welfare costs	84,091	82,223
	2,567,180	2,919,276

Notes

(forming part of the financial statements)

Staff numbers:

The number of staff employed by the Board in the year was 23 (2011: 25). A further 10 staff were seconded to the Board by the Department of the Environment, Community and Local Government (2011: 11), 2 by Dublin City Council (2011: 2), 2 by Department of Justice and Law Reform and 1 by the Department of Transport, Tourism and Sport.

Pension Levy:

€42,567 of pension levy has been deducted and paid over to the Department of the Environment, Community and Local Government (2011: €39,483).

4b. Administrative Expenditure

	Year Ended 31 December 2012 €'000	Year Ended 31 December 2011 €'000
Board members fees	161,560	113,175
Tribunal members fees	397,877	395,931
Adjudicators and mediators fees	389,895	384,666
Rent tribunal (Note*)	1,353	5,943
Travel & subsistence	22,050	32,218
Outsourcing costs	425,899	-
Legal and professional fees	1,559,614	1,410,445
Audit fees	12,928	11,614
Accountancy fees	76,944	95,934
Stenography costs	59,360	87,663
Meeting expenses	7,539	9,113
Office supplies	112,858	110,328
Postage and distribution costs	205,693	207,983
Printing and translation costs	220,788	188,137
Telephone expenses	39,264	27,108
Public information and education	2,622	15,038
Computer expenses and maintenance	473,835	244,534
Establishment costs	395,590	508,367
Cleaning services	24,045	23,627
Research studies	55,067	43,381
Late payment in commercial transactions	159	1275
Miscellaneous	31,033	23,141
	4,675,973	3,939,621

Note*: These include the Rent tribunals Members fees and travel and subsistence expenses.

Notes

(forming part of the financial statements)

5. Tangible Fixed Assets

	Computer Equipment & Software Development €'000	Leasehold Improvements €'000	Furniture & Fittings €'000	Office Equipment €'000	Total €'000
Cost					
Opening balance	2,092,372	1,746,933	204,262	83,833	4,127,400
Additions	333,202	-	-	495	333,697
Disposals	-	-	-	-	-
At 31 December 2012	2,425,574	1,746,933	204,262	84,328	4,461,097
Depreciation					
Opening balance	605,521	343,134	77,690	80,504	1,106,849
Charge for the year	274,382	87,344	20,529	2,641	384,896
Depreciation on disposals	-	-	-	-	-
At 31 December 2012	879,903	430,478	98,219	83,145	1,491,745
Net book value					
At 31 December 2012	1,545,671	1,316,455	106,043	1,183	2,969,352
At 31 December 2011	1,486,851	1,403,799	126,572	3,329	3,020,551

6. Debtors

	31 December 2012 €'000	31 December 2011 €'000
Prepaid expenses	17,815	35,215
Accrued legal costs Recoverable	400	1,500
Interest receivable	26,235	13,436
Net wages	-	6,988
Voluntary deductions	4,441	4,415
Sundry debtors	4,542	4,757
	50,433	66,311

Notes

(forming part of the financial statements)

7. CREDITORS

Amounts falling due within one year

	31 December 2012 €'000	31 December 2011 €'000
Creditors & accruals	1,440,871	894,917
Amounts due to local authorities	2,538,494	2,874,198
	3,979,365	3,769,115

Analysis of amounts due to local authorities:

The table below sets out fees received in the relevant financial year and amounts paid over to the particular local authorities for the performance of their functions under the Housing Standards and Rent Book Regulations;

	31 December 2012 €'000	31 December 2011 €'000
Opening Balance	2,874,198	5,559,150
Fees allocated to local authorities in the year	1,864,296	1,915,049
Fees disbursed in the year	(2,200,000)	(4,600,001)
	2,538,494	2,874,198

The amounts due to be paid over to particular local authorities will be in accordance with the criteria set by and at the direction of the Minister for the Environment, Community and Local Government.

8. Capital Account

	31 December 2012 €'000	31 December 2011 €'000
Opening balance	3,020,551	2,740,688
Transfer (to)/from Income and Expenditure Account		
Funding to acquire assets	333,697	645,427
Amortisation in line with asset depreciation	(384,896)	(365,564)
	(51,199)	279,863
Closing Balance at 31 December	2,969,352	3,020,551

Subject to C & AG Audit

Notes

(forming part of the financial statements)

9. Accumulated Surplus/(Deficit)

	31 December 2012 €'000	31 December 2011 €'000
Opening Balance	2,412,740	1,815,751
(Deficit)/ Surplus for the year	257,705	596,989
Closing Balance at 31 December	<u>2,670,445</u>	<u>2,412,740</u>

10. Accommodation

In October 2007 the Private Residential Tenancies Board signed a 20 year leasehold agreement in respect of its premises at O'Connell Bridge House, D'Olier Street, Dublin 2. The lease contains a break clause at the end of year 5. The annual commitment under this lease at year end was €264,424.

11. Superannuation

a) Analysis of total pension costs charged to Expenditure

	31 December 2012 €'000	31 December 2011 €'000
Current service cost	150,000	160,000
Interest on pension scheme liabilities	48,000	45,000
Employee contributions	(37,647)	(33,921)
	<u>160,353</u>	<u>171,079</u>
Superannuation (Department staff)	197,305	164,146
	<u>357,658</u>	<u>335,225</u>

Subject to C & AG Audit

Notes

(forming part of the financial statements)

b) Movement in net pension liability during the financial year

	31 December 2012 €'000	31 December 2011 €'000
Net pension liability at 1 January	(880,000)	(790,000)
Current service cost	(150,000)	(160,000)
Past service costs	-	-
Interest costs	(48,000)	(45,000)
Actuarial gain/(loss)	(22,000)	115,000
Deficit at end of year	357,658	335,225

c) Deferred Funding for Pensions

The PRTB Superannuation Scheme was approved by the Minister for the Environment, Community and Local Government with the consent of the Minister for Public Expenditure and Reform in November 2011 (with effect from 1 September 2004). The PRTB recognises amounts owing from the State for the unfunded deferred liability for pensions arising from this approved superannuation scheme on the basis of the set of assumptions described in (e) and a number of past events. These events include the statutory basis for the establishment of the superannuation scheme, and the policy and practice currently in place in relation to funding public service pensions including contributions by employees and if necessary, the annual estimates process.

The Net Deferred Funding for Pensions recognised in the Income and Expenditure Account was as follows:

	2012 €'000	2011 €'000
Funding recoverable in respect of current year pension	198,000	205,000
State Grant applied to pay pensions	-	-
	198,000	205,000

The deferred funding asset for pensions as at 31 December 2011 amounted to €880,000 (2010: €790,000).

Subject to C & AG Audit

d) History of defined benefit obligations

	2012 €'000	2011 €'000
Defined Benefit Obligations	1,100,000	880,000
Experience gains on Scheme Liabilities Amount	22,000	115,000
Percentage of Scheme Liabilities	2%	13%

The cumulative actuarial loss recognised in the Statement of Total Recognised Gains and Losses amounts to €213,000 (2011: €191,000).

Notes

(forming part of the financial statements)

e) General Description of the Scheme

At 31 December 2012 the PRTB employed 38 staff (2011: 40), of which 10 were on secondment from the Department of the Environment, Community and Local Government, 2 were on secondment from Dublin City Council, 1 on secondment from the Department of Transport, Tourism and Sport, 2 on secondment from the Department of Justice, Equality and Law Reform and 23 were members of staff of the PRTB.

Civil Servants on secondment are covered by Civil Service pension arrangements. The Civil Service Superannuation Schemes are defined benefit schemes which are unfunded and administered by the Department of Finance. There is no charge in the financial statements for any further superannuation liabilities which may arise in respect of these staff.

A defined benefit superannuation scheme, as approved by the Minister for the Environment, Community and Local Government with the consent of Minister for the Public Expenditure and Reform under S.I. No. 625 of 2011, known as the Private Residential Tenancies Board Superannuation Scheme 2011, applies to the staff of the PRTB. Benefits are financed on a “pay as you go” basis. Staff pension entitlements do not extend beyond the standard entitlements in the model public sector defined benefit superannuation scheme.

The valuation used for FRS 17 disclosures has been based on a full actuarial valuation by a qualified independent actuary to take account of the requirements of FRS 17 in order to assess the scheme liabilities at 31 December 2012.

The financial assumptions used to calculate scheme liabilities were:

	31 December 2012 €'000	31 December 2011 €'000
Discount rate	5.5%	5.5%
Salary increase assumption	4.0%	4.0%
Pension increase assumption	4.0%	4.0%
Price inflation	2.0%	2.0%

12. Late Payments in Commercial Transactions

The Board is aware of its responsibilities under the Late Payments in Commercial Transactions Regulations 2002 and has established appropriate procedures and processes to ensure that all payments are made in accordance with the Regulations. The Board has calculated its liability for the year ended 31 December 2012 to be €159 (2011: €1,275).

13. Unsolved Cases

The Board had 1,015 dispute resolution cases awaiting hearing at 31 December 2012. As the cost of the dispute resolution process varies greatly from case to case no provision for these unresolved cases registered prior to 31 December 2012 is included in the Financial Statements. In addition, approximately 104 cases are at various stages of enforcement proceedings through the courts, the costs of which are not yet known and no provision exists in the Financial Statements.

Notes

(forming part of the financial statements)

14. Board Members Interests

The Board adopted procedures in accordance with guidelines issued by the Department of Finance in relation to the disclosure of interests by Board Members and these procedures have been adhered to in the year. There were no transactions in the period in relation to the Board's activities in which the Board Members had any beneficial interest.

15. Directors & Board Members Remuneration

Directors' Remuneration

Directors' Salary €92,352

The Director is engaged under a secondment arrangement from the Department of Environment, Community and Local Government which pays her salary. The amounts disclosed above were paid to the Department as reimbursement of salary. The Director was not in receipt of any bonuses or benefit in kind in 2012. The Directors' pension entitlement does not extend beyond the standard entitlements in the model public sector defined benefit superannuation scheme.

Board Member	Fees (€)
Orla Coyne, Chairperson	28,497
Gene Feighery	12,011
Tricia Sheehy Skeffington	9,292
Vincent P Martin	9,051
Finian Matthews	14,138
Thomas J Reilly	15,818
John Tiernan	11,817
Tim Ryan	7,008
Total	107,632

The above figures refer to actual payments made to Board Members during 2012. As a result of their nature some of these payments relate to meetings attended in 2011. The figure included in Note 4b for Board Members Fees is calculated on an accruals basis for all meetings attended during 2012, regardless of when the payments were made. The Board also received a combined total of €6,628 in for miscellaneous payments, including training and interviewing in 2012. Furthermore, fees have not been paid to Board Members who are also full-time public servants.

Board members were also reimbursed a total of €7,633 for travel and subsistence incurred for attendances at meetings and Tribunals. These were paid in accordance with the Department of Finance guidelines.

Notes

(forming part of the financial statements)

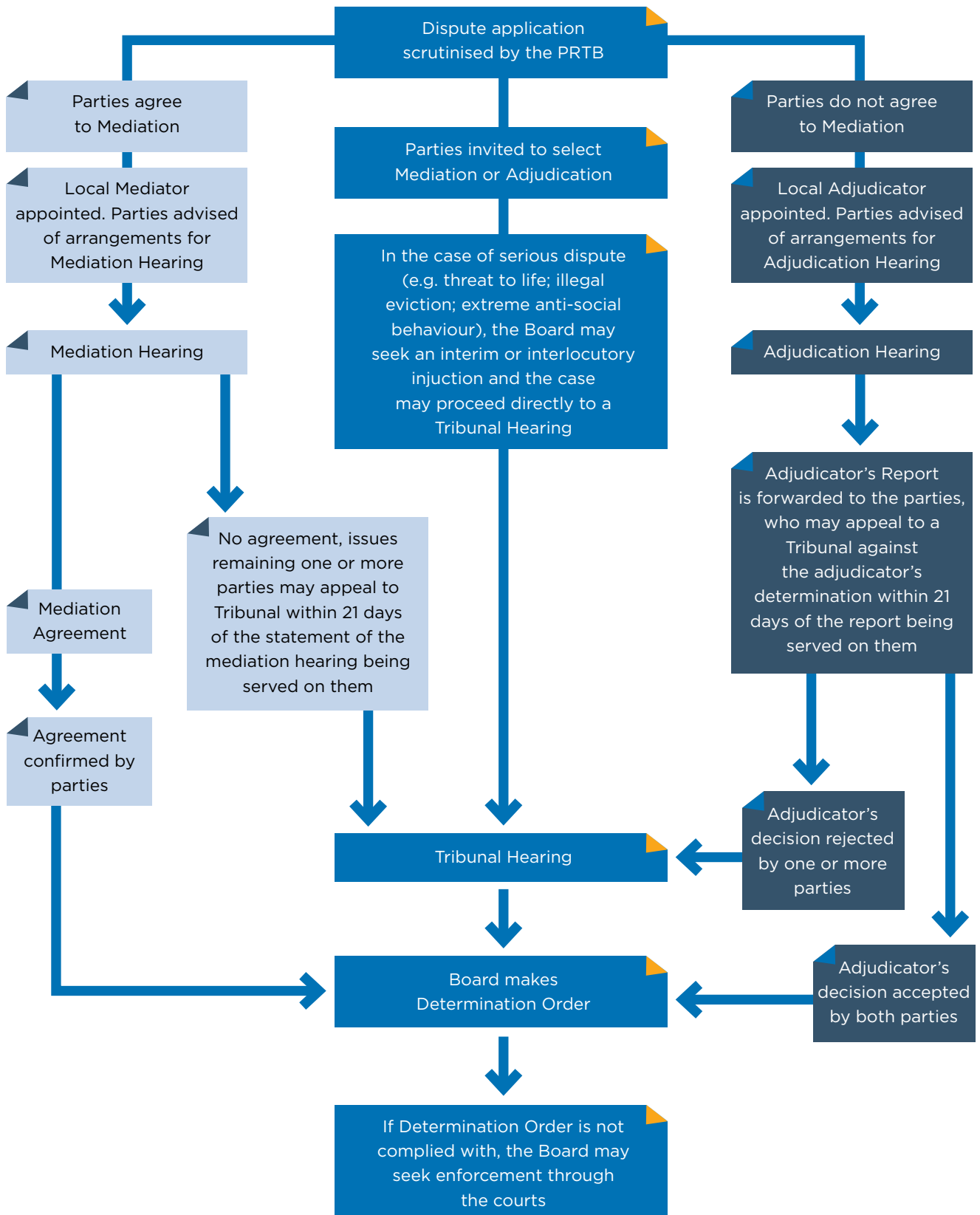
16. Approval of Financial Statements

The Financial Statements were approved by the Board on 26th February 2013. They were submitted to the C & AG on 18 April 2013. Final Financial Statements for 2012 will be published on the PRTB website when the C & AG audit is completed.

Subject to C & AG Audit

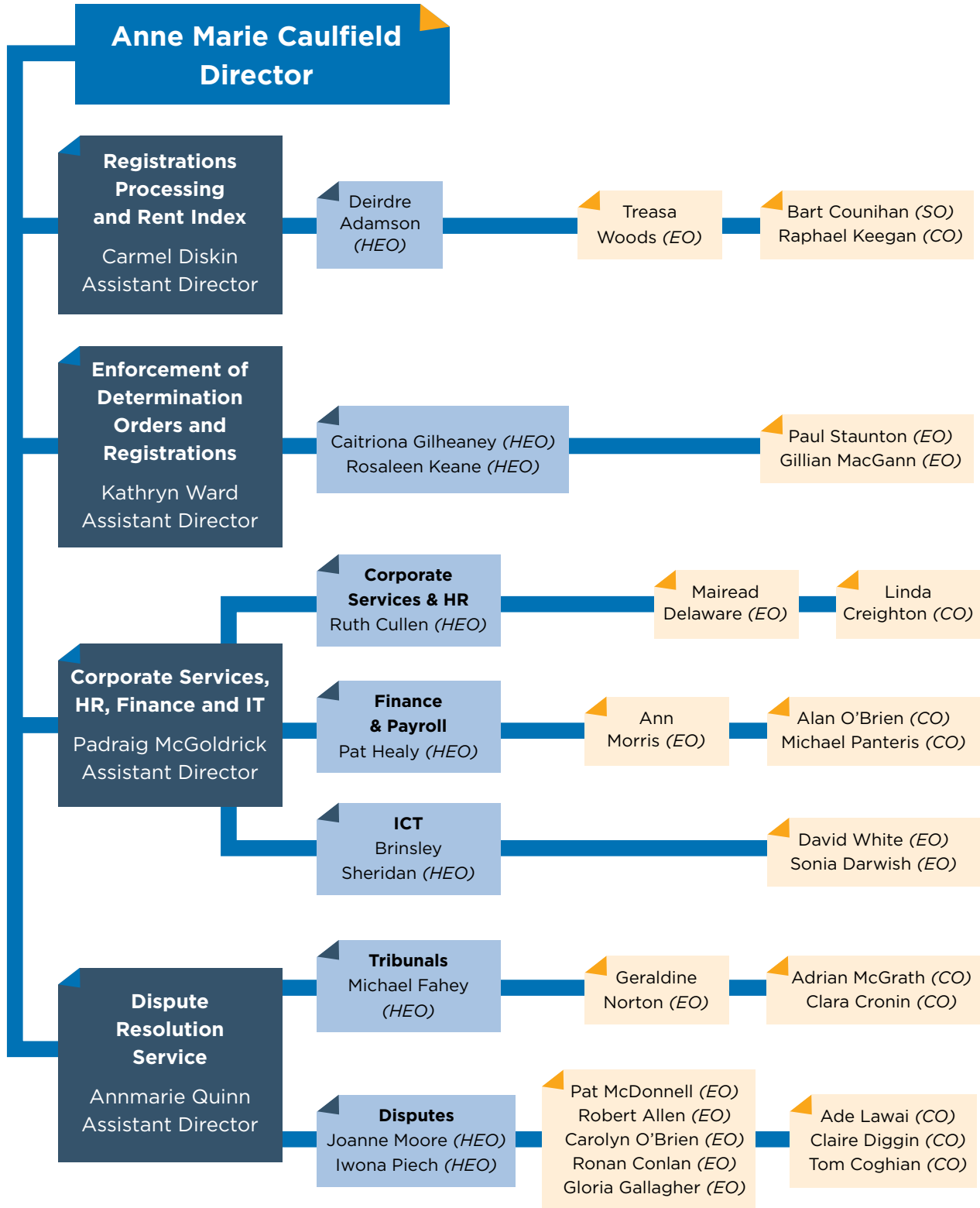
Appendix 1

Dispute Resolution Process



Appendix 2

PRTB Organisation Chart



For the purpose of assisting in the Enforcement of Determination Orders and Non compliant landlords, a number of legal Executives/Solicitors from the firm of Solicitors, Eversheds, have been working on site in the PRTB.

HEO - Higher Executive Officer EO - Executive Officer SO - Staff Officer CO - Clerical Officer



Tuarascáil Bhlíantúil agus Cuntais **2012**



MISEAN

Earnáil cónaithe cíosa atá dea-rialaithe a fhorbairt agus a choinneáil in Éirinn a rachaidh chun tairbhe tiarnaí talún, tionóntaí agus an tsochaí i gcoitinne trí chlár náisiúnta tionóntachtaí ar ardchaighdeán a sholáthar, sásraí gairmiúla nua-aimseartha a chur ar fáil chun díospóidí tionóntachta a réiteach ar bhealach caoithiúil cost-éifeachtúil agus cothrom, agus faisnéis agus comhairle a chur ar fáil lena bhfeabhsaítear an t-eolas agus an tuiscint maidir leis an earnáil.

FÍS

Earnáil tithíochta ar cíos atá ag feidhmiú go maith in Éirinn agus atá cothrom, inrochtana agus tairbhiúil do chách.

LUACHANNA

Is mian leis an BTCP tacar luachanna a thaispeáint a bhíonn mar bhonn agus mar thaca leis an mbealach ina n oibríonn sé le páirtithe leasmhara agus ina n idirghníomhaíonn sé leo. Tá na luachanna seo a leanas fóirthábhachtach chun ár bhfís, ár misean agus ár sainordú a chomhlíonadh:

- › Cothroime do thiarnaí talún agus do thionóntaí
- › Rannpháirtíocht réamhghníomhach le haghaidh torthaí níos tapúla, níos cost-éifeachtúla
- › Díriú ar chliaint agus ar cháilíocht
- › Éifeachtúlacht agus gairmiúlacht
- › Seirbhís luach ar airgead don tsochaí
- › Oscailteacht agus freagrúlacht i leith athraithe
- › A bheith mar chatalaíoch d'fheabhas san earnáil cónaithe ar cíos

SAINORDÚ

Tá sainordú an Bhoird um Thionóntachtaí Cónaithe Príobháideacha sainithe ag an Acht um Thionóntachtaí Cónaithe 2004 (Alt 151), agus is féidir achoimre a dhéanamh air mar seo a leanas:

- › díospóidí idir tionóntaí agus tiarnaí talún a réiteach;
- › sonraí a chlárú maidir le tionóntachtaí i dtithíocht ar cíos san earnáil phríobháideach;
- › comhairle a sholáthar don Aire maidir le beartas i leith tithíocht ar cíos san earnáil phríobháideach;
- › treoirlínte a fhorbairt agus a fhoilsiú le haghaidh dea chleachtais dóibh siúd a bhfuil baint acu le tithíocht ar cíos san earnáil phríobháideach;
- › faisnéis a bhaineann le tithíocht ar cíos san earnáil phríobháideach a bhailiú agus a sholáthar, lena n áirítear faisnéis a bhaineann le leibhéil reatha cíosa;
- › taighde a dhéanamh ar thithíocht ar cíos san earnáil phríobháideach agus monatóireacht a dhéanamh ar fheidhmiú ghnéithe áirithe den earnáil nuair a cheapann an Bord go bhfuil sin iomchuí;
- › athbhreithniú a dhéanamh ar fheidhmiú an Achta agus achtacháin ghaolmhara ar bith, agus moltaí a dhéanamh don Aire maidir le leasuithe ar an Acht sin;
- › feidhmeanna ar bith eile a thugtar don Bhord a chur i gcrích

Níl sainordú ag an BTCP faoi láthair ach amháin chun na feidhmeanna sin a chur i gcrích laistigh den earnáil phríobháideach tithíochta ar cíos ach tugann sé ar aird gur féidir leis an Aire earnálacha eile den mhargadh foriomlán a shannadh dó cosúil leis an Earnáil Comhlachtaí Tithíochta Ceadaithe, agus feidhmeanna margaidh eile cosúil le Scéim Coinneála Taisce, i gcomhréir leis an tírdhreach polaitiúil agus reachtúil atá ag athrú. Tá an BTCP tiomanta do ghnéithe breise mar sin a chur lena shainordú ar bhealach éifeachtúil agus éifeachtach má bhíonn gá leis agus nuair a bhíonn gá leis, faoi réir na n-acmhainní riachtanacha a bheith ann.

Ábhar

Ráiteas an Chathaoirligh	4
Achoimre Feidhmiúcháin na Stiúrthóirí 2012	6
Comhaltaí Bhord an BTCP	8
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Ráiteas an Chathaoirligh



Tuarascáil Bhliantúil 2012

Is onóir dom gur ceapadh mé mar Chathaoirleach ar an BTCP le gairid. De réir mar

a scríobhaim ráiteas traidisiúnta an Chathaoirligh le haghaidh thuarascáil bhliantúil 2012 is deis é chun measúnú a dhéanamh ar sheasamh an BTCP faoi láthair agus tugann sé am dúinn machnamh a dhéanamh ar cad atá bainte amach go dtí seo.

Agus muid á dhéanamh sin, ba mhaith liom tréaslú le Cathaoirligh a bhí ar an mBord romham an tUasal Orla Coyne agus Tom Dunne as a dtiomantas agus a ndíograis agus le baill an bhoird roimhe seo agus le baill atá ar an mbord le fada an lá a thug treoir agus cabhair don BTCP trí bhlianta dúshlánacha.

Is deis atá ann domsa freisin, mar Chathaoirleach, measúnú a dhéanamh ar na réimsí ar mhaith liom tuilleadh dul chun cinn a dhéanamh iontu agus na bealaí ina féidir leis an BTCP ár gcuid seirbhísí a fhorbairt agus a fheabhsú do raon leathan páirtithe leasmhara, agus tiarnaí talún agus tionóntaí ina measc thar aon dream eile.

Fáilte roimh an dul chun cinn...

Táim an-tógtha leis an mbealach inar athraigh an BTCP an bealach ina ndéantar a chuid seirbhísí a sheachadadh trí fháiltiú roimh bheartas Rialtais “níos mó a dhéanamh le níos lú” trí leas a bhaint as TFC, eisfhoinsiú agus as seirbhísí comhroinnte. I mí Iúil 2008 rinneadh measúnú ar chórais TFC sa BTCP i dtuarascáil neamhspleách ina bhfuarthas amach “gurb ionann na córais agus na próisis ghnó a thugann tacaíocht do na seirbhísí rialála faoi láthair agus meascán d’fhreastalaithe, d’fheidhmchláir, de bhailiúcháin sonraí agus de nósanna imeachta a dhéantar de láimh. Ní raibh straitéis TFC ag an BTCP riamh, agus dá bhrí sin is ar bhonn ad-hoc a tháinig athrú ar bhonneagar teicniúil na heagraíochta”. Tá an BTCP gearáilte go maith anois ó thaobh TFC de. Anuas ar an gcóras clárúcháin ar líne, rinneadh forchéimniú in 2012 ar sheirbhísí díospóide ar líne, ar bhainistiú cásanna leictreonacha, tugadh rochtain shlán chianda trí thairseacha, agus cuireadh láithreán Gréasáin nua-aimseartha, inrochtana ar fáil.

Cuireadh tograí nuálacha TFC de chuid an BTCP ar an ngearrliosta le haghaidh Gradam TFC na hÉireann faoi dhó le trí bliana anuas. D’fháiltigh an BTCP roimh bheartas um sheirbhísí comhroinnte an Rialtais freisin trí chlár fhorleathana malartaithe sonraí a chur i bhfeidhm le Ranna agus le Gníomhaireachtaí Stáit eile, tugadh rianú leictreonach isteach agus deimhniú maidir le seachadadh poist doiciméad dlí, tugadh isteach Innéacs Cíosa atá á óstáil ag an bPríomh-Oifig Staidrimh, agus thug na Coimisinéirí Ioncaim saoráidí um aisghabháil tubaiste isteach, agus cinn nach iad.

Le linn 2012, chuir an BTCP tairiscint isteach ar sheirbhísí eisfhoinsithe a bhain le gníomhaíocht a lárionad glaonna agus le seirbhísí bainistíochta doiciméad. Bronnadh an conradh ina dhiaidh sin ar SouthWestern i gCloich na Coillte agus chuaigh an dá thogra beo i mí Dheireadh Fómhair agus i mí na Samhna 2012. Rinneadh na hathruithe sin go léir in ainneoin go raibh an fhoireann laghdaithe ó 70 go dtí 35. Íocadh as freisin amach as acmhainní an BTCP féin, agus choinnigh an Bord a stádas féinmhaoinithe don tríú bliain as a chéile.

Dúshláin amach anseo...

MÉID NA HEARNÁLA: Tá fás thar cuimse ag teacht ar an earnáil phríobháideach cíosa. Taispeántar i nDaonáireamh 2011 go bhfuil 29% den daonra anois ina gcónaí in áitreabh ar cíos, .i. 475,000 teaghlach, agus tá 65% (308,750) díobh sin san earnáil phríobháideach, 30% san earnáil phoiblí, agus 5% san earnáil dheonach. Tá 29% de theaghlaigh ag baint leasa as an earnáil cíosa anois, i gcomparáid le 22% in 2002 – aistriú struchtúrach i dtreo cíosa. Tá an chosúlacht air go leanfar den treocht sin, agus níos lú soláthar díreach de thithíocht Údarás Áitiúil ar fáil, deacrachtaí morgáistí a fháil, agus níos lú muiníne ó thaobh fostaíochta agus praghsanna tithe. I bhfocail eile, ní raibh an earnáil phríobháideach cíosa chomh tábhachtach riamh i dtéarmaí riachtanais tithíochta mhuintir na hÉireann.

SAINCHÚRAM LEATHNAITHE: Beidh an Earnáil Comhlachtaí Tithíochta Ceadaithe faoi shainchúram an BTCP den chéad uair freisin. Tá áthas ar Bhord agus ar fhoireann an BTCP an earnáil thábhachtach sin a áireamh laistigh dár sainchúram, agus táimid meáite ar a chinntiú go bhfreastalaímid ar riachtanais na hearnála seo go héifeachtach agus go héifeachtúil.

TRÉIMHSÍ PRÓISEÁLA: Is cúis imní dúinn go bhfuil sé ag tógáil suas le 12 mhí díospóidí a réiteach. I gcásanna áirithe, i gcás nach bhfuil cíos á íoc leis an tiarna talún, nó i gcás ina dteastaíonn ó thionónta éarlais nó taisce a fháil ar ais chun tionóntacht nua a fháil, tarlaíonn cruatan mór nuair a bhíonn moill ann é seo a dhéanamh. Tá an BTCP tiomanta é sin a laghdú go dtí seacht mí faoi dheireadh 2013, agus níos giorra arís ina dhiaidh sin. Beidh an Bord i mbun monatóireacht ghrinn ar an dul chun cinn maidir le tréimhsí próiseála a laghdú. Oibreoidimid freisin leis an Roinn lena chinntiú go mbeidh na hacmhainní cearta ag an mBord.

REACHTAÍOCHT: Tuigimid ar fad go bhfuil an tAcht um Thionóntachtaí Cónaithe an-chasta. Tarlaíonn moill mar gheall air sin agus bíonn easpa tuisceana ann ó thaobh cearta agus oibleagáidí daoine aonair. Tugann an Bille um Thionóntachtaí Cónaithe (Leasú) deis dúinn sa deireadh thiar dul i ngleic leis na saincheisteanna sin. Tapóidh an Bord gach deis chun rannchuidiú le forbairt na reachtaíochta. Táimid ag tnúth le bearta lena ndéantar cuíchóiríú ar nósanna imeachta inmheánacha agus ina rachfar i ngleic le saincheisteanna atá á gciapadh le fada an lá cosúil le héarlaisí a choinneáil agus riaráistí cíosa.

SCÉIM CHOSANTA TAISCI: D'fhógair an tAire go bhfuil sé mar rún ag an Rialtas seasamh leis an tiomantas a rinneadh sa Chlár don Rialtas Scéim Chosanta Taiscí a thabhairt isteach in Éirinn. Rinne an BTCP coimisiúnú ar thaighde le Indecon Economic Consultants cheana féin maidir le hinmharthanacht airgeadais scéim den sórt sin. Cuireadh é sin faoi bhráid an Aire i mí na Samhna 2012 agus tá sé ar fáil ag an bpobal ar láithreán Gréasáin na Roinne Comhshaoil. Cé nach léir ag an bpointe seo cén ról a shamhlaíonn an tAire a bheidh ag an BTCP sa scéim nua, tá an Bord agus an fhoireann tiomanta oibriú i dtreo bhunú rathúil na scéime nua i cibé cáil a shocraíonn an Rialtas.

Is tréimhse bhríomhar é don BTCP. Táthar ag súil go mbeidh toradh maith ar obair chrua na foirne, na stiúrthóireachta agus an bhoird le roinnt blianta anuas do sheirbhísí cuíchóirithe. Tugtar faoi deara ar ndóigh nach mór dúinn a bheith tiomanta fós agus airdeallach maidir leis an obair atá amach romhainn agus a bheith ag féachaint i gcónaí lenár seirbhís a fheabhsú agus a bhrú chun cinn ar mhaithe lenár n-úsáideoirí go léir.

An tUasal Caitríona Walsh,

Cathaoirleach

Achoimre Feidhmiúcháin na Stiúrthóirí 2012

Achoimre Feidhmiúcháin na Stiúrthóirí maidir le Gníomhaíochtaí 2012



Dul chun cinn mór

Ba bhliain mhór a bhí in 2012 ó thaobh nuachóiriú leanúnach an BTCP. In Aibreán

2012 chuaigh togra TFC an-tábhachtach, an chéim dheiridh den Chóras Bainistíochta Tionóntachta (TMS) beo.

Leis sin déantar bainistíocht cásanna go leictreonach ar chomhaid Díospóide, ar iarratais Díospóide ar líne agus cuirtear rochtain shlán chianda ar fáil trí thairseach d'Idirghabhálaithe, do Bhreithneoirí agus do Chomhaltaí Binse. Seachas an córas TFC nua a thástáil agus a sheoladh, rinneadh scanadh ar os cionn 1,000 comhad Díospóide reatha / uaslódáladh iad agus cuireadh oiliúint ar bun do gach úsáideoir.

Tugadh isteach eisfhoinsiú sa BTCP le linn na bliana freisin. I ndiaidh tairisceana idirphlé iomaíoch a mhair thar cúpla mí, bronnadh an conradh ar SouthWestern, bunaithe i gCloich na Coillte. Eisfhoinsíodh gníomhaíocht an lárionaid glaonna i mí Dheireadh Fómhair agus chuaigh an tseirbhís Bainistíochta Doiciméad, lena n-áirítear, clárúcháin, beo i mí na Samhna. Laghdaíodh foireann an BTCP ó 50 go dtí 35 le linn 2012, agus rinneadh gearradh siar ó 70 go dtí 50 ar an bhfoireann an bhliain roimhe sin. Bhí an BTCP fós á mhaoiniú féin don tríú bliain as a chéile.

Obair Leanúnach

Clárúcháin: Cláraíodh 97,181 tionóntacht nua in 2012. Faoi dheireadh na bliana bhí 264,434 tionóntacht ar Chlár an BTCP. Is bunachar sonraí an-luachmhar é seo don phobal a chuirtear ar fáil do na Coimisinéirí Ioncaim chun críocha bailithe cánach (m.sh. an Cháin Mhaoine Áitiúil), don Roinn Coimirce Sóisialaí (forlíonadh cíosa agus aimsiú calaoise) agus d'Údaráis Áitiúla. Maoinítear gníomhaíochtaí an BTCP leis na táillí clárúcháin €90. In 2012 d'íocamar €2.2m freisin le hÚdaráis Áitiúla chun an córas iniúchta íoschaighdeán a mhaoiniú.

In 2012, le cúnadh ó chóras nua TFC, agus comhoibriú níos dlúithe arís le comhlachtaí eile san earnáil phoiblí, chuir an BTCP dlús le gníomhaíochtaí i gcoinne tiarnaí talún nach bhfuil cláraithe. Eisíodh 43,549 fógra forfheidhmithe/litreacha rabhaidh ó aturnaetha do Thiarnaí Talún in 2012.

Díospóidí

Fuair an BTCP 2,272 iarratas maidir le díospóidí a bhain le 4,224 sárú líomhnaithe ar an Acht. Ar an gcéad dul síos, cuirimid Seirbhísí Idirghabhála agus Breithnithe ar fáil ar chostas €25. Féadfar achomharc a dhéanamh ar an toradh chuig Binse ar a mbíonn triúr laistigh de 21 lá ar chostas €100. Fuair an BTCP 268 achomharc chuig an mBinse in 2012; is ó thionóntaí a tháinig 60% de na hiarratais ar dhíospóid, 37% ó thiarnaí talún agus 3% ó thríú páirtithe.

Bhain ocht gcéad is tríocha a sé de na hiarratais díospóide le héarlaisí tionóntaí a líomhnaíodh a bheith á gcoinneáil go neamhdhleathach. Is ionann éarlais agus airgead an Tionónta. Níl an tiarna talún i dteideal a choinneáil ach an chuid sin den éarlais a chúitíonn damáiste a rinneadh a bhí níos measa ná gnáthchaitheamh agus gnáthchuimilt, nó mar gheall ar riaráistí cíosa, nó aon bhillí fóntais gan íoc. As na cásanna a socraíodh in 2012, aisíocadh an éarlais go hiomlán leis an tionónta i 33% de chásanna; choinnigh an tiarna talún go hiomlán é i 24% de chásanna, agus ceadaíodh aisíoc i bpáirt leis an tionónta i 43% de chásanna. Táthar ag súil go rachfar i ngleic leis an bhfadhb a bhaineann le hÉarlaisí a choinnítear go neamhdhleathach sa Scéim Chosanta Taiscí, a reachtófar dó in 2013.

Ba riaráistí cíosa a bhí i gceist le 32% de na hiarratais ar dhíospóidí chuig an BTCP, nó 719 iarratas in 2012. Sin méadú 129% i gcásanna riaráiste cíosa le ceithre bliana anuas. Tá sé de dhualgas de réir an dlí ar thionóntaí cíosa íoc, fiú má tá siad i ndíospóid. Tá sé i gceist an reachtaíocht a athrú in 2013 ionas go mbeidh sé níos éasca tionóntacht a fhoirceannadh i gcás nach bhfuil cíosa á íoc. Tá sé i gceist freisin go n-íocfar íocaíochtaí Forlíonadh Cíosa go díreach le Tiarnaí Talún cláraithe d'fhonn mí-úsáid an chórais sin a chosc.

Forfheidhmiú

Fuair an BTCP 346 iarratas nua ar Orduithe Cinnidh a bhain le Forfheidhmiú in 2012. Bhain sé sin le cásanna nár comhlíonadh cinneadh nó breithiúnas an BTCP. Is faoi na páirtithe i gcás an dámhachtain / cinneadh a fhorfheidhmiú tríd na Cúirteanna ar a son féin, nó féadfaidh bord an BTCP socrú é sin a dhéanamh. Bhí líon na n-iarratas a fuarthas ó thiarnaí talún (180) beagán níos mó ná iad sin a fuarthas ó thionóntaí (161), agus bhí 5 iarratas eile ann. Léirítear leis sin an treocht sna hiarratais díospóidí a fuarthas agus léirítear gur ceist thromchúiseach atá ag dul i

meid é ceist na riaráistí cíosa anois. Déantar gach iarracht an cheist a réiteach gan dul chun cúirte, lena n-áirítear íocaíochtaí i dtráthchodanna. Ní bhítear in ann páirtí is freagróir i gcás a aimsiú i gcónaí (m.sh. nuair nach bhfuil cónaí ar an bpáirtí sa tír níos mó). Mar sin féin, cuireadh 263 comhad ar aghaidh chuig ár gComhairleoirí Dlí in 2012 (bhain 81 cás le hiarratais forfheidhmithe ó 2012; bhain 182 le cásanna a bhí fós ag dul ar aghaidh ag deireadh 2011). Maidir le cásanna a éisteadh sa chúirt le linn 2012, fuarthas ciontuithé Alt 126 (coiriúil) i gceithre chás agus fuarthas Orduithe Alt 124 (Ionchúisimh Shibhialta) i 91 cás.

Taighde

Choimisiúnaigh an BTCP agus rinne sé maoirsiú ar phíosaí tábhachtacha taighde le linn 2012. Ina measc bhí measúnú Indecon ar inmhharthanacht airgeadais na Scéime Cosanta Taiscí in Éirinn (foilsithe i mí na Samhna 2012) agus Innéacs Cíosa Hedonic na hInstitiúide Taighde Eacnamaíochta agus Sóisialta (ESRI) / na Tuarascála maidir le Meán-Chíos (a seoladh go luath in 2013).

Buíochas

Ba mhaith liom buíochas a ghabháil lenár gCathaoirleach atá ag éirí as, an tUasal Orla Coyne, agus lena Comhghleacaithe ar an mBord as a gcuid oibre thar ceann an BTCP. Thosaigh Cathaoirleach reatha an BTCP, an tUasal Caitríona Walsh i mbun oibre i mí Aibreáin 2013. Guím gach rath uirthi féin agus ar na Comhaltaí Boird nua. Táim ag tnúth le bheith ag obair leo.

Bhí ról gníomhach ag ár ngeallsealbhóirí tiarnaí talún agus tionóntaí i bhforbairt an BTCP agus táim buíochas an aiseolas stuama a chuir siad ar fáil. Tréaslaím freisin lenár gcomhghleacaithe sa Roinn Comhshaoil as a gcuid tacaíochta, go háirithe maidir leis an reachtaíocht a athchóiriú agus a chuíchóiriú.

Ba mhaith liom buíochas a ghabháil le bainistíocht shinsearach an BTCP, Kathryn Ward, Pdraig McGoldrick, Carmel Diskin agus Janette Fogarty/ Annmarie Quinn as a gcuid oibre le linn na bliana, ní hamháin gur oibrigh siad ar ualach oibre níos mó, ach freisin chuir siad roinnt tograí nuachóirithe tábhachtacha i bhfeidhm. Ar deireadh, gabhaim buíochas le foireann an BTCP as a gcuid solúbthachta, a dtiomantas agus a ndearcadh dearfach ag amanna a bhí sách dúshlánach.

Anne Marie Caulfield

Stiúrthóir

Comhaltaí an Bhoird



1. Orla Coyne Aturuae
(Cathaoirleach)

2. Gene Feighery
Comhshaolaí

3. Vincent P. Martin
Abhcóide

4. Finian Matthews
Státseirbhíseach ar scor

5. An Dr Eoin O'Sullivan
*Ollamh Comhlach i mBeartas Sóisialta,
Coláiste na Tríonóide, Baile Átha Cliath*

6. Thomas J Reilly
Gairmí Maoine

7. John Tiernan
Iar-Bhainisteoir Contae

8. Conn Murray
Bainisteoir Contae

9. Joseph Meehan
Státseirbhíseach, An Roinn Coimirce Sóisialaí

10. Paula O'Reilly
*Státseirbhíseach, an Roinn Comhshaoil,
Oidhreacht agus Rialtais Áitiúil*

11. Tim Ryan
Sainchomhairleoir PR

12. Tricia Sheehy Skeffington
Abhcóide

Aidan Brennan, Státseirbhíseach, An Roinn Comhshaoil, Pobail & Rialtais Áitiúil – D'éirigh as Feabhra 2012

An Bord agus a Struchtúir Rialachais

Comhaltaí Boird

Is é an tAire a cheapann Comhaltaí an Bhoird mar dhaoine a bhfuil taithí acu sa réimse saineolais atá ábhartha d'fheidhmeanna an Bhoird (Alt 153 den Acht). Tá an BTCP tiomanta do na caighdeáin rialachais chorparáidigh is fearr a chothabháil de réir an Chóid Chleachtais um Rialachas Comhlachtaí Stáit. D'ullmhaigh an Bord Cóid Iompair Ghnó do na Comhaltaí Boird, an Stiúrthóir, an Fhoireann, agus le haghaidh Breithneoirí agus Idirghabhálaithe, agus ghlac an Bord leis na Cóid Iompair seo. D'ullmhaigh sé Straitéisí Corparáideacha 3 bliana agus Pleananna Bliantúla Gnó freisin.

Tháinig an Bord le chéile 37 uair i rith 2012 chun déileáil le nithe a bhain le Beartas agus le Díospóidí. Ina theannta sin, réachtáladh 33 cruinniú de 6 choiste an Bhoird. Íocadh táillí iomlána arbh fhiú €207,592 iad (OII) le comhaltaí an Bhoird in 2012. Bhain €107,632 de seo le freastal ar chruinnithe boird (Beartas, Díospóidí & Coistí) agus €93,077 le hobair a bhain le Binsí. Chun miondealú a fháil de Tháillí Binsí do Chomhaltaí Boird agus do Chomhaltaí CRD nach bhfuil ar an mBord, féach an Rannóg Binsí (leathanach 25).

Íocadh €7,633 ar an iomlán le comhaltaí an bhoird freisin as costais taistil agus cothaithe a thabhaigh siad chun freastal ar chruinnithe agus ar Bhinsí de réir threoirlínte na Roinne Airgeadais.

Is iad seo a leanas na táillí a íocadh in 2012 i leith dualgas a bhain leis an mBord:

Gníomhaíocht	Táillí éifeachtach ón 1 Bealtaine 2012 ar aghaidh
Cruinnithe Boird/Cruinnithe Coiste/Oiliúint	€196
Cruinnithe Boird/Cruinnithe Coistí - Cathaoirleach	€217
Cruinnithe Díospóidí	€348
Cruinnithe Díospóidí / Cathaoirleach	€543
Binsí	€525*
Binsí / Cathaoirleach	€1,090*

*Tá táille tuarascála san áireamh anseo.



Tinreamh agus Luach Saothair Chomhaltaí an Bhoird 2012

Leagtar amach thíos tinreamh na gComhaltaí Boird ag cruinnithe agus a rannpháirtíocht in obair eile a bhain leis an mBord i rith 2012, mar aon leis na táillí a íocadh leo sa tréimhse idir an 1 Eanáir agus an 31 Nollaig 2012.

Comhalta Boird	Number of Meetings attended in 2012			Táillí a Fuarthas
	Beartas an Bhoird	Díospóidí an Bhoird	Coistí & Oiliúint	
(méid comhlán)	13	21	19	€30,071****
Aidan Brennan **	2	0	2	–
Gene Feighery	12	21	9	€12,795
Vincent P. Martin	10	17	4	€9,639
Finian Matthews	14	22	11	€14,922
Joseph Meehan**	6	0	8	–
Conn Murray**	4	0	4	–
An Dr. Eoin O’Sullivan**	13	4	7	€546
Thomas J Reilly	13	22	27	€16,406
John Tiernan	10	17	20	€12,209
Tim Ryan*	12	11	9	€7,792
Tricia Sheehy Skeffington*	12	16	8	€9,880
Paula O’Reilly* **	11	11	11	–
Iomlán Líon na gCruinnithe	14	23		€114,260

Is figiúirí comhlána iad na figiúirí thuas agus iad incháinite go hiomlán.

* Ar an mBord in 2012

** Níor íocadh táillí leis na comhaltaí boird seo toisc gur státseirbhísigh lánaimseartha iad.

**** Áirítear leis an bhfigiúr seo freisin íocaíocht a rinneadh leis an gCathaoirleach as 43 cruinniú breise a bhain le gnó an BTCP.

(Íocadh táille €546 leis an Dr Eoin O’Sullivan as a bheith rannpháirteach ag seimineár oiliúna agus as agallaimh a chur).

Rialachas an BTCP: Gníomhaíocht & Ballraíocht Coistí

De réir Alt 157 den Acht um Thionóntachtaí Cónaithe 2004, bhunaigh an Bord roinnt coistí chun cabhrú leis a fhreagrachtaí a chomhlíonadh:

1. An Coiste Réitithe Díospóide

Orla Coyne (*Cathaoirleach*)
 Jim Bridgeman
 Kieran Buckley
 Anne Colley
 Charles Corcoran
 Tom Dunne
 Ciara Doyle
 Mary Doyle
 Gene Feighery
 Geraldine Feeney
 Mary Heaslip
 Michael Irvine
 Nesta Kelly
 Anne Leech
 John Lynch
 Vincent P. Martin
 Finian Matthews
 Fintan McNamara
 Claire Millrine
 Louise Moloney
 Mary Morris
 Henry Murdoch
 Liam Nolan
 Maurice O'Donoghue
 Cian Ó Lionáin
 An Dr. Eoin O'Sullivan
 Dervla Quinn
 An tOllamh Bairbre Redmond
 Tim Ryan
 Tricia Sheehy Skeffington
 John Tiernan

Tugann Alt 159 den Acht um Thionóntachtaí Cónaithe 2004 cumhacht do Bhord an BTCP Coiste Réitithe Díospóide a bhunú agus feidhmeanna a tharmligean chuige, agus comhaltaí a cheapadh ar an gCoiste sin. Is éard atá i gCoiste Réitithe Díospóide (CRD) an BTCP ná an painéal óna roghnaítear comhaltaí na mBinsí Tionóntachta ar a mbíonn triúr. Toisc nach féidir Cinntí na mBinsí a achomharc ach chuig an Ard Chúirt amháin, agus é sin maidir le pointe dlí, bíonn feidhm ghar-bhreithiúnach thábhachtach ag comhaltaí an CRD.

Déanann an Binse ar chur i gcrích éisteachta cinneadh agus tugann siad fógra don Bhord maidir leis an gcinneadh, de bhun Alt 108(1) den Acht. Ina dhiaidh sin déanann an Bord, i gcomhréir le hAlt 121 den Acht, Ordú Cinnidh atá ceangailteach ó thaobh dlí de agus eisítear é sin do na páirtithe lena mbaineann in éineacht leis na saincheisteanna i dTuarascáil an Bhinse. Reáchtáladh 196 Binse dá leithéid i rith 2012. Reáchtáil an Coiste Réitithe Díospóide a chruinniú bliantúil an 21 Samhain 2012.

2. An Coiste Taighde, Oideachais agus Feasachta

Dr. Eoin O'Sullivan
 (*Cathaoirleach*)
 Orla Coyne
 Tom Dunne
 Bob Jordan
 Gene Feighery
 Thomas J Reilly
 An Dr. Áine Ryall
 John Leahy

Rinne an Coiste Taighde, Oideachais agus Feasachta (Coiste TOF) maoirsiú ar an taighde seo a leanas in 2012:

- An cumasc atá beartaithe den BTCP agus an tÚdarás Rialála Seirbhísí Maoine

- › An Fhéidearthacht a bhaineann le Scéim Chosanta Taiscí Tionóntachta in Éirinn le Indecon (The Feasibility of a Tenancy Deposit Protection Scheme in Ireland) Cuireadh é sin faoi bhráid an Aire i mí Dheireadh Fómhair 2012.
- › Chuir an Coiste TOF tairiscint isteach freisin le haghaidh Innéacs Cíosa BTCP agus ceapadh an ESRI chun an obair sin a dhéanamh.

Bhí an Coiste i mbun cruinnithe i mí na Bealtaine agus i mí na Samhna le geallsealbhóirí lárnacha cosúil leis an IPOA, IPAV, Cumann na Suirbhéirí Cairte Éire, IrishLandlord.com, Focus Ireland, Threshold agus Aontas na Mac Léinn in Éirinn (USI). Rinne an BTCP urraíocht ar Leabhar Cíosa do Mhic Léinn i gcomhar leis an USI, a seoladh ag tús na bliana acadúla i mí Mheán Fómhair 2012.

3. An Coiste Iniúchóireachta

Noel O'Connell
(Cathaoirleach)
Dermot Byrne
Finian Matthews
Cian Ó Lionáin
An Dr. Eoin O'Sullivan

Tá cúigear comhaltaí ar an gCoiste Iniúchóireachta agus is Comhaltaí Boird beirt díobh. Níl an triúr comhaltaí eile fostaithe ag an BTCP. Is é an tUasal Noel O'Connell, Stiúrthóir Iniúchóireachta, Seirbhís Iniúchóireachta an Rialtais Áitiúil Cathaoirleach an Choiste, agus tionóladh é 4 uaire in 2012.

Aontaíodh ar Phlean Iniúchóireachta Inmheánaí 2010-2012 agus rinne Crowleys DFK, Cuntasóirí Cairte, na hathbhreithnithe seo a leanas le linn 2012;

- › Iniúchadh ar Phá agus Tuarastail
- › Iniúchadh ar Rialuithe Airgeadais an BTCP – Tuarascáil Leantach
- › Iniúchadh ar an tSeirbhís Réitithe Díospóidí

4. An Coiste Airgeadais

Orla Coyne (Cathaoirleach)
Aidan Brennan*
John Tiernan
Thomas J. Reilly
Conn Murray
Joseph Meehan
Paula O'Reilly*

**D'éirigh an tUasal Aidan Brennan, RCORÁ as an gcoiste i mí Feabhra 2012 agus tháinig an tUasal Paula O'Reilly, RCORÁ i gcomharba air*

Bhuail an Coiste Airgeadas le chéile 13 uair in 2012. Déanann an Coiste machnamh go mion ar chúrsaí airgid agus beartais an Bhoird; déantar athbhreithniú ar bhuiséid agus ar thuarascálacha airgeadais; tugann comhairle agus déanann moltaí leis an mBord, Stiúrthóir agus leis an mbainistíocht shinsearach. Déanann an Coiste imscrúdú freisin ar chuntais bhliantúla an Bhoird. Is eagraíocht féinmhaoinitheach go hiomlán é an BTCP ó 2009 i leith.

5. An Coiste Reachtach, Cleachtas agus Nós Imeachta

Finian Matthews
(Cathaoirleach ón 7 Noll. 2011)
Orla Coyne
Anne Colley
Vincent P. Martin
Tom Reilly
John Tiernan
William B. Devine

Tháinig an Coiste Reachtach, Cleachtas agus Nós Imeachta le chéile 6 uaire in 2012 chun machnamh a dhéanamh agus comhairle a thabhairt don Bhord maidir le feidhmiú an Achta um Thionóntachtaí Cónaithe agus go háirithe na leasuithe a bhí beartaithe ar an Acht. In 2012, chuir an coiste lámhleabhar de Chleachtas agus Nósanna Imeachta le chéile freisin maidir le réachtáil Binsí.

6. Coiste Alt 189

Orla Coyne *
 Finian Matthews*
 Conn Murray*
 Thomas J Reilly*
 Paula O'Reilly
 An Dr. Eoin O'Sullivan
 John Tiernan
 (*athcheaptha 18 Aibreán 2012*)
 Tricia Sheehy Skeffington
 Tim Ryan

**Term expired 16 March 2012*

Foráiltear le hAlt 189 den Acht um Thionóntachtaí Cónaithe go bhféadann an Bord iarratas a dhéanamh ar an gCúirt Chuarda le haghaidh faoiseamh eatramhach nó idirbhreitheach nuair a mheasann an Bord go bhfuil sé cuí a leithéid a dhéanamh (mar shampla i gcás díshealbhuithe neamhdhleathacha). Tionóladh an Coiste uair amháin in 2012.

7. An Coiste Caidrimh Phoiblí

Thomas J Reilly (Chair)
 An Dr. Eoin O'Sullivan
 John Tiernan
 Tricia Sheehy Skeffington
 Gene Feighery
 Tim Ryan

Bhunaigh an Bord Coiste Caidrimh Phoiblí i mí na Bealtaine 2012. Is é feidhm an Choiste Caidrimh Phoiblí feasacht a mhéadú i measc tiarnaí talún agus tionóntaí an BTCP agus an ról atá aige, chomh maith le dea-chleachtas a chur chun cinn ar fud na hearnála ar fad. Tháinig an Coiste Caidrimh Phoiblí le chéile 6 uaire ar an iomlán in 2012.



Gníomhaíochtaí Clárúcháin 2012

Sracfhéachaint ar Ghníomhaíochtaí Clárúcháin 2012	
Líon iomlán na dtionóntachtaí a cláraíodh	264,434
Líon na dtiarnaí talún	212,306
Líon na dtionóntaí	593,382
Líon iomlán na gcomhaontuithe tionóntachta nua a cláraíodh in 2012	97,181
Meánlíon na n-iarratas nua a fhaightear gach lá	360
Líon na nglanna gutháin a freagraíodh in 2012	34,185
Cistí a íocadh le hÚdaráis Áitiúla chun cigireachtaí maidir le híoschaighdeáin a dhéanamh	€2.2m

Faoin Acht um Thionóntachtaí Cónaithe 2004, tá dualgas ar thiarnaí talún iarratas a dhéanamh chuig an mBord chun tionóntachtaí a chlárú leis an BTCP laistigh d'aon mhí amháin ó dháta tosaigh na dtionóntachtaí. Cuirtear bac ar thiarnaí talún a bhfuil tionóntachtaí neamhchláraithe acu díospóid a chur faoi bhráid an BTCP. Mura bhfuil tionóntacht cláraithe, ní théann sé i gcion ar chearta tionóntaí, agus beidh teacht ag tionóntaí ar an tseirbhís réitithe díospóidí beag beann ar an tionóntacht a bheith cláraithe nó gan a bheith cláraithe.

Táillí Clárúcháin Tionóntachta

Tá an BTCP féinmhaoinitheach go hiomlán, arna mhaoiniú ag Táillí clárúcháin. I gcás tionóntachtaí a thosaíonn an 1 Eanáir 2011 nó dá éis

- › **€90** in aghaidh na dtionóntachta ar an gcoinníoll go bhfaigheann an BTCP an t-iarratas

comhlánaithe ar chlárúchán taobh istigh de mhí amháin ó dháta tosaigh na dtionóntachta. Beidh feidhm ag táille dhéanach **€180** ina dhiaidh sin.

- › Maireann clárú fad is a mhaireann an tionóntacht, faoi réir ag uasmhéid ceithre bliana. Caithfear tionóntachtaí a athchlárú i gcás go bhfuil siad ann le ceithre bliana.
- › **€375** i gcás tionóntachtaí iomadúla (táille ilchodach) in aon fhoirgneamh amháin, nuair atá siad á gclárú ag an am céanna ag an tiarna talún céanna laistigh d'aon mhí amháin ó dháta tosaigh na chéad tionóntachta.
- › Ní aon táille iníoctha sa chás go ndearnadh dhá íocaíocht leis an mBord um Thionóntachtaí Cónaithe Príobháideacha maidir leis an tionóntacht sna 12 mhí roimhe sin. Níl aon táille iníoctha i leith mionsonraí tionóntachta atá cláraithe cheana féin a nuashonrú.



Eisfhoinsiú an Lárionaid Teagmhála agus Seirbhísí Bainistíochta Doiciméad.

Choimisiúnaigh an BTCP staidéar neamhspleách ar eisfhoinsiú i mí Feabhra 2011. Ba é príomh-chonclúid na tuarascála ná nach mbeadh an BTCP in ann feidhmiú murach an líon foirne de 33 a fhorchuirtear leis an gCreat Rialaithe Fostaíochta (trína rialaítear soláthar foirne i ngach réimse den Earnáil Phoiblí), go háirithe ag glacadh leis an éileamh níos mó ná riamh atá ar sheirbhísí Díospóide, Binse agus Forfheidhmithe BTCP, agus an leibhéal idirghabhála a theastaíonn i gcónaí chun cuidiú le tiarnaí talún leis an bpróiseas clárúcháin. Baineadh de thátal as sa Tuarascáil ionas go mbeidh an BTCP in ann a shainchúram a bhaint amach gurb eisfhoinsiú an t-aon rogha inmharthana atá aige sna blianta seo amach romhainn. Thángthas ar chomhaontú leis an mBord maidir leis an gcur chuige sin.

Le linn 2012 rinneadh soláthar le haghaidh eisfhoinsithe faoin nós imeachta idirphlé iomaíoch, faoi mhaoirseacht Coiste Stiúrtha arna cheapadh ag an mBord agus le cúnamh ó Achilles Procurement Consultants. Bronnadh an conradh ar SouthWestern, Cloich Na Coillte, Co. Chorcaí i mí Iúil 2012.

Cuireadh Céim 1 den tseirbhís eisfhoinsithe (seirbhís an lárionaid glaonna) i bhfeidhm ag deireadh mhí Mheán Fómhair 2012 agus ina dhiaidh sin Céim 2 (seirbhísí bainistíochta doiciméad) ag deireadh na Samhna 2012. Faightear réiteach soláthraí aonair leis an tseirbhís, le haghaidh seirbhísí bainistíochta teagmhála agus le haghaidh seirbhís bainistíochta doiciméad atá go hiomlán comhtháite (scanadh, iontráil sonraí) chun gach iarratas, díospóid / iarratas de chuid an BTCP i gcomhair binse a chlárú agus íocaíochtaí gaolmhara agus obair leantach an chliant ina dhiaidh sin.

Seirbhísí Clárúcháin Ar Líne

Sheol an BTCP a sheirbhís clárúcháin ar líne i mí na Samhna 2010. Is féidir tionóntachtaí a chlárú ag www.prtb.ie agus ní thógann sé ach cúpla nóiméad. Tá sraith ceisteanna coitianta agus leideanna áisiúla ar an láithreán Gréasáin chun cuidiú le tiarnaí talún agus le gníomhairí tionóntachtaí a chlárú ar líne leis an BTCP.

Faoi dheireadh na bliana 2012 bhí 41% tar éis clárú ar líne agus leanann an BTCP ag spreagadh tiarnaí talún chun leas a bhaint as an tseirbhís.

Gnéithe den Chlár Tionóntachtaí atá ar fáil don Phobal

Tá dualgas ar an BTCP clár tionóntachtaí a choinneáil de réir an Achta um Thionóntachtaí Cónaithe 2004 agus bunachar sonraí cothrom le dáta a sholáthar agus a bhainistiú chun críocha faisnéise, ceaptha beartas agus staitisticí. Is é atá sa chlár foilsithe ná sliocht ón gclár tionóntachtaí agus tá sonraí ann ón bhfoirm chlárúcháin a chuireann an tiarna talún nó an gníomhaire ar fáil. Soláthraíonn an clár seoladh na teaghaise ar cíos; cur síos ar an teaghais; líon na seomraí codlata agus spásanna leapa; agus an t-achar urláir.

Níl aon eolas sa chlár foilsithe a d'fhéadfaí a úsáid chun a fháil amach cé hé/hí an tiarna talún nó tionónta ná cad é an cíos iníochta.

Conas is féidir a sheiceáil an bhfuil maoin ar cíos cláraithe?

Logáil isteach ar láithreán gréasáin an BTCP ag www.prtb.ie chun an clár foilsithe a sheiceáil. Téigh chuig an gClár Foilsithe agus cliceáil ar an gcontae iomchuí agus cuardaigh faoi sheoladh na teaghaise ar cíos. Tá an clár ar fáil i bhformáid PDF agus Excel. Nuashonraítear an clár foilsithe ar an láithreán Gréasáin go míosúil. Más eol duit go bhfuil maoin ar cíos nach bhfuil cláraithe, is féidir leat tuairisc a thabhairt faoi seo don BTCP, go hiomlán faoi rún, ag Enforcement@prtb.ie

Maoiniú an BTCP d'Údaráis Áitiúla d'fhonn Íoschaighdeáin a fhorfheidhmiú

De réir fhorálacha an Achta um Thionóntachtaí Cónaithe 2004, cuirtear maoiniú ar fáil do na hÚdaráis Áitiúla chun costas na gcigireachtaí ar chóiríocht phríobháideach chónaithe ar cíos a ghlanadh. De bhun treoracha íocaíochta sonracha arna ndéanamh ag an Aire Comhshaoil, Pobail agus Rialtais Áitiúil, leithdháileadh aon cúigiú den ioncam ón táille clárúcháin ar na hÚdaráis Áitiúla in 2012. Choinnigh an BTCP an fuilleach chun a gcostais oibriúcháin féin a ghlanadh. Coinníonn an BTCP an t-airgead sin i gcáil mhuinéeach agus dáileadh €2.2 milliún ar údaráis áitiúla in 2012 faoi threoir na RCPRÁ, rud a fhágann gurb é an méid iomlán a dháil an BTCP ar Údaráis Áitiúla ó 2004 i leith ná €25,419,000.

Tá tuilleadh eolais ar rátaí cigireachta Údaráis Áitiúil agus ar na híoschaighdeáin nua maidir le Cóiríocht Phríobháideach ar Cíos ar fáil ar láithreán gréasáin na RCPRÁ: www.viron.ie.

Gníomhaíochtaí Forfheidhmiúcháin Maidir Le Clárúchán 2012

Sracfhéachaint ar Fhorfheidhmiú Clárúchán 2012	
Fógraí Faisnéis Ghinearálta chuig Tiarnaí Talún maidir leis an oibleagáid dhlíthiúil clárú	33,625
Fógraí Forfheidhmiúcháin Oifigiúla	9,052
Litreacha rabhaidh ó Aturnaetha	872
Toghairmeacha Cúirte	26

Téann an BTCP sa tóir ar thiarnaí talún nach gcláraíonn. Is féidir ionchúiseamh le fíneálacha suas le €4,000 nó téarma príosúnachta sé mhí a bheith i gceist mura gcláraítear tionóntachtaí. Tá gníomhaíochtaí forfheidhmiúcháin arna nglacadh ag an BTCP de réir fhorálacha an Achte um Thionóntachtaí Cónaithe 2004 agus, go háirithe, ailt 144 agus 145.

Faigheann an BTCP faisnéis ó roinnt foinsí éagsúla, lena n-áirítear:

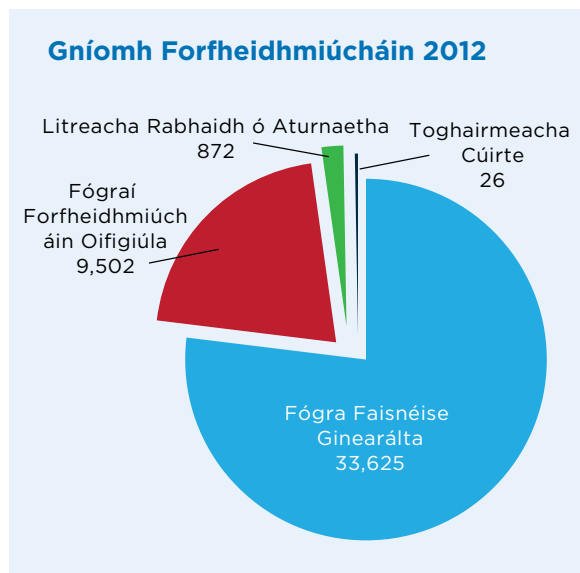
- › An Roinn Coimirce Sóisialaí – Bunachar Sonraí maidir le Forlíonadh Cíosa
- › Údaráis Áitiúla – Caighdeáin maidir le Cigireachtaí ar Theaghaisí ar Cíos
- › An pobal i gcoitinne – Comharsana
- › Teachtaí Dála, Comhairleoirí, na Gardaí
- › Tionóntaí
- › Rannóga Díospóide / Clárúcháin (cásanna a chuirtear ar aghaidh go himmheánach sa BTCP)

Tugadh córais nua TFC isteach go luath in 2011 d'fhonn comparáidí bunachar sonraí a éascú le gníomhaireachtaí stáit agus le ranna eile chun tiarnaí talún nach bhfuil cláraithe a aithint chun críocha comhlíontachta. Cuidíonn bogearraí bainistíochta cásanna nua freisin chun cásanna atá á n-ionchúiseamh a bhainistiú.

In 2012, le cúnamh ó chóras nua TFC, agus comhoibriú níos dlúithe arís le comhlachtaí eile san earnáil phoiblí, chuir an BTCP dlús le gníomhaíochtaí i gcoinne tiarnaí talún nach bhfuil cláraithe. Eisíodh iomlán de 43,549 fógra forfheidhmiúcháin/litreacha rabhaidh ó aturnaetha do Thiarnaí Talún in 2012, is féidir miondealú a thabhairt orthu mar seo a leanas:

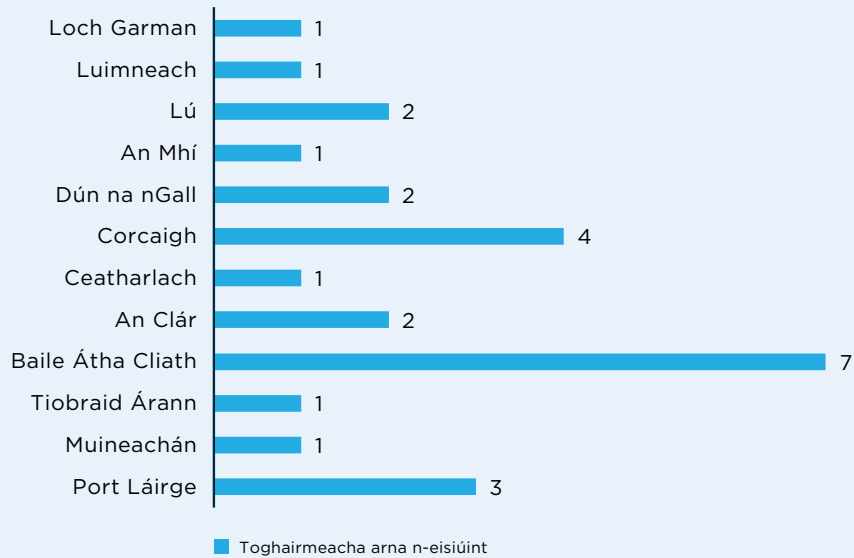
- › 33,625 Fógra maidir le Faisnéis Ghinearálta ag cur in iúl do Thiarnaí Talún go raibh oibleagáid dhlíthiúil orthu clárú faoin Acht agus na pionóis a bhaineann le neamh-chomhlíonadh
- › 9,052 Fógra Forfheidhmiúcháin Oifigiúil faoi Alt 144 den Acht ag cur in iúl do Thiarnaí Talún go bhfuil an Bord den tuairim go bhfuil tionóntacht ann nó go raibh sé ann agus go bhfuil sé ar intinn aige ionchúiseamh a dhéanamh mura gcláraítear an tionóntacht
- › 872 litir rabhaidh ó a aturnaetha

Dá bharr sin seirbheáladh 26 Toghairm chun na Cúirte Dúiche ar thiarnaí talún ar theip orthu a gcuid tionóntachtaí a chlárú leis an BTCP in ainneoin go raibh roinnt fógraí reachtúla agus rabhaidh faighte acu ag iarraidh orthu sin a dhéanamh. Tá na cásanna le héisteacht go luath in 2013.



Tá gach iarracht ar bun lena áirithiú go ndírítear gníomh forfheidhmiúcháin ar Thiarnaí talún in áiteanna éagsúla ar fud na tíre agus é sin a dhéanamh ar bhealach cothrom. Taispeántar sa chart thíos leithdháileadh na dtoghairmeacha a eisíodh in 2012.

Láthair na Tionóntachta



Gníomhaíochtaí Réitithe Díospóidí 2012

Seirbhísí Réitithe Díospóidí ag an BTCP 2012	Líon na nIarratas	Líon na gcúiseanna atá leis an díospóid
Iarratais ar Sheirbhísí Breithnithe agus Idirghabhála	2,272	4,224
Iarratais ar Bhinsí	268	307 laistigh den 196 Binse a tionóladh
Líon na nglaoanna a láimhseáladh maidir le díospóidí	15,138	
Córas leictreonach chun cásanna a bhainistiú, lena n-áirítear Seirbhísí Ar Líne, forbartha agus tástáil déanta orthu	Beo in Aibreán 2012	

Seirbhís Díospóide an BTCP a chur ar ríomhaire in 2012

In 2012 chaith Rannóg Díospóidí an BTCP go leor ama agus dua leis an gCóras Bainistíochta Tionóntachta a thabhairt isteach. Leis sin cuireadh córas leictreonach ar fáil chun cásanna a bhainistiú i gcás na nDíospóidí ar fad, agus acmhainneacht ann chun iarratas a dhéanamh ar líne. Bhí go leor obair láimhe ag baint le hábhair cásanna a fótachóipeáil agus a scaipeadh roimhe seo agus bhí sé neamhéifeachtach agus gach cás á gcoinneáil i bhfillteáin fháinneacha bhunúsacha. Déantar gach cás agus ábhar a bhaineann leis a scanadh anois i bhformáid leictreonach nuair a fhaightear iad agus scaiptear ansin iad go leictreonach trí thairseacha slán, chuig Breithneoirí, Idirghabhálaithe agus Baili Binsí ar fud na tíre. Faoi dheireadh 2012 bhí os cionn 50% d'iarratais nua ar Dhíospóidí á gcur isteach ag cliaint ar líne.

Bhí suas le leath den fhoireann Díospóidí i mbun tástála ar an gcóras, a chuaigh beo in Aibreán 2012. Thacaigh na Coimisinéirí loncaim le tabhairt isteach an chórais trí os cionn 1000 cáschomhad a bhí acu a scanadh. Tar éis dul i gcleachtadh ar an gcóras táthar ag cruthú éifeachtúlachtaí dá bharr. Cé gur shleamhnaigh na hamlínte i gcomhair próiseáil cásanna sa chéad leath de 2012 mar thoradh ar acmhainní foirne a bhí gann a chur ag obair ar thabhairt isteach an chórais nua seo, tá sé mar aidhm againn na hamlínte a laghdú go dtí seacht mí in 2013.

Fuair an BTCP 2,272 iarratas a bhain le Réiteach Díospóidí in 2012. Leis an teicneolaíocht nua atá againn táimid in ann den chéad uair anailís

iomlán a dhéanamh ar na catagóirí díospóide agus ar na cúiseanna a ndéanann páirtithe iarratas chuig an mBord chun díospóidí a réiteach. As an 2,272 iarratas a fuarthas, bhí 4,224 cúis a thug páirtithe sa díospóid le fios nach mór a láimhseáil tríd an bpróiseas réitithe díospóide.

Rochtain ar an tSeirbhís Réitithe Díospóide

Tá an BTCP ann in ionad na gCúirteanna le haghaidh mhórchuid na ndíospóidí a bhíonn idir Tiarnaí Talún agus Tionóntaí. Ar **tháille measartha beag €25**, is féidir leis na páirtithe i ndíospóid iarratas a chur chuig an mBord ar sheirbhísí breithnithe nó idirghabhála. Bíonn na Breithnithe agus na hIdirghabhálacha ar siúl i mBaile Átha Cliath, i gCorcaigh, i nGaillimh, i Luimneach, i mBaile Átha Luain, i Sligeach agus i Loch Garman.

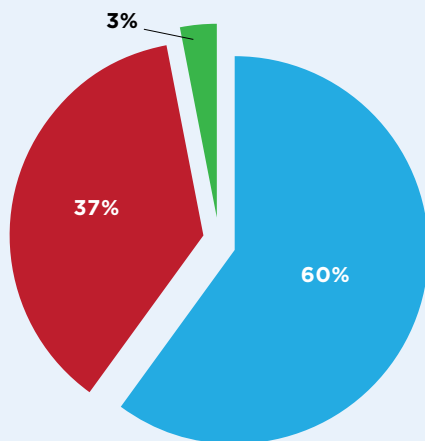
Beidh cinneadh maidir le breithniú nó idirghabháil nach ndéantar achomharc maidir leis chuig an mBinse i bhfoisceacht 21 lá ina Ordú Cinnidh ceangailteach de chuid an BTCP. Is féidir le páirtithe iarraidh go ndéanfaí forfheidhmiú ar an Ordú seo trí na Cúirteanna, i gcásanna neamhchomhlíontachta. Tá sé mar bheartas ag an BTCP torthaí na nOrdúithe Cinnidh a bhaineann le gach cás a fhoilsiú; mar sin féin, is eisceacht é idirghabháil anseo, toisc go mbíonn toradh idirghabhála faoi rún.

Na príomhchatagóirí Díospóide in 2012.

Mar a tugadh le fios roimhe seo fuair an Bord 2,272 iarratas a bhain le Réiteach Díospóidí in 2012, ina raibh 4,224 catagóir díospóide ó pháirtithe a rinne iarratais. Ba í an phríomhchatagóir Díospóide ná Éarlaisí a choinneáil, a bhain le 836 cás agus ansin bhí Riaráistí Cíos a bhain le 719 cás.

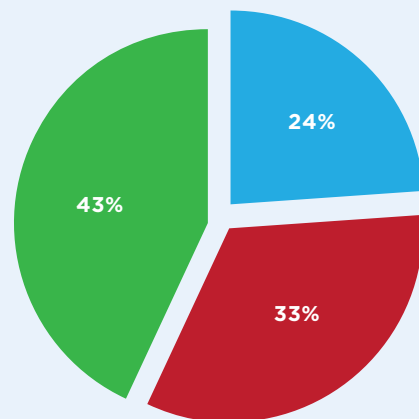
Cineál Díospóide	Iomlán na gCineálacha Díospóide
Éarlais a choinneáil	836
Riaráistí cíosa	719
Sárú ar oibleagáidí na dtiarnaí talún	462
Sárú ar oibleagáidí tionóntaí	424
Fógra foirceannta neamhbhailí	419
Caighdeán agus cothabháil na teaghaise	369
Rósheilbh	283
Foirceannadh neamhdhleathach tionóntachta (Díshealbhú neamhdhleathach)	202
Eile	116
Iompar frithshóisialta	115
Léas ar téarma seasta a shárú	113
Damáiste a bhí níos mó ná gnáthchaitheamh agus gnáthchumilt	105
Cíos ar chostas níos mó ná ráta an mhargaidh	61
Iomlán	4224

2012 Miondealú de réir Cineál Iarratais



- Tionónta - 1368 (60%)
- Tiarna Talún - 849 (37%)
- Tríú Páirtí - 57 (3%)

2012 Cinntí i gCásanna inar coinníodh an Éarlais



- Coinnithe - 200 (24%)
- Aisiótha go hiomlán - 276 (33%)
- Aisiótha i bpáirt - 359 (43%)

Rinne tiarnaí talún 849 iarratas ar Sheirbhís Réitithe Díospóidí an BTCP in 2012 agus ghlac Tionóntaí 1368 cás agus Tríú Páirtithe 57 cás.

Éarlaisí a choinneáil

Tugtar le fios sa chairt thuas toradh na gcásanna a éisteadh in 2012 maidir le héarlaisí a choinneáil. Is leis an tionónta éarlaisí tionóntachta. Níl an tiarna talún i dteideal a choinneáil ach an chuid sin den éarlais i gcás ina bhfuil damáiste atá níos measa ná gnáthchaitheamh agus gnáthchumilt nó i gcás go bhfuil riaráistí cíosa nó billí fóntais gan íoc. Tá an teachtaireacht sin curtha in iúl arís is arís eile ag an mBord mar chuid d'oiliúint leanúnach, trí sheimineáir agus tríd ábhar treorach a eisíodh le bliain anuas don phainéal Breithneoirí. Mar gheall ar an treoir sin, i gcás gur cruthaíodh míchaoithiúlacht agus cruatan don tionónta nuair a bhí moill ann an éarlais a thabhairt ar ais, tá méadú suntasach ar líon na ndamáistí a bronnadh i gcoinne tiarnaí talún sa chatagóir díospóide seo.

Riaráistí Cíosa

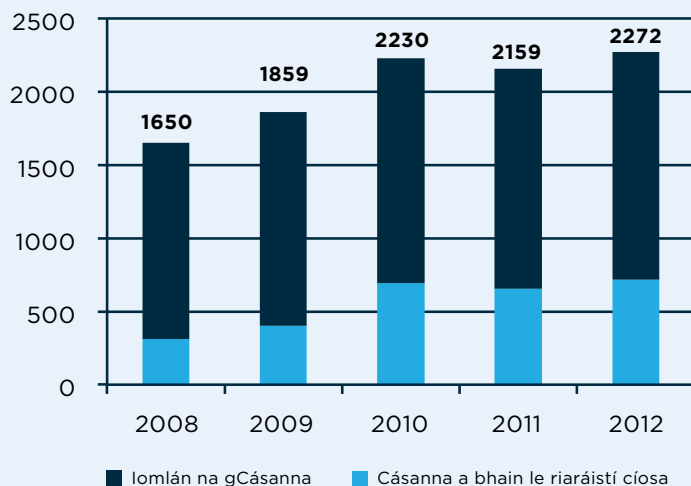
Tá riaráistí cíosa ar an gcúis is coitianta ag tiarna talún díospóid a chur ar aghaidh chuig an BTCP agus é méadaithe go dtí 32% den líon iomlán iarratas ar dhíospóid a cuireadh faoi bhráid an Bhoird. Fuair an Bord 719 iarratas a bhain le riaráistí in 2012. I gcomparáid leis sin, cuireadh 324 cás a bhain le riaráistí cíosa ar aghaidh chuig an mBord in 2008. Léiríonn figiúr 2012 méadú 122% agus is léiriú é den chás eacnamaíoch ar an iomlán. Tá dualgas de réir dlí ar thionóntaí a gcuid cíosa a íoc nuair atá sé dlite, beag beann ar cibé an bhfuil díospóid ag dul ar aghaidh lena dtiarna talún nó nach bhfuil. Féadfaidh tiarna talún fógra foirceannta a sheirbheáil ar thionónta atá i riaráistí le cíos.

Thug an Bord méadú faoi deara i líon na gcásanna a cuireadh ar aghaidh chuige in 2012 agus riaráistí cíosa ag dul thar dhlínse an Bhoird faoi Alt 115 den Acht um Thionóntachtaí Cónaithe. Cuirtear teorainn le hAlt 115 ar dhlínse an Bhoird €20,000 i riaráistí cíosa a bhronnadh, nó an cíos bliantúil dúbailte faoi dhó, cibé acu an figiúr is airde suas go dtí uasmhéid €60,000. Aibhsítear leis an méadú sin an gá atá do thiarnaí talún cúrsaí riaráistí cíosa a láimhseáil nuair a thagann siad chun cinn, mar má mhéadaíonn na riaráistí go dtí leibhéal atá lasmuigh de dhlínse an Bhoird, ní bheidh de rogha acu ach an cheist a chur ar aghaidh chuig na cúirteanna agus costais dlí a thabhdú dá réir sin.

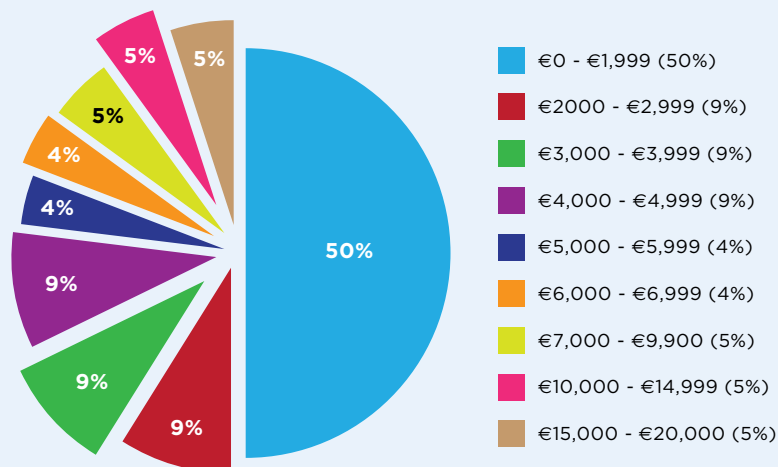
Foirceannadh neamhdhleathach tionóntachta

Meastar gur tharla foirceannadh neamhdhleathach tionóntachta, nó díshealbhú neamhdhleathach, i gcás gur chuir tiarna talún trí fhórsa nó ar shlí eile, cosc ar thionónta dul isteach sa teaghais ar cíos nó i gcás gur thóg siad a gcuid rudaí amach as teaghais. In 2012, sheas an BTCP le 69% de na gearáin a bhain le díshealbhú neamhdhleathach agus níor sheas sé le 31% de na gearáin a rinneadh. Rinneadh íocaíochtaí as foirceannadh neamhdhleathach in 2012 suas go dtí an t-uasmhéid €20,000 a cheadaítear faoin Acht.

Díospóidí a bhain le Riaráistí Cíosa 2008-2012



Íocaíochtaí a rinneadh i gcásanna a bhain le Foirceannadh Neamhdhleathach



Íocaíochtaí Breithneoirí/Idirghabhálaithe 2012

Ceapadh an painéal reatha Breithneoirí agus Idirghabhálaithe in 2011 trí iomaíocht oscailte arna reáchtáil ag an tSeirbhís um Cheapacháin Phoiblí don BTCP agus iad ceaptha ar feadh tréimhse díreach os cionn trí bliana. Íoctar táille chomhréidh €660 in aghaidh an lae le haghaidh trí éisteacht, nó cúig mheasúnú bunaithe ar pháipéar le breithneoirí.

ÍOCAÍOCHTAÍ A RINENADH LE BREITHNEOIRÍ / IDIRGHABHÁLAI THE IN 2012

Ball Painéil	Iomlán (€)	Ball Painéil	Iomlán (€)	Ball Painéil	Iomlán (€)
Aisling Fair	6,600	Deirdre Bignell	12,540	Kevin Baneham	11,220
Angela Becker	7,260	Emma Travers	660	Marissa O'Keeffe	7,260
Barry McCormack	6,600	Eoin Byrne	11,880	Mervyn Hickey	4,620
Brian Whelan	10,780	Frank Brady	15,840	Michelle Kellegher	4,620
Catherine McGuigan	11,220	Gerard Murphy	11,220	Monica Brennan	9,240
Cathy Hamilton	9,900	Healy Hynes	9,240	Niall Farrell	2,640
Ciaran Smith	9,900	Helen Connaughton	3,300	Paddy Keogh	3,960
Colm Keating	3,300	Helen-Claire O'Hanlon	11,220	Roderick Maguire	8,580
Corona Grennan	11,220	Jack Nicholas	9,900	Sarah Brophy	15,180
Cynthia Lennon	10,560	James Egan	11,880	Simon Noone	9,240
Dairine Mac Fadden	11,220	John Conran	14,520	Suzy Quirke	6,600
Daniela Bills Everett	5,940	John Keane	12,540	Tracey McGee	7,920
David Duncan	15,840	John Keaney	13,860		
				Foriomlán	350,020

Cásanna Díospóidí A Ndearnadh Achomharc Orthu Le Binsí Tionóntachta 2012

Is féidir le páirtithe i ndíospóid achomharc a dhéanamh ar chinneadh breithneora/idirghabhálaí chuig Binse Tionóntachta i bhfóisceacht 21 lá ón lá a bhfaigheann siad an cinneadh. Éisteann painéal triúr comhaltaí de Choiste Réitithe Díospóide (CRD) an Bhoird na binsí. Tá na binsí níos foirmiúla ná na héisteachtaí breithnithe/idirghabhála. Is éisteachtaí poiblí iad. Tá ceangal ar na páirtithe dul faoi mhionn nó dearbhasc a thabhairt agus bíonn luathscríbhneoir i láthair chun an fhianaise a thugtar a thaifeadadh. Bíonn torthaí éisteachtaí an Bhinse ar fáil go poiblí freisin. Tá tuarascáil agus cinneadh Binse foilsithe ar láithreán Gréasáin an BTCP (www.prtb.ie)

Fuair an BTCP 268 achomharc a bhreithnigh an Bord in 2012, agus deonaíodh 181 díobh agus diúltaíodh 87. Dhiúltaigh an Bord achomhairc toisc go raibh siad déanach nó gur teipeadh an táille riachtanach a chur isteach leo.

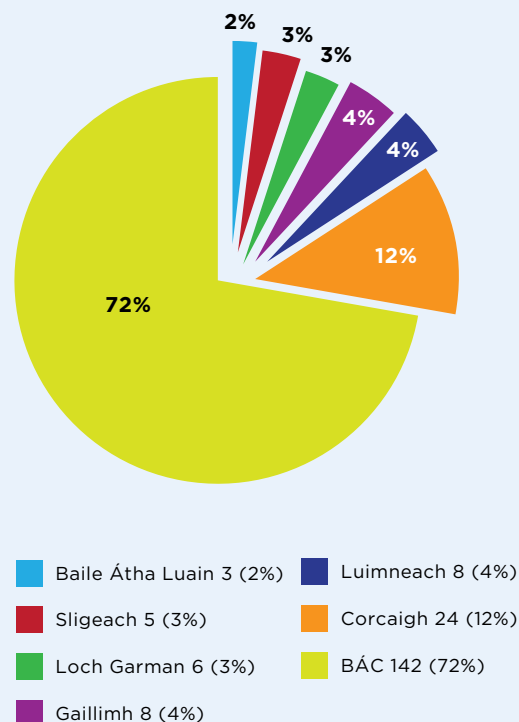
Tionóladh 196 Binse in 2012. Léiríonn sé sin méadú 10% ar éisteachtaí Binse ó 2011 go dtí 2012; sin in ainneoin gur cuireadh an córas nua TMS i bhfeidhm agus gur tháinig laghdú ar líon na foirne. Bhí tréimhse feithimh 6 mhí ar an meán ón dáta ar deonaíodh an t-achomharc go dtí gur eisíodh cinneadh in 2012.

Miondealú na gCásanna a Éisteadh ag Binse in 2012 de réir an Pháirtí Achomharcóra agus an tSuímh

Tháinig 33% (64 cás) de na hachomhairc a tháinig os comhair Binse Tionóntachta in 2012 ó thiarnaí talún, 60% (115 cás) ó thionóntaí, 3% (6 chás) ó thríú páirtí agus ba achomhairc i gcoinne achomharc a bhí i 4% (8 gcás) rud a chiallaíonn gur chuir an dá pháirtí i gcás díospóide iarratas ar achomharc isteach.

Tionóladh 72% de na Binsí i limistéar Bhaile Átha Cliath agus bhain 28% leis an gcuid eile den tír.

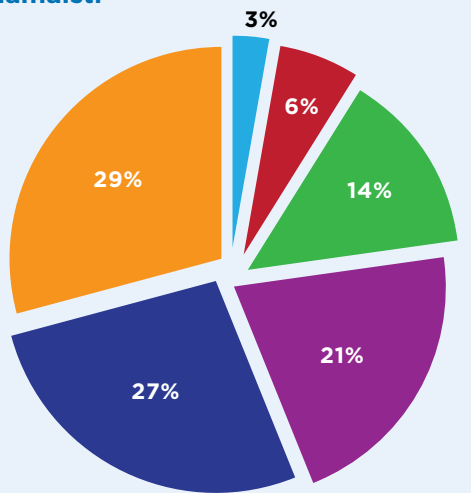
Suíomh na nÉisteachtaí



Cásanna ón mBinse in 2012 – Catagóirí agus Torthaí

Taispeántar sa chart thíos miondealú de Bhinsí a tionóladh de réir an chineál díospóide. As an 196 Binse a tionóladh in 2012 bhí 307 Cineál Díospóide difriúil luaite mar chúis leis an achomharc. Tá coinneáil éarlaisí fós ar an gcatagóir achomhairc is mó a bhíonn os comhair binse tionóntachta agus 112 (36%) sampla den chineál seo díospóide luaite in 2012. Tá riaráistí cíosa mar chineál díospóide a luaite go minic freisin agus 62 (20%) den 307 cineál díospóide luaite.

Miondealú ar na cúiseanna gur íocadh damáistí



- Iompar Frithshóisialta 2 (3%)
- Riaráistí Cíosa 4 (6%)
- Foirceannadh Neamhdhleathach 10 (14%)
- Coinneáil Éarlaise 15 (21%)
- Sárú Oibleagáidí Tionóntaí 19 (27%)
- Sárú Oibleagáidí Tiarnaí Talún 21 (29%)

Damáistí as éarlaisí a choinneáil agus sárú ar oibleagáidí na dtiarnaí talún

As na cásanna a cuireadh ar aghaidh chuig Binse, i gcás gur bronnadh damáistí, bhí 50% sna catagóirí a bhain le hÉarlaisí a Choinneáil agus Oibleagáidí Tiarnaí Talún a Shárú. Bronnadh damáistí idir €100 agus €2,300 i gcásanna a bhain le hÉarlaisí a Choinneáil, bhí na damáistí a bronnadh as Oibleagáidí Tiarnaí Talún a Shárú idir €126 agus €2,700.

Damáistí as riaráistí cíosa

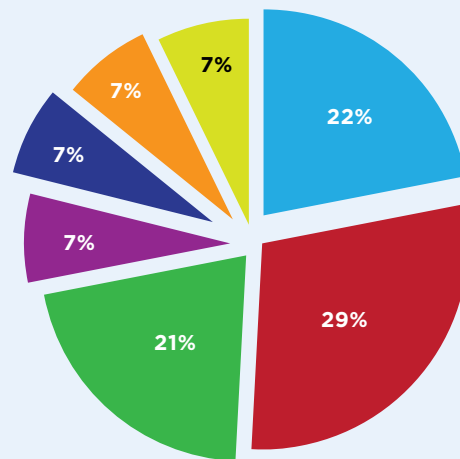
De réir na cairte thuas, rinneadh 6% d'íocaíochtaí damáistí foriomlána i gcásanna a bhain le riaráistí cíosa. Bhí íocaíochtaí damáistí i gcoinne tionóntaí idir €400 agus €3,800.

Damáistí as Foirceannadh neamhdhleathach tionóntachta

Bhain foirceannadh neamhdhleathach tionóntachta le 36 (12%) den 196 éisteacht binse in 2012.

I gcás go ndearnadh íocaíocht le tionóntaí i gcoinne an tiarna talún bhí siad idir €400 agus €20,000 mar a thugtar le fios sa chairt thíos:

Damáistí as Foirceannadh Neamhdhleathach Tionóntachta



- €0 - €999 (22%)
- €1000 - €1,999 (29%)
- €2,000 - €2,999 (21%)
- €3,000 - €3,999 (7%)
- €4,000 - €4,999 (7%)
- €5,000 - €9,999 (7%)
- €10,000 - €20,000 (7%)

Íocaíochtaí Binsí 2012

Comhalta an CRD	Cathaoirleach	Ball	MÉID (€)
Anne Colley	8	10	16,259
Anne Leech	5	21	14,343
Bairbre Redmond	6	7	11,737
Charles Corcoran	2	13	7,529
Ciara Doyle	7	10	10,607
Claire Millrine	3	18	13,078
Dervla Quinn	12	15	16,947
Eoin O'Sullivan	12	13	15,648
Finian Matthews	11	7	16,268
Fintan McNamara	13	16	13,664
Gene Feighery	14	8	16,844
Geraldine Feeney	3	13	10,361
Gus Cummins	3	5	5,612
Henry Murdoch	8	11	13,668
James Bridgeman	4	11	10,084
John Lynch	7	17	16,662
John Tiernan	9	11	12,425
Kieran Buckley	4	11	9,150
Liam Nolan	11	18	15,713
Louise Moloney	3	15	11,255
Mary Doyle	2	15	10,938
Mary H Morris	2	4	4,216
Mary Heaslip	4	15	12,725
Maurice O'Donoghue	8	17	14,451
Michael Farry	0	0	2,322
Michael Irvine	1	16	15,152
Nesta Kelly	4	26	20,555
Orla Coyne	9	10	13,205
Tricia Sheehy Skeffington	2	7	1,925
Tim Ryan	1	3	700
Tom Dunne	2	15	9,576
Vincent P Martin	17	12	15,866
Foriomlán			379,485

* Tagraíonn an figiúir thuas d'íocaíochtaí iarbhír a rinneadh le Baill CRD i rith 2012. Mar thoradh ar a gcineál, baineann cuid de na híocaíochtaí seo le Binsí a tionóladh in 2011.

Forfheidhmiú Orduithe Cinnidh an BTCP 2012

Sonraítear san Acht um Thionóntachtaí Cónaithe 2004, i gcás ina mainnítear Ordú Cinnidh arna ndéanamh ag an BTCP a chomhlíonadh, gur féidir leis an BTCP, nó leis an bpáirtí ar ina fhabhar a rinneadh an tOrdú, dul i mbun ionchúisimh choiriúil, imeachtaí sibhialta, nó an dá cheann. Nuair a théitear i mbun ceachtar den dá rogha seo bíonn impleachtaí tromchúiseacha aige don pháirtí a dteipeann air Ordú BTCP a chomhlíonadh.

- Is féidir **ionchúisimh choiriúla** a thionscnamh, i gcomhréir le hAlt 126 d'Acht 2004, agus is féidir leis an BTCP nó leis an bpáirtí atá ainmnithe ar an Ordú Cinnidh é sin a dhéanamh, agus tugtar na hionchúisimh sa Chúirt Dúiche. Is féidir pionóis ghéara a ghearradh ar Chiontú Coiriúil, lena mbaineann fíneáil nach mó ná €4,000 agus tréimhse príosúnachta nach faide ná sé mhí, anuas ar fhíneáil bhreise de €250 sa lá de bharr leanúint ag neamhchomhlíonadh. Anuas ar chiontú coiriúil a fháil agus ordú i gcomhair costas, bronnann an Chúirt go ginearálta Ordú Cúitimh suas go dtí uasteorainn na Cúirte Dúiche (.i. beagnach €6,350).
- Tugtar **imeachtaí sibhialta** sa Chúirt Chuarda, i gcomhréir le hAlt 124 d'Acht 2004. Is féidir leis an BTCP nó le páirtí atá ainmnithe ar Ordú Cinnidh imeachtaí sibhialta a thionscnamh. I bhformhór na gcásanna bhronn an Chúirt a chostais ar an BTCP i gcásanna atá tugtha go dtí seo.

Iarratais ar Fhorfheidhmiú Orduithe Cinnidh

2008	2009	2010	2011	2012
100	307	577	589	346

Faoin Acht, is cumhacht lánroghnach é forfheidhmiú agus feidhmiú an BTCP an chumhacht sin ag cur san áireamh na himthosca a bhaineann le gach cás agus i gcomhthéacs an staid airgeadais níos dúshlánaí ina gcaithfidh an BTCP feidhmiú anois, ach an oiread le comhlachtaí eile san Eanáil Phoiblí. Is gníomhaireacht féinmhaoinithe é an BTCP agus ní mór dó feidhmiú laistigh dá bhuiséad. Mar is léir ón tábla thuas, tá méadú tagtha bliain i ndiaidh bliana ar

lín na n-iarratas a fuair an BTCP chun Orduithe a fhorfheidhmiú. Ag glacadh leis an éileamh méadaithe atá ar fhorfheidhmiú níl sé inbhuanaithe don BTCP imeachtaí a ghlacadh maidir le gach iarratas.

De bhrí gur bunaíodh an Bord chun cásanna a thabhairt amach as na Cúirteanna féachann sé le forfheidhmiú a bhaint amach ar dtús ar bhealaí neamhbhreithiúnacha. Mar sin féin, murab amhlaidh i gcás comhlachtaí Breithiúnacha / Gar-Bhreithiúnacha eile, níl aon oibleagáid dhlíthiúil ar an BTCP dul i mbun forfheidhmithe. Ní chuireann sé sin cosc ar aon bhealach ar pháirtithe dul sa tóir ar fhorfheidhmiú go neamhspleách ón BTCP.

Déanann Comhaltaí an Bhoird cinntí maidir le cibé dul i mbun forfheidhmithe dlí nó gan a dhul agus déantar na cinntí ar bhonn cás ar chás, ag cur san áireamh cén seans atá ann toradh fabhrach a bhaint amach don té a rinne an t-iarratas; ciallaíonn toradh fabhrach go scaoilfear le hairgead atá fós le híoc. Is iad seo a leanas na critéir a úsáideann Comhaltaí an Bhoird chun an cinneadh sin a dhéanamh:

- Cineál Díospóide,
- Stair comhlíontachta le reachtaíocht a bhaineann le tiarnaí talún/tionóntaí,
- Láidreacht theicniúil an cháis,
- Cén teagmháil/céimeanna, más ann dóibh, a ghlac an duine atá ag iarraidh comhlíontacht leis an bpáirtí neamhchomhlíontach chun comhlíontacht an Ordaithe a bhaint amach,
- Uirill reatha a rinne an BTCP chuig an bpáirtí neamhchomhlíontach agus an fhaisnéis ábhartha a fuarthas,
- Forleathadh geografach,
- Imthosca áirithe an cháis.

Chiallódh an costas a bhainfeadh le gach iarratas a thabhairt chun Cúirte go dteastódh maoiniú ón Státchiste nó chaithfí táillí an BTCP a mhéadú. Ní roghanna inmharthana ceachtar díobh sin. Mar sin féin, glacann an BTCP leis gur ábhar an-tromchúiseach é neamhchomhlíonadh Orduithe Cinnidh agus le linn 2012 ann féin chuir an BTCP 263 cás ar aghaidh chuig a Chomhairleoirí Dílíthiúla maidir le himeachtaí forfheidhmithe. Tá go leor de na cásanna sin ag céimeanna éagsúla sa phróiseas agus tá breithiúnais cláraithe nó táthar tagtha ar shocrú.

Tógann imeachtaí dlíthiúla achar fada agus bíonn siad costasach ach go dtí seo, d'éirigh go han-mhaith leis an BTCP orduithe breithiúnais a fháil ina chuid imeachtaí. É sin ráite, díreach mar gheall go dtéann duine chun Cúirte ní chiallaíonn sé sin go mbainfidh sé nó sí forfheidhmiú rathúil amach agus níos praiticiúla ná sin, ní chiallaíonn sé go bhfaighidh sé nó sí cúiteamh airgeadais. Ag tráth a bhfuil fiachas mór pearsanta ar gach duine, tá baol ann i ndáiríre nach n-íofar ar ais airgead atá dlite fiú amháin tar éis imeachtaí cúirte a n-éiríonn go maith leo. I gcuid mhaith cásanna is é an rogha is fearr agus ceann a éascaíonn an BTCP ná sceideal íocaíochtaí a chomhaontú.

Iarratais Nua Forfheidhmithe a Fuarthas in 2012

Fuarthas líon iomlán 346 iarratas nua ar fhorfheidhmiú in 2012, laghdú ón mbliain roimhe sin. Léirítear é sin mar gheall go ndearna an BTCP in 2012, forchéimniú ar an ngné próiseála díospóide dá thogra le haghaidh Chóras Bainistíochta Tionóntachta (TMS) agus cuireadh an fhoireann i mbun tástála ar an gcóras ionas gur tháinig laghdú ar líon na gcásanna a próiseáladh ar an iomlán in 2012.

Baineadh amach comhlíonadh nó socrú i ndiaidh na chéad idirghabhála ó Aonad Forfheidhmithe an BTCP agus ní raibh gá tabhairt faoi imeachtaí dlíthiúla i gcás 45 de na hiarratais a fuarthas. Cuireadh 17 cás eile ar feitheamh mar gheall ar shocrúcháin a bhí fós ag dul ar aghaidh agus tarraingíodh siar / thóg an páirtí amach imeachtaí i 13 cás.

Bhí líon na n-iarratas a fuarthas ó **Thiarnaí talún (180)** beagán níos mó ná iad sin a fuarthas ó **Thionóntaí (161)**. Léirítear leis sin an treocht sna hiarratais díospóidí a fuarthas agus léirítear gur ceist thromchúiseach atá ag dul i méid é ceist na riaráistí cíosa anois.

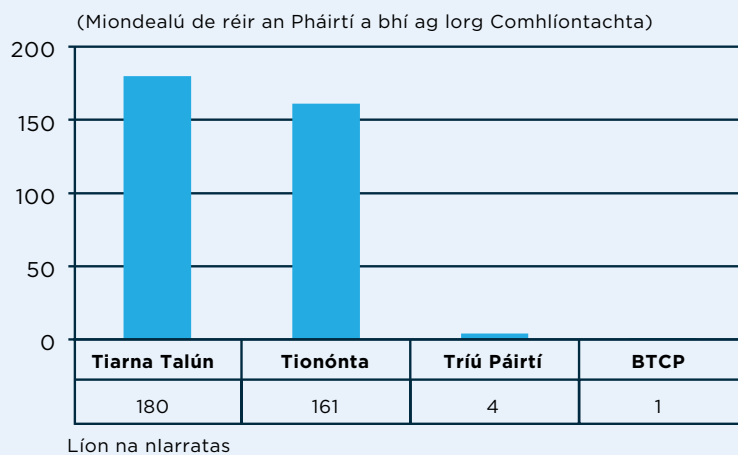
Fuarthas 4 iarratas ó Thríú Páirtithe (a bhaineann le Tiarnaí Talún ar theip orthu oibleagáidí tionóntaí a fhorfheidhmiú) agus 1 iarratas amháin inmheánach a bhain le hairgead a bhí dlite don BTCP mar gheall ar pháirtithe a bhí i mbun achomhairc ar a gcás chuig Binse agus ansin, gan fógra nó cúis mhaith a thabhairt, ar theip orthu freastal ar an mBinse.

Obair Fhorfheidhmithe in 2012

Anuas ar an 346 iarratas nua ar fhorfheidhmiú a fuarthas in 2012, rinne rannóg Forfheidhmithe an BTCP obair ar thart ar 800 cás a bhí fós ag dul ar aghaidh ag deireadh 2011. Bhí cásanna ó 2010 agus ó 2011 i gceist sa 800 cás sin.

Cuireadh 263 comhad ar aghaidh chuig ár gComhairleoirí Dlí in 2012 (bhain 81 cás le hiarratais forfheidhmithe ó 2012; bhain 182 le cásanna a bhí fós ag dul ar aghaidh ag deireadh 2011).

Líon Iomlán na nIarratas Forfheidhmithe a Fuarthas in 2012

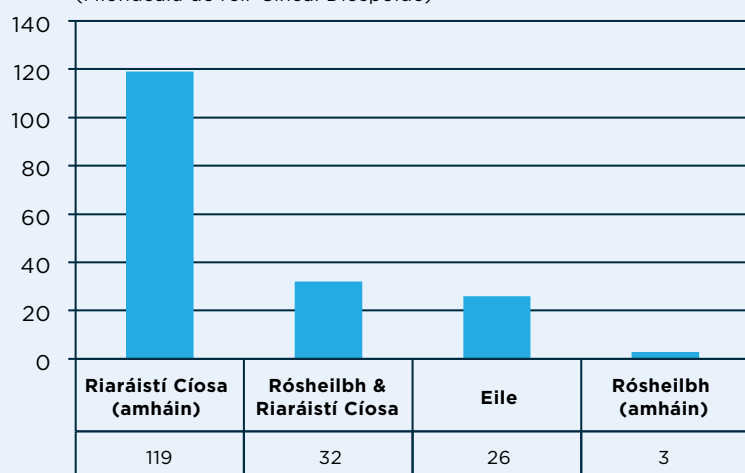


Iarratais ar fhorfheidhmiú ó thiarnaí talún a fuarthas in 2012 atá catagóirithe de réir Cineálacha Díospóide

Is léir ó athbhreithniú a rinneadh ar an 180 iarratas a fuarthas ó thiarnaí talún gurbh riaráistí cíosa na príomhfhadhbanna a bhí ag daoine. I measc na n-ábhar eile bhí damáiste a bhí níos mó ná gnáthchaitheamh agus gnáthchuimilt; fógra foirceannta; sárú oibleagáidí tionónta; agus sárú léas téarma sheasta.

Iarratais Forfheidhmithe a Fuarthas ó Thiarnaí Talún in 2012

(Miondealú de réir Cineál Díospóide)



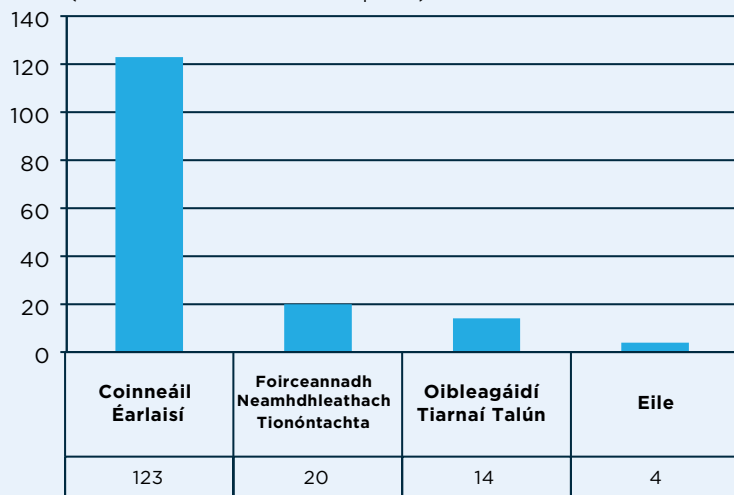
Líon na nIarratas

Iarratais ar fhorfheidhmiú ó thionóntaí a fuarthas in 2012 atá catagóirithe de réir Cineálacha Díospóide

As an 161 iarratas a fuarthas ó thionóntaí bhain an phríomhdheacracht le héarlaisí a bhí coinnithe.

Iarratais Forfheidhmithe a Fuarthas ó Thionóntaí in 2012

(Miondealú de réir Cineál Díospóide)



Líon na nIarratas

Torthaí Cúirte in 2012

Toradh Cúirte	Bliain 2012
Ciontú Alt 126	4
Ordú Alt 124 Faighte	91

Orduithe na Cúirt Dúiche (Ciontuíthe Alt 126)

Baineadh amach 4 chiontú in 2012. Gearradh fíneálacha i gcuid mhaith cásanna agus iad idir €650 suas go dtí €4,000. Fuarthas Orduithe Costas freisin i bhfabhar an BTCP agus iad idir €1,000 suas go dtí €2,952.

Orduithe na Cúirte Cuarda (Orduithe Alt 124 Faighte)

Fuarthas 91 Ordú ón gCúirt Chuarda in 2012. I mbeagnach gach cás bronnadh ordú i gcomhair costas, agus cáin le gearradh mura raibh comhaontú déanta. Theastaigh seirbhísí an tSirriam in thart ar 5 chás d'fhonn seilbh ghlan a aisghabháil agus d'fhág go leor daoine an áit nuair a fuair siad amach go raibh Sirriam fostaithe.

Breithiúnais a Chlárú

Is é beartas an BTCP maidir le cásanna neamhchomhlíontachta ná breithiúnais a chlárú a fhaightear nuair a theipeann ar an bpáirtí an fiachas a ghlanadh. Féadfar na breithiúnais sin a fhoilsiú in Trade Gazettes rud a mbíonn tionchar tromchúiseach aige ar rátáil chreidmheasa duine. In 2012, i gcás beagnach an 91 Ordú ar fad a fuarthas cláraíodh breithiúnais den sórt sin agus leantar á gclárú.

Torthaí Rathúla

Baineadh amach comhlíonadh nó socrú i ndiaidh na chéad idirghabhála gan gá tabhairt faoi imeachtaí dlíthiúla iomlána i 29 cás tar éis iad a chur ar aghaidh chuig ár gComhairleoirí Dlíthiúla.



Straitéis Maidir Le Teicneolaíocht Faisnéise Agus Cumarsáide (TFC)

Ba é sprioc lárnach 2012 i gcás thionscnaimh TFC an BTCP ná cur i bhfeidhm ár gCóras Bainistíochta Tionóntachta a thabhairt chun críche. Chuaigh an chéim dheiridh, a bhaineann le taobh na nDíospóidí agus na mBinsí den ghnó, beo d'úsáideoirí inmheánacha i mí Aibreáin 2012. Áiríodh leis sin leas a bhaint as tionscnamh um sheirbhís chomhroinnte leis na Coimisinéirí Ioncaim áit ar scrúdaigh siad an riaráiste de cháschomhaid a bhí againn. Mar thoradh ar sheoladh na céime sin tugadh an BTCP amach as ré a bhí bunaithe ar pháipéir i mbainistíocht cáschomhad go dtí paraidím a bhí go hiomlán leictreonach. I mí Iúil 2012 leathnaíodh an fheidhmiúlacht sin chuig ár dtairseach Idirlín áit ar féidir iarratais ar dhíospóidí/bhinsí a dhéanamh ar líne anois. Déantar 52% d'iarratais nua sa réimse díospóidí/binsí ar líne anois.

Áiríodh leis an gcéim seo de TMS comhtháthú le rianú táirge An Post agus córas cruthúnais seachadta a chloíonn leis an reachtaíocht ríomh-thráchtála is déanaí agus atá in úsáid ó shin i leith agus a seastar leis i gCúirteanna. Tá an togra nuálach seo le An Post curtha ar an ngearrliosta ó shin le haghaidh Gradam TFC 2013.

Tá inneall sceidealaithe cuíchóirithe mar ghné den chóras nua seo. Cinntítear leis seo go mbaintear an leas is mó as na seomraí atá againn i gcomhair díospóidí/binsí agus déantar é sin ar bhealach a íoslghdaíonn an costas a bheidh ar an eagraíocht. Ní bhíodh ach 3 sheomra in úsáid le haghaidh cúrsaí réitithe díospóidí i mBaile Átha Cliath ach anois tá 5 sheomra in úsáid. Brostaíodh tréachur na gcásanna dá bhrí sin leis an gcóras seo.

Mar chuid den socrú eisfhoinisithe le SouthWestern, bogadh ár lárionad glaonna ó Bhaile Átha Cliath go Cloich Na Coillte i mí Dheireadh Fómhair 2012. D'éascaigh sé sin an úsáid a bhaintear as ardchórais monatóireachta agus teileafónaíochta iomchuí ionas nach gcailltear an oiread glaonna agus go bhfuil acmhainn níos mó ar fáil do dhaoine a ghlaonn orainn. Baineadh úsáid as comhtháthú níos géire le córais reatha sa BTCP i dTeach Dhroichead Uí Chonaill chun iarracht a dhéanamh seirbhís chomh leanúnach agus is féidir a thabhairt do chliant nuair a bhíonn siad i dteagmháil leis an BTCP.

I mí na Samhna sheol SouthWestern córas chun foirmeacha páipéir a scanadh isteach. Forbraíodh comhéadain chun na sonraí seo a aistriú go leictreonach chuig ár gcóras TMS agus ionas go

mbeimis in ann cóip leictreonach den doiciméad a choinneáil ar an gcóras. Leis sin bhí mion-obair ar siúl idir aonad TFC an BTCP, Vulcan Systems (soláthraí an chórais TMS) agus SouthWestern (ár soláthraí seachfhoinsé). D'éirigh thar cionn leis sin agus samhlaímid go mbeidh tograí eile ar bun eatarthu chun cuidiú chun na próisis sin a dhéanamh níos éifeachtúla.

Foilsíodh creat soláthair TFC i mí na Bealtaine 2012 agus bronnadh é i mí Iúil 2012. Tá ceithre ghrúpa díoltóirí TFC ar fáil anois don BTCP le haghaidh mionthairiscintí d'fhonn gach riachtanas TFC a thiocfaidh chun cinn amach anseo a chomhlíonadh.

D'fhonn an tionscnamh eisfhoinisithe a éascú b'éigean athrú ollmhór a dhéanamh ar ár mbonneagar TFC. Toisc go raibh gá tríú páirtithe a scaoileadh isteach chuig ár gcórais inmheánacha ar bhealach lenar bhain dea-chleachtas, cuireadh dhá thionscadal i bhfeidhm; ceann a bhain le cian-rochtain a cheadú agus ceann eile chun ár líonraí a dhéanamh tuilleadh slán trí bhallaí dóiteáin a mhéadú agus trí mhodheolaíochtaí líonraithe eile. Bhí an tionscadal cian-rochtana (Citrix) réidh faoi dheireadh Dheireadh Fómhair in am do SouthWestern ár bhfeidhm próiseála clárúchán a ghlacadh ar láimh agus bhí an obair ar an líonra agus an obair shlándála tugtha chun críche faoi dheireadh na Nollag.

Leanfar den chur chuige seo chun feabhas a chur ar an bpróiseas an chéad bhliain eile de réir mar a dhéanaimid athfhorbairt ar ár láithreán Gréasáin agus ár dtairseach, de réir mar a chuirimid tuilleadh tionscnamh ríomhRialtais i bhfeidhm, mar a fheabhsaímid cumas an phobail agus geallsealbhoirí eile cumarsáid a dhéanamh linn trí labhairt linn, trí theachtaireachtaí meandracha, físeáin, meáin shóisialta nó gréasán, agus trí TMS a shimpliú chun tacú le reachtaíocht nua agus le tionscnaimh eile san Earnáil Comhlachtaí Tithíochta Ceadaithe. Ag glacadh leis go bhfuil an eagraíocht ag brath níos mó agus níos mó ar theicneolaíocht TFC cuirfear ríomhchlár nua Athshlánaithe ó Thubaiste i bhfeidhm chun tacú le gach teicneolaíocht nua ábhartha a chuirfear i bhfeidhm. Tá sé beartaithe bunachar sonraí de chlárúcháin TMS a úsáid mar bhunús le haghaidh innéacs cíosa náisiúnta sa dara ráithe de 2013.

Tá Straitéis TFC 2009 – 2012 curtha i bhfeidhm ar fad beagnach. Tá obair ar bun ar an dá thionscadal dheiridh, .i. Láithreán gréasáin nua don BTCP agus Innéacs Cíosa BTCP, a sheolfar sa chéad leath de 2013.

Soláthar agus Tairiscintí a Lorgaíodh agus a Bronnadh

Dearbhaíonn an BTCP gur chomhlíon sé nósanna imeachta soláthair maidir le Tairiscintí iomaíocha a dhéanamh.

Áirítear leis sin comhlíonadh le treoirlínte náisiúnta agus leis na Treoracha AE iomchuí, a bhfuil feidhm dlí leo sa Stát seo. Is córas iomaíoch tairiscintí an gnáth nós imeachta a úsáideann an BTCP sa phróiseas soláthair. Bhí aird chuí ag gach tairiscint a eisíodh ar na tairseacha luacha chun rialacha soláthair a chur i bhfeidhm.

Is féidir le duine ar bith a dteastaíonn uathu a bheith fostaithe ag an mBord mar shainchomhairleoir nó mar chomhairleoir an Bord a chur ar an eolas i scríbhinn agus san áireamh le haon fhógra chun na críche sin beidh sonraí maidir le cáilíochtaí agus taithí an duine. Leanann an BTCP riachtanais maidir le soláthar poiblí agus tairiscintí nó luachana á lorg acu. I rith 2012, d'fhaomh an Bord nó an Stiúrthóir roinnt conarthaí de réir mar atá leagtha amach thíos, tar éis iad a chur ar tairiscint phoiblí:

- › Straitéis Chorparáideach an BTCP 2012 - 2015 - Mazars Consultants - Feabhra 2012
- › Measúnú ar an bhFéidearthacht a bhaineann le Scéim Chosanta Taiscí Tionóntachta (Assessment of the Feasibility of a Tenancy Deposit Scheme) - Indecon - Aibreán 2012
- › Eisfhoinsíú - SouthWestern Services - Iúil 2012
- › Creat Seirbhísí Gairmiúla TF - I.T. Alliance Group Limited, IT Force, DNM Technology - Iúil 2012
- › Innéacs Náisiúnta Cíosa an BTCP - ESRI - Lúnasa 2012



Tuarascáil agus Ráitis Airgeadais

don bhliain dar chríoch 31 Nollaig 2012

Subject to C & AG Audit

Faisnéis

Baill An Bhord Um Thionóntachtaí Cónaithe Príobháideacha

Orla Coyne	Aturnae (Cathaoirleach)
Gene Feighery	Comhshaolaí
Vincent P. Martin	Abhcóide
Finian Matthews	Státseirbhíseach ar scor
An Dr. Eoin O’Sullivan	Léachtóir i gColáiste na Tríonóide, Baile Átha Cliath
Thomas J Reilly	Gairmí Maoine
John Tiernan	Iar-Bhainisteoir Contae
Conn Murray	Bainisteoir Contae
Joseph Meehan	Státseirbhíseach, An Roinn Coimirce Sóisialaí
Aidan Brennan	Státseirbhíseach, An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil
Paula O’Reilly	Státseirbhíseach, An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil
Tim Ryan	Sainchomhairleoir PR
Tricia Sheehy Skeffington	Abhcóide

Comhaltaí an Bhoird a d’éirigh as in 2012

Aidan Brennan	Státseirbhíseach, An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil
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Faoi réir Iniúchadh an
Ard-Reachtaire Cuntas agus Ciste

Ráiteas maidir le Freagrachtaí

Éilítear le hAlt 178 den Acht um Thionóntachtaí Cónaithe, 2004, go n-ullmhódh an Stiúrthóir na Ráitis Airgeadais ar shlí arna shonrú ag an Aire Comhshaoil, Pobail agus Rialtais Áitiúil agus i gcomhréir le prionsabail chuntasaíochta a nglactar i gcoitinne leo. Ní mór don Bhord na Ráitis Airgeadais a fhaomhadh.

Agus na ráitis airgeadais sin á n-ullmhú, ceanglaítear ar an Stiúrthóir agus ar an mBord:

- › Beartais chuntasaíochta chuí a roghnú agus iad a chur i bhfeidhm go seasta;
- › Breithiúnais agus measúnaithe a dhéanamh atá réasúnta agus críonna;
- › Tabhairt le fios cibé ar cloíodh le caighdeáin chuntasaíochta infheidhmithe, faoi réir aon imeachta ábhartha a nochtadh agus a míníodh sna ráitis airgeadais;
- › Na ráitis airgeadais a ullmhú ar bhunús an ghnóthais leantaigh mura bhfuil sé mí-oiriúnach glacadh leis go leanfaidh an Bord ar aghaidh ag feidhmiú.

Tá an Stiúrthóir, faoi threoir an Bhoird, freagrach as leabhair chuntais chearta a choimeád a nochtann le cruinneas réasúnta ag aon tráth staid airgeadais an Bhoird agus a chuireann ar a chumas cinntiú go gcomhlíonann na ráitis airgeadais alt 178 den Acht. Tá an Bord freagrach as cinntiú go ndéantar gnó an Bhoird ar bhealach ceart agus rialta agus as na sócmhainní go léir atá faoi smacht oibriúcháin aige a chosaint agus mar sin céimeanna réasúnta a ghlacadh chun calaois agus neamhrialtachtaí eile a chosc agus a bhrath.

Stiúrthóir

Cathaoirleach

Faoi réir Iniúchadh an
Ard-Reachtaire Cuntas agus Ciste

Ráiteas maidir le Rialú Inmheánach Airgeadais

Freagracht as an gcóras Rialaithe Inmheánaigh Airgeadais

Ar son ball an Bhoird um Thionóntachtaí Cónaithe Príobháideacha, admhaim go bhfuilimid freagrach as a chinntiú go gcoimeádtar agus go n-oibrítear córas éifeachtach um rialú inmheánach airgeadais.

Ní fhéadann an córas ach dearbhú réasúnta, nach dearbhú iomlán é, a sholáthar go ndéantar na sócmhainní a chosaint, go ndéantar idirbhearta a údarú agus a thaifeadadh i gceart, agus go ndéantar earráid ábhartha nó mírialtachtaí eile a chosc nó go mbraithfí iad i dtréimhse thráthúil. Féachann an Bord agus a Choiste Iniúchta ar na ceanglais atá sa Chód Cleachtais ar Rialú Comhlachtaí Stáit, i measc nithe eile, agus iad ag féachaint ar chríochnúlacht an rialaithe inmheánaigh airgeadais.

Príomh-nósanna imeachta maidir le rialú

Tá céimeanna glactha ag an mBord um Thionóntachtaí Cónaithe Príobháideacha chun timpeallacht oiriúnach rialaithe a chinntiú ar na bealaí seo a leanas:

- › a chinntiú go gcomhlíonann an Bord a chuid oibleagáidí Airgeadais faoin Acht;
- › a chinntiú go dtugtar cuntas ceart maidir le sócmhainní agus dliteanas an Bhoird;
- › chúraimí bainistíochta a shainmhíniú go soiléir;
- › nósanna imeachta foirmiúla a bhunú chun mainneachtana móra maidir le rialú a thuairisciú agus gníomh ceartúcháin ceart a chinntiú;
- › fochoistí oiriúnacha den Bhord a bhunú chun díriú níos mó ar réimsí sonracha.

D'aontaigh baill an Bhoird go bhfuil Stiúrthóir agus baill foirne an Bhoird (faoi réir ag a dtarligeán ag an Stiúrthóir) freagrach as cúrsaí oibriúcháin.

Faoi réir Iniúchadh an
Ard-Reachtaire Cuntas agus Ciste

Ráiteas maidir le Rialú Inmheánach Airgeadais

Tá an córas rialaithe inmheánaigh airgeadais laistigh den Bhord um Thionóntachtaí Cónaithe Príobháideacha bunaithe ar chreat d'eolas bainistíochta míosúil, nósanna imeachta riaracháin (lena n-áirítear dualgais agus teorainneacha údaraithe a leithscaradh), agus córas tarmligin agus cuntasachta. Go háirithe san áireamh tá:

- › córas cuimsitheach buiséadaithe le buiséad bliantúil, a dhéantar a athbhreithniú agus a aontú leis an bhFeidhmeannas agus leis an mBord;
- › athbhreithniú rialta ag an bhFeidhmeannas agus ag an mBord ar thuarascálacha tréimhsiúla agus bliantúla a shonraíonn feidhmíocht airgeadais de réir spriocanna;
- › treoirlínte soiléire ar sholáthar, tairiscint agus infheistíocht chaipitil.

Faigheann monatóireacht agus athbhreithniú an Bhoird ar an gcóras um rialú inmheánach airgeadais treoir ón gCoiste Iniúcháireachta, foireann bhainistíochta an Fheidhmeannais, atá freagrach as an gcreat rialaithe airgeadais a fhorbairt agus a choimeád, agus tráchta a dhéanann an tArd-Reachtaire Cuntas & Ciste ina litir bhainistíochta nó i dtuarascálacha eile.

Tá an Bord tar éis leanúint lena chuid oibre chun fairsinge agus dóchúlacht riosca gnó in 2011 a fháil amach, agus leanfar leis an obair seo in 2012.

Athbhreithniú Bliantúil ar Rialuithe

Dearbhaím go ndearna an Bord athbhreithniú ar éifeachtúlacht na rialuithe inmheánacha don bhliain dar críoch 31 Nollaig 2012.

Cathaoirleach

Faoi réir Iniúchadh an
Ard-Reachtaire Cuntas agus Ciste

Ráiteas faoi Bheartais Chuntasaíochta

Seo a leanas na beartais chuntasaíochta shuntasacha ar glacadh leo sna ráitis airgeadais seo:

Ginearálta

Is iad feidhmeanna ginearálta an Bhoird ná:

- › córas clárúcháin náisiúnta a fheidhmiú le haghaidh gach tionóntachta cónaithe príobháidí a thagann faoi shainchuspóir an Achta um Thionóntachtaí Cónaithe Príobháideacha 2004;
- › seirbhís um réiteach díospóide a oibriú agus;
- › eolas a sholáthar, taighde a dhéanamh agus a comhairle beartais a sholáthar don Aire maidir le tithíocht ar cíos san earnáil phríobháideach;
- › tacaíocht riaracháin agus rúnaíochta a sholáthar do na Binsí (tá na costais ghaolmhara áirithe i gcostais riaracháin).

Bunús na cuntasaíochta

Ullmhaíodh na ráitis airgeadais faoin mbonn fabhrúithe cuntasaíochta de réir na bprionsabal cuntasaíochta a nglactar leo i gcoitinne agus faoi choinbhinsiún an chostais stairiúil. Tá na ráitis leagtha amach i bhfoirm a d'fhaomh an tAire Comhshaoil, Pobail agus Rialtais Áitiúil. Tá na cuntais sonraithe in euro.

Ioncam

Maoiniú Stáit

Léiríonn maoiniú Stáit airgead tirim a fuarthas sa bhliain ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil.

Táillí clárúcháin agus díospóide

Aithnítear táillí i dtaobh clárúcháin agus díospóidí nuair a fhaightear iarratas.

Ioncam eile

Seasann ioncam eile d'ús fabhráithe ar thaiscí arna sealbhú le hinstiúidí airgeadais eile, agus aon chostais dlí a gnóthaíodh i gcaitheamh na bliana.

Sócmhainní seasta intadhaill

Tangible fixed assets are stated at cost less accumulated depreciation.

Sonraítear sócmhainní seasta inláimhsithe ag costas lúide dímheas carntha.

Soláthraítear dímheas ar bhonn líne díri ag rátaí a mheastar a dhéanfaidh costas na sócmhainní a dhíscríobh thar a saol úsáideach measta mar seo a leanas:

Feabhsúcháin Léasacha	5%	Líne Dhíreach
Troscán agus Feistis	10%	Líne Dhíreach
Trealamh oifige	20%	Líne Dhíreach
Trealamh Ríomhaireachta agus forbairt bogearraí	20%	Líne Dhíreach

Ráiteas faoi Bheartais Chuntasaíochta

Airgeadra eachtrach

Aistrítear airgeadraí atá ainmnithe in airgeadraí eachtracha go euro ag an ráta malairte a bhí i bhfeidhm nuair a rinneadh an t-idirbheart. Déantar aon difríocht a éiríonn as an aistriúchán idir dátaí idirbhearta agus dátaí íocaíochta a mhuirearú don chuntas Ioncaim agus Caiteachais.

Cuntas Caipitil

Is ionann an cuntas caipitil agus an méid ioncaim gan amúchadh a úsáidtear chun sócmhainní seasta a mhaoiniú.

Pinsin Foirne

Oibríonn an Bord um Thionóntachtaí Cónaithe Príobháideacha scéim pinsean sochair shainithe a mhaoinear go bliantúil ar bhonn íoctar mar a úsáidtear ó airgead atá ar fáil dó. Thug Ionstraim Reachtúil (I.R. Uimh. 625 de 2011) éifeacht don Scéim Aoisliúntais BTCP agus cheadaithe an tAire Comhshaoil, Pobail agus Rialtais Áitiúil é le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe i mí na Samhna 2011 (ag tosú le héifeacht ón 1 Meán Fómhair 2004).

Léiríonn costais pinsean na sochair pinsean arna dtuilleamh ag fostaithe sa tréimhse agus taispeántar iad glan ó ranníocaíochtaí pinsean foirne a láimhseáiltear mar chinn iníoctha leis an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil. Aithnítear méid atá comhfhreagrach don táille pinsean mar ioncam chomh fada is atá sé in-aisghabhála, agus déantar é a fhritháireamh nuair is gá, le deontais a fhaightear sa bhliain chun íocaíochtaí pinsean a chomhlíonadh.

Léirítear gnóthachain agus cailteanais achtúireacha a thagann chun cinn ar dhliteanais scéime sa Ráiteas ar Iomlán na nGnóthachan agus na gCailteanas Aitheanta agus aithnítear leasú comhfhreagrach sa mhéid atá inghnóthaithe ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil.

Léiríonn dliteanais pinsean luach reatha na n-íocaíochtaí pinsean sa todhchaí arna dtuilleamh ag baill foirne go dtí seo. Seasann maoiniú pinsin don tsócmhainn chomhfhreagrach atá le gnóthú amach anseo ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil.

Faoi réir Iniúchadh an Ard-Reachtaire Cuntas agus Ciste

Cuntas Ioncaim agus Caiteachais

don bhliain dar chríoch 31 Nollaig 2012

	Nótaí	dar chríoch 31 Nollaig 2012 €'000	dar chríoch 31 Nollaig 2011 €'000
Ioncam			
Maoiniú Stáit	1	-	-
Maoiniú pinsean iarchurtha	11c	198,000	205,000
Táillí clárúcháin	2	9,319,365	9,575,244
Méideanna Dlite d'Údaráis Áitiúla	7	(1,864,296)	(1,915,049)
Táillí díospóide		44,693	62,660
Ioncam eile	3	136,793	173,458
Aistriú (chuig) / ó chuntas caipitil	8	51,199	279,863)
		7,885,754	7,821,450
Caiteachas			
Costais foirne	4a	(2,567,180)	(2,919,276)
Costais riaracháin	4b	(4,675,973)	(3,939,621)
Dímheas	5	(384, 896)	(365,564)
		(7,430,049)	(7,224,461)
Barrachas don bhliain	9	257,705	596,989

Baineann an t-ioncam agus caiteachas go léir don bhliain dar chríoch 31 Nollaig 2011 le gníomhaíochtaí leanúnacha.

Stiúrthóir

Faoi réir Iniúchadh an
Cathaoirleach - Reachtaire Cuntas agus Ciste

Ráiteas faoi Gnóthachain & Chailteanais Iomlána Aitheanta

don bhliain dar críoch 31 Nollaig 2012

Nótaí	dar chríoch 31 Nollaig 2012 €'000	dar chríoch 31 Nollaig 2011 €'000
Barrachas don bhliain	257,705	596,989
(Cailteanas) / gnóthachan ó thaithí ar dhliteanais na scéime pinsin	(22,000)	115,000
Athruithe ar thiomhdí is bun le luach reatha dhliteanais na scéime pinsin	-	-
(Cailteanas) / gnóthachan achtúireach aitheanta	(22,000)	115,000
Leasú ar mhaoiniú pinsin iarchurtha	22,000	(115,000)
Iomlán na (gcaillteanas) / na ngnóthachan aitheanta don bhliain	257,705	596,989

Stiúrthóir

Cathaoirleach

Faoi réir Iniúchadh an
Ard-Reachtair Cuntas agus Ciste

Clár Comhardaithe

amhail an 31 Nollaig 2012

	Nótaí	dar chríoch 31 Nollaig 2012 €'000	dar chríoch 31 Nollaig 2011 €'000
SÓCMHAINNÍ SEASTA			
Sócmhainní Intadhaill	5	2,969,352	3,020,551
SÓCMHAINNÍ REATHA			
Féichiúnaithe	6	53,433	66,311
Airgead sa bhanc		6,596,377	6,115,544
		6,649,810	6,181,855
CREIDIÚNAITHE			
Suimeanna a bheidh dlite laistigh de bhliain amháin	7	(3,979,365)	(3,769,115)
Glansócmhainní reatha		2,670,445	2,412,740
IOMLÁN NA SÓCMHAINNÍ LÚIDE DLITEANAIS REATHA ROIMH PHINSIN		5,639,797	5,433,291
Maoiniú Pinsin iarchurtha	11	(1,100,000)	(880,000)
Dlíteanas na scéime pinsin	11	1,100,000	880,000
IOMLÁN NA SÓCMHAINNÍ LÚIDE DLITEANAIS REATHA		5,639,797	5,433,291
ARNA MHAOINIÚ AG			
Barrachas carntha	9	2,670,445	2,412,740
Cuntas caipitil	8	2,969,352	3,020,551
		5,639,797	5,433,291

Is cuid de na ráitis airgeadais seo an Ráiteas faoi Bheartais Cuntasáíochta agus na Nótaí 1 go 16.

Faoi réir míúchadh an
Ard-Reachtair Cuntas agus Ciste

Stiúrthóir

Cathaoirleach

Ráiteas maidir le Sreabhadh Airgid

don bhliain dar chríoch 31 Nollaig 2012

	Nótaí	dar chríoch 31 Nollaig 2012 €'000	dar chríoch 31 Nollaig 2011 €'000
Réiteach barrachas oibriúcháin le glan-insreabhadh Insreabhadh airgid ó ghníomhaíochtaí oibriúcháin			
Barrachas oibríochta don bhliain	9	257,205	596,989
Dímheas	5	384,896	365,564
Ús Tuillte	3	(123,540)	(140,779)
Aistriú (ó) / chuig Cuntas Caipitil	8	(51,199)	279,863
(Laghdú) / Méadú i bhféichiúnaithe	6	12,878	(24,173)
Méadú / (laghdú) ar chreidiúnaithe	7	210,250	(3,413,032)
Glan-Insreabhadh Airgid (eis-sreabhadh) ó ghníomhaíochtaí oibriúcháin		690,990	(2,335,568)
Ráiteas maidir le Sreabhadh Airgid			
Glan-Insreabhadh Airgid (eis-sreabhadh) ó ghníomhaíochtaí oibriúcháin		690,990	(2,335,568)
Torthaí ar Infheistíocht agus Fónamh ar Airgeadas			
Ús Faighte	3	123,540	140,779
Glanchaiteachas Caipitil			
Íocaíochtaí le Sócmhainní Seasta Intadhaill a fháil	8	(333,697)	(645,427)
Méadú/(laghdú) ar airgead tirim	9	257,705	596,989
Réiteach glansreabhadh airgid le gluaiseacht ar ghlan-chistí			
Glan-chistí amhail an 1 Eanáir		6,115,544	8,955,760
Glan-chistí amhail an 31 Nollaig		6,596,377	6,115,544
Méadú/(laghdú) ar airgead tirim		480,833	(2,840,216)

Is cuid de na ráitis airgeadais seo an Ráiteas faoi Bheartais Cuntasaíochta agus na Nótaí 1 go 16.

Ard-Reachtair Cuntas agus Ciste

Stiúrthóir

Cathaoirleach

Nótaí

(atá mar chuid de na ráitis airgeadais)

1. Maoiniú Stáit

Feidhmíonn an BTCP ar bhunús féinmhaoinithe ón 1 Eanáir 2010 agus ní bhfuair sé aon mhaoiniú Stáit in 2012.

2. Ioncam Ó Tháillí Clárúcháin

Ba ionann na táillí a fuarthas ó thiarnaí talún mar íocaíocht as a gcuid tionóntachtaí a chlárú agus €9,319,365 (2011) - €9,575,244).

De réir threoir an Aire, a rinneadh faoi Alt 176(5) den Acht um Thionóntachtaí Cónaithe, 2004, pléitear le hioncam ó tháillí clárúcháin a fhaigheann an BTCP ar an mbealach seo a leanas:

D'Údaráis Áitiúla:

- › 20% sa bhliain arbh ionann é agus €1,864,296

Coimeádta ag an BTCP i dtreo a chuid costas riaracháin:

- › 80% sa bhliain arbh ionann é agus €7,455,069

3. Ioncam Eile

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Ioncam ó ús	123,540	140,779
Costais dlí gnóthaithe	13,253	2,679
	136,793	173,458

4a. Costais Foirne

	dar chríoch 31 Nollaig 2012 €'000	dar chríoch 31 Nollaig 2011 €'000
Baill Foirne ar lasacht & Baill Foirne BTCP	1,601,512	1,619,663
Foireann Gníomhaireachta	501,487	869,429
Costais Phinsin	357,658	335,225
Oiliúint na mball foirne agus sealbhóirí oifige	19,793	12,736
Costais foirne eile	2,639	-
Costais leasa shóisialaigh	84,091	82,223
	2,567,180	2,919,276

Nótaí

(atá mar chuid de na ráitis airgeadais)

Líon foirne:

Ba é an líon foirne a d'fhostaigh an Bord sa bhliain ná 23 (2011: 25). Thug an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil 10 mball foirne eile ar iasacht don Bhord (2011: 11, tháinig 2 ó Chomhairle Cathrach Bhaile Átha Cliath (2011: 2), 2 ón Roinn Dlí agus Cirt agus Athchóirithe Dlí agus 1 ón Roinn Iompair, Turasóireachta agus Spóirt.

Tobhach Pinsin:

Tá €42,567 de thobhach pinsin asbhainte agus íoctha leis an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil (2011: €39,483).

4b. Caiteachas Riaracháin

	dar chríoch 31 Nollaig 2012 €'000	dar chríoch 31 Nollaig 2011 €'000
Táillí Bhaill an Bhoird	161,560	113,175
Táillí Ball Binse	397,877	395,931
Táillí Breithneoirí agus Idirghabhálaithe	389,895	384,666
Binse cíosa (Nóta *)	1,353	5,943
Taisteal & Cothabháil	22,050	32,218
Costais Eisfhoinsithe	425,899	-
Táillí gairmiúla agus dlí	1,559,614	1,410,445
Táillí iniúchta	12,928	11,614
Táillí cuntasaióchta	76,944	95,934
Costais luathscríbhneoireachta	59,360	87,663
Costais Cruinnithe	7,539	9,113
Soláthairtí Oifige	112,858	110,328
Costais Phostais & Dáileacháin	205,693	207,983
Costais Phriontála & Aistriúcháin	220,788	188,137
Costais teileafóin	39,264	27,108
Faisnéis Phoiblí & Oideachas	2,622	15,038
Costais ríomhairí agus cothabháil	473,835	244,534
Costais teaghlachas	395,590	508,367
Seirbhísí glantacháin	24,045	23,627
Staidéir Taighde	55,067	43,381
Íocaíocht Dhéanach in Idirbhearta Tráchtála	159	1275
Ábhar ilchineálach	31,033	23,141
	4,675,973	3,939,621

Tabhair faoi deara *: Áirítear orthu sin táillí Bhaill na mbinsí cíosa agus costais taistil agus cothabhála.

Nótaí

(atá mar chuid de na ráitis airgeadais)

5. Sócmhainní Seasta Intadhail

	Trealamh Ríomhaireachta & Forbairt Bogearraí €'000	Feabhas Léasacht €'000	Troscán & Fearais €'000	Trealamh Oifige €'000	Iomlán €'000
Costas					
Iarmhéid tosaigh	2,092,372	1,746,933	204,262	83,833	4,127,400
Breiseanna	333,202	-	-	495	333,697
Diúscairtí	-	-	-	-	-
Amhail an 31 Nollaig 2012	2,425,574	1,746,933	204,262	84,328	4,461,097
Dímheas					
Iarmhéid tosaigh	605,521	343,134	77,690	80,504	1,106,849
Muirear don bhliain	274,382	87,344	20,529	2,641	384,896
Dímheas ar dhiúscairtí	-	-	-	-	-
Amhail an 31 Nollaig 2012	879,903	430,478	98,219	83,145	1,491,745
Glanluach de réir na leabhar					
Amhail an 31 Nollaig 2012	1,545,671	1,316,455	106,043	1,183	2,969,352
Amhail an 31 Nollaig 2011	1,486,851	1,403,799	126,572	3,329	3,020,551

6. Féichiúnaithe

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Costais réamhíochta	17,815	35,215
Costais dlí fabhráithe is féidir a ghnóthú	400	1,500
Ús infhaighte	26,235	13,436
Glanphá	-	6,988
Asbhaintí deonacha	4,441	4,415
Ilfhéichiúnaithe	4,542	4,757
	50,433	66,311

Nótaí

(atá mar chuid de na ráitis airgeadais)

7. Creidiúnaithe

Méideanna dlite laistigh d'aon bhliain amháin

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Creidiúnaithe & fabhruithe	1,440,871	894,917
Méideanna dlite d'údaráis áitiúla	2,538,494	2,874,198
	3,979,365	3,769,115

Anailís ar mhéideanna dlite d'údaráis áitiúla:

Leagtar amach sa tábla thíos na táillí a fuarthas sa bhliain airgeadais ábhartha agus méideanna a íocadh leis na húdaráis áitiúla ábhartha as a gcuid feidhmeanna a chomhlíonadh faoi na Rialacháin um Chaighdeáin Tithe agus Leabhair Chíosá;

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Iarmhéid tosaigh	2,874,198	5,559,150
Táillí leithdháilte d'údaráis áitiúla sa bhliain	1,864,296	1,915,049
Táillí íoctha amach sa bhliain	(2,200,000)	(4,600,001)
	2,538,494	2,874,198

Beidh na méideanna atá dlite le híoc le húdaráis áitiúla áirithe de réir na gcritéar a leag an tAire Comhshaoil, Pobail agus Údaráis Áitiúil síos agus atá faoina threoir.

8. Cuntas Caipitil

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Iarmhéid tosaigh	3,020,551	2,740,688
Aistriú (chuig) / ó Chuntas Ioncaim agus Caiteachais		
Maoiniú chun sócmhainní a fháil	333,697	645,427
Amúchadh ag teacht le dímhéas sócmhainní	(384,896)	(365,564)
	(51,199)	279,863
Iarmhéid deiridh an 31 Nollaig	2,969,352	3,020,551

Faoi réir Iniúchadh an
Ard-Reachtair Cuntas agus Ciste

Nótaí

(atá mar chuid de na ráitis airgeadais)

9. Barrachas / (Easnamh) Carntha

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
larmhéid tosaigh	2,412,740	1,815,751
(Easnamh) / Barrachas don bhliain	257,705	596,989
larmhéid deiridh an 31 Nollaig	<u>2,670,445</u>	<u>2,412,740</u>

10. Cóiríocht

I nDeireadh Fómhair 2007 shínigh an Bord um Thionóntachtaí Cónaithe Príobháideacha comhaontú léasach 20 bliain maidir lena áitreabh ag Teach Dhroichead Uí Chonaill, Sráid D'Ólier, Baile Átha Cliath 2. Tá clásal scoir sa léas ag deireadh bliain 5. Ba é an gealltanas bliantúil faoin léas seo ag deireadh na bliana ná €264,424.

11. Superannuation

a) Anailís ar iomlán na gcostas pinsin a muirearaíodh ar Chaiteachas

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Costas reatha seirbhíse	150,000	160,000
Ús ar dhliteanais scéime pinsin	48,000	45,000
Ranníocaíochtaí fostaithe	(37,647)	(33,921)
	<u>160,353</u>	<u>171,079</u>
Aoisliúntas (Foireann na Roinne)	<u>197,305</u>	<u>164,146</u>
	<u>357,658</u>	<u>335,225</u>

Faoi réir Iniúchadh an
Ard-Reachtaire Cuntas agus Ciste

Nótaí

(atá mar chuid de na ráitis airgeadais)

b) Gluaiseacht ar Ghlandliteanas Pinsin le linn na bliana airgeadais

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Glandliteanas pinsin amhail an 1 Eanáir	(880,000)	(790,000)
Costas reatha seirbhíse	(150,000)	(160,000)
Costas seirbhíse roimhe seo	-	-
Costais úis	(48,000)	(45,000)
(Gnóthachan) / Cailteanas Achtúireach	(22,000)	115,000
Easnamh ag deireadh na bliana	357,658	335,225

c) Maoiniú Iarchurtha do Phinsin

Cheadaigh an tAire Comhshaoil, Pobail agus Rialtais Áitiúil Scéim Aoisliúntais an BTCP le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe i mí na Samhna 2011 (ag tosú le héifeacht ón 1 Meán Fómhair 2004). Aithníonn an BTCP méideanna atá dlite ón Stát don dliteanas iarchurtha neamh-mhaoinithe le haghaidh pinsean a eascraíonn as an scéim aoisliúntais ceadaithe seo ar bhunús sraith toimhdí ar a ndéantar cur síos in (e) agus roinnt imeachtaí san am atá thart. Áiríonn na himeachtaí sin an bunús reachtúil chun an scéim aoisliúntais a bhunú, agus an beartas agus an cleachtas atá i bhfeidhm faoi láthair maidir le pinsin seirbhíse poiblí a mhaoiniú lena n-áirítear ranníocaíochtaí fostaithe agus más gá, an próiseas meastachán bliantúil.

Bhí an Glanmhaoiniú Iarchurtha le haghaidh Pinsean a aithníodh sa Chuntas Ioncaim agus Caiteachais mar seo a leanas:

	2012 €'000	2011 €'000
Maoiniú inghnóthaithe i leith pinsean na bliana reatha	198,000	205,000
Deontas Stáit curtha i bhfeidhm chun pinsin a íoc	-	-
	198,000	205,000

Ba ionann an tsócmhainn maoinithe iarchurtha do phinsin amhail an 31 Nollaig 2011 agus €880,000 (2010: €790,000).

d) Stair oibleagáidí sochar sainithe

	2012 €'000	2011 €'000
Oibleagáidí sochair sainithe	1,100,000	880,000
Gnóthachain ó thaithí ar Mhéid Dliteanais Scéime	22,000	115,000
Céatadán de Dhliteanais Scéime	2%	13%

Tá an cailteanas achtúireach carntha a aithnítear sa Ráiteas maidir le hlomlán na nGnóthachan agus na gCailteanas Aitheanta cothrom le €213,000 (2011: €191,000).

Nótaí

(atá mar chuid de na ráitis airgeadais)

e) Cur Síos Ginearálta ar an Scéim

Amhail 31 Nollaig 2012 bhí 38 ball foirne fostaithe ag an BTCP (2011: 40), agus 10 acu ar iasacht ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil, bhí beirt ar iasacht ó Chomhairle Cathrach Bhaile Átha Cliath, bhí duine amháin ar iasacht ón Roinn Iompair, Turasóireachta agus Spóirt, beirt ar iasacht ón Roinn Dlí agus Cirt, Comhionannais agus Athchóirithe Dlí agus baill foirne an BTCP a bhí i 23 acu.

Tá Státseirbhísigh ar iasacht clúdaithe ag socruithe pinsin na Státseirbhíse. Is scéimeanna sochar sainithe atá neamh-mhaoinithe agus a riarann an Roinn Airgeadais iad Scéimeanna Aoisliúntais na Státseirbhíse. Níl aon mhuirear sna ráitis airgeadais maidir le haon dliteanais aoisliúntais eile a d'fhéadfadh a theacht chun cinn amach anseo i dtaobh na mball foirne sin.

Tá feidhm ag scéim aoisliúntais shochair shainithe, arna cheadú ag an Aire Comhshaoil, Pobail agus Rialtais Áitiúil le toiliú an Aire Caiteachais Phoiblí agus Athchóirithe faoi I.R. Uimh. 625 de 2011, ar a dtugtar Scéim Aoisliúntais an Bhoird um Thionóntachtaí Cónaithe Príobháideacha 2011 i gcás fhoireann an BTCP. Maoinítear sochair ar bhunús "íoctar mar a úsáidtear". Ní théann teidlíochtaí pinsin foirne thar na teidlíochtaí caighdeánacha sa tsamhail do scéim aoisliúntais sochar sainithe na hearnála poiblí.

Bunaíodh an luacháil a úsáidtear le haghaidh neamhchosaintí faoi FRS 17 ar luacháil achtúireach iomlán a dhéanann achtúire neamhspleách cáilithe chun ceanglais FRS 17 a thógáil san áireamh chun dliteanais na scéime amhail an 31 Nollaig 2012 a mheas.

Ba iad na toimhdí airgeadais a úsáideadh chun dliteanais scéime a ríomh ná:

	31 Nollaig 2012 €'000	31 Nollaig 2011 €'000
Ráta lascaine	5.5%	5.5%
Toimhde maidir le méadú ar thuarastal	4.0%	4.0%
Toimhde maidir le méadú ar phinsin	4.0%	4.0%
Boilsciú praghsanna	2.0%	2.0%

12. Íocaíochtaí Déanacha In Idirbhearta Tráchtála

Tá an Bord ar an eolas faoina chuid freagrachtaí faoi na Rialacháin um Íocaíochtaí Déanacha in Idirbhearta Tráchtála 2002 agus bhunaigh sé nósanna imeachta agus próisis oiriúnacha chun cinntiú go ndéantar gach íocaíocht de réir na Rialachán. Ba é an dliteanas a ríomh an Bord le haghaidh na bliana dar críoch 31 Nollaig 2012 ná €159 (2011: €1,275).

13. Cásanna Nár Réitíodh

Bhí thart ar 1,015 cás um réiteach díospóide ar feitheamh éisteachta ag an mBord amhail an 31 Nollaig 2012. Toisc go mbíonn an costas as an bpróiseas um réiteach díospóide éagsúil i ngach cás níl aon soláthar le haghaidh na gcásanna neamhréitithe sin a cláraíodh roimh 31 Nollaig 2012 san áireamh sna Ráitis Airgeadais. Ina theannta sin tá thart ar 104 cás ag céimeanna éagsúla d'imeachtaí forfheidhmithe sna cúirteanna, nach bhfuil eolas faoina gcostais ar fáil fós agus níl aon soláthar déanta dóibh sna Ráitis Airgeadais.

Nótaí

(atá mar chuid de na ráitis airgeadais)

14. Leasanna Bhaill An Bhoird

Ghlac an Bord le nósanna imeachta de réir treoirlínte a d'eisigh an Roinn Airgeadais maidir le nochtadh leasanna ag Baill an Bhoird agus cloíodh leis na nósanna imeachta sin i gcaitheamh na bliana. Ní dhearnadh aon idirbheart sa tréimhse maidir le gníomhaíocht an Bhoird a raibh leas tairbheach ag Baill an Bhoird ann.

15. Luach Saothair Na Stiúrthóirí Agus Bhaill An Bhoird

Luach Saothair na Stiúrthóirí

Tuarastal na Stiúrthóirí €92,352

Tá an Stiúrthóir fostaithe faoi shocrú iasachta ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil, a íocann a tuarastal. Íocadh na méideanna a nochtadh thuas leis an Roinn mar aisíocaíocht tuarastail. Ní bhfuair an Stiúrthóir aon bhónais ná aon sochar comhchineáil in 2012. Ní théann teidlíocht pinsin na Stiúrthóirí thar na teidlíochtaí caighdeánacha sa tsamhail do scéim aoisliúntais sochar sainithe na hearnála poiblí.

Baill an Bhoird	Táillí (€)
Orla Coyne, Chairperson	28,497
Gene Feighery	12,011
Tricia Sheehy Skeffington	9,292
Vincent P Martin	9,051
Finian Matthews	14,138
Thomas J Reilly	15,818
John Tiernan	11,817
Tim Ryan	7,008
Iomlán	107,632

Tagraíonn na figiúirí thuas d'íocaíochtaí iarbhí a rinneadh le Baill an Bhoird i rith 2012. Mar thoradh ar a gcineál, baineann cuid de na híocaíochtaí seo le cruinnithe ar ar freastalaíodh in 2011. Ríomhtar an figiúr a chuimsítear i Nóta 4b do Tháillí Bhaill an Bhoird ar bhunús fabhraithe do gach cruinniú ar ar freastalaíodh i rith 2012, is cuma cén uair a ndearnadh na híocaíochtaí. Fuair an Bord suim iomlán de €6,628 in íocaíochtaí ilghnéitheacha freisin, lena n-áirítear oiliúint agus agallaimh a chur in 2012. Ina theannta sin, níor íocadh táillí le Baill an Bhoird is státseirbhísigh lánaimseartha freisin.

Íocadh amach €7,633 le baill an Bhoird freisin as taisteal agus cothú a bhain leis an bhfreastal a rinne siad ag cruinnithe agus ag Binsí. Íocadh iad seo de réir threoirlínte na Roinne Airgeadais.

Nótaí

(atá mar chuid de na ráitis airgeadais)

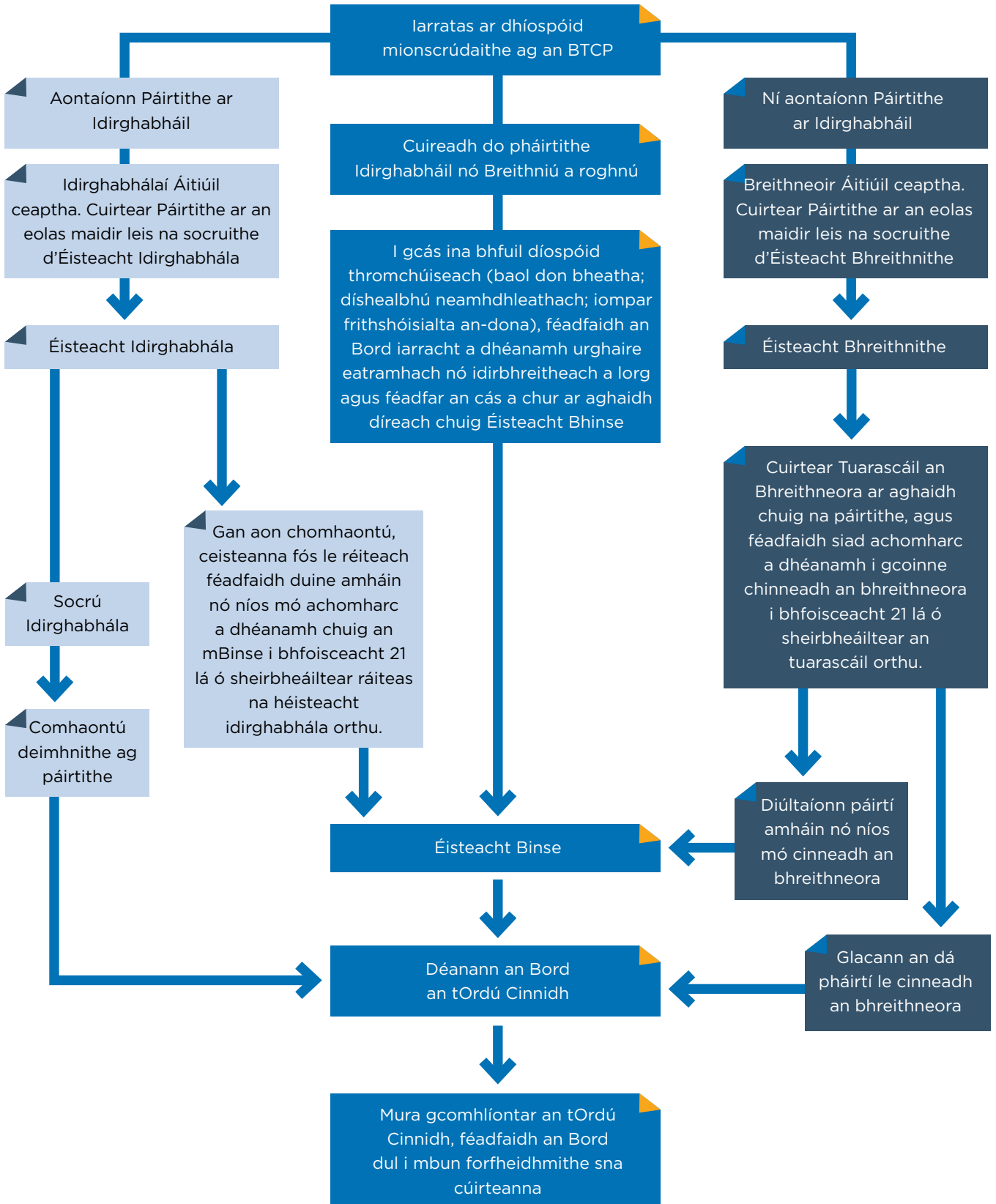
16. Faomhadh Na Ráiteas Airgeadais

D'fhaomh an Bord na Ráitis Airgeadais an 26 Feabhra 2013. Cuireadh faoi bhráid an ARCC iad an 18 Aibreán 2013. Foilseofar na Ráitis Airgeadais Dheiridh le haghaidh 2012 ar láithreán Gréasáin an BTCP nuair a bheidh iniúchóireacht an ARCC críochnaithe.

Faoi réir Iniúchadh an
Ard-Reachtaire Cuntas agus Ciste

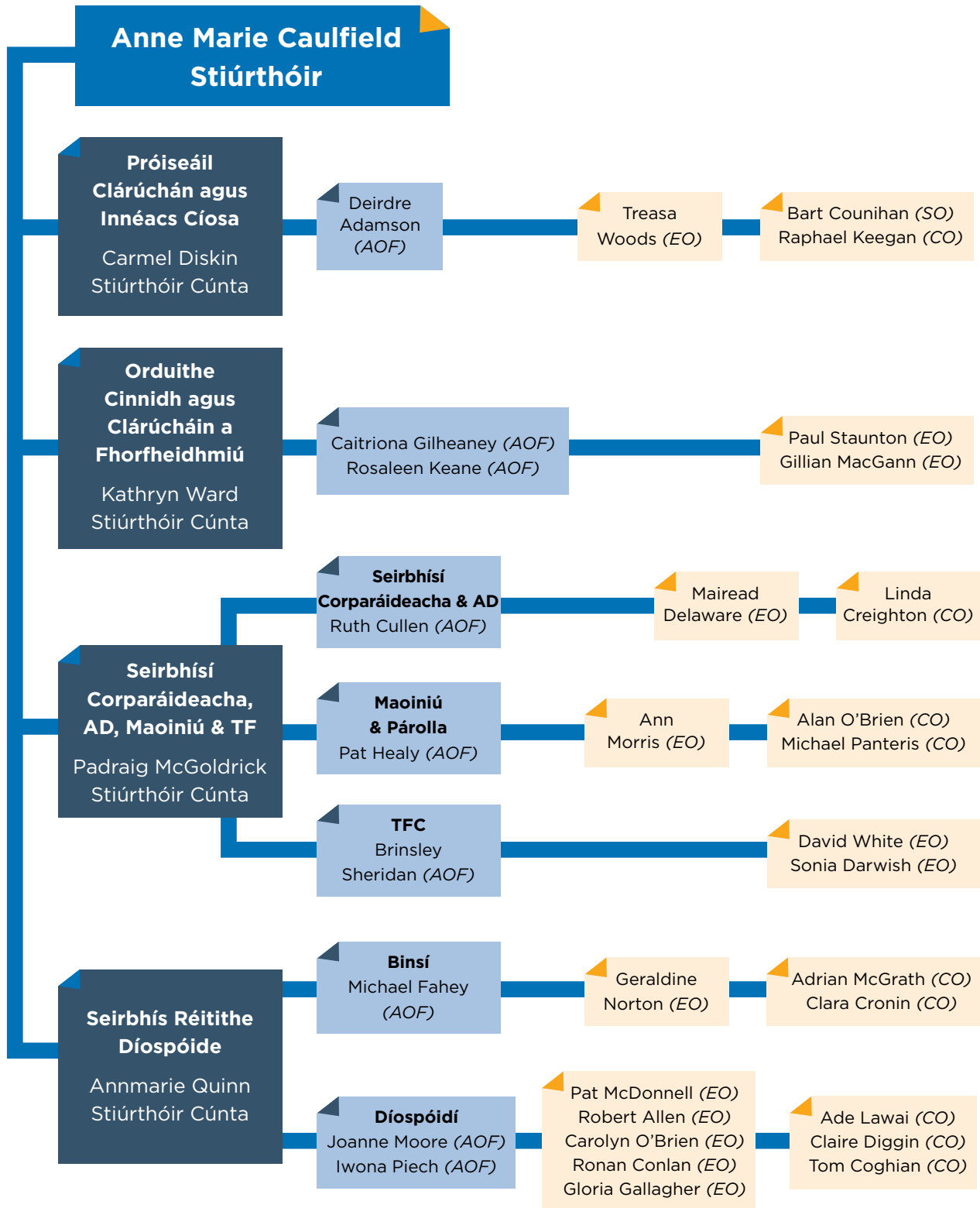
Appendix 1

An Próiseas Réitithe Díospóide



Appendix 2

Cairt Eagraíochta an BTCP



Ar mhaithe le hOrduithe Cinnidh a Fhorfheidhmiú agus chun déileáil le Tiarnaí Talún nach bhfuil comhlíontach, tá roinnt Feidhmeannach dlí / aturnaetha ó ghnólacht Aturnaetha Eversheds ag obair ar an láthair sa BTCP.

HEO - Higher Executive Officer EO - Executive Officer SO - Staff Officer CO - Clerical Officer

