

# ANNUAL REPORT AND ACCOUNTS

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## 2014





## 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 of 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 Social & Voluntary Housing, and other market functions such as a Deposit Retention Scheme, will be assigned to it by the Residential Tenancies (Amendment) (No.2) Bill 2012. The PRTB is committed to assuming the new responsibilities in an efficient and effective manner if and when the need arises, subject to having the necessary resources.

In delivering on its mandate, the organisation is guided by its Mission, Vision and Values statements.

## 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

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TO LET



# CHAIRPERSON AND DIRECTORS STATEMENT

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## OVERVIEW OF RENTED SECTOR

We are pleased to present the 2014 Annual Report of the Private Residential Tenancies Board. 2014 marks the tenth anniversary of the establishment of the Board. It is important to recognise that both the role and the profile of the private rental sector has changed fundamentally in the first ten years of the existence of the PRTB. The size of the sector has doubled between the census of 2007 and 2011. One in five households now rent their homes, and as mortgages become more difficult to obtain, tenants are renting for longer periods. The private rental sector is also now playing an extremely important role in housing socially supported tenants. To put this in context, during 2014 there were 70,000 tenants in receipt of Rent Supplement and 36,000 in the Rental Accommodation Scheme, representing one third of the private rental sector. This

role is set to continue, with the Social Housing Strategy, published in November of 2014, setting a target of 75,000 units to be delivered in the Private Rental Sector. The market itself is characterised by non-professional landlords, where 84% only own one or two properties. There is currently a considerable problem with mortgage arrears in the Buy to Let sector. At the end of 2014 there were just under 40,000 Buy to Let properties in serious mortgage arrears, leading to serious consequences for both the landlords of those properties and the tenants who live in them.

## PRTB RESEARCH

One of the functions of the PRTB, as set out in the Act, is conducting research into the Private Rented Sector (Section 151(f) of the Act). To mark the tenth anniversary of the PRTB, and also in light

THE SIZE OF THE SECTOR HAS DOUBLED  
BETWEEN THE CENSUS OF 2007 AND 2011.



of the pressures evident in the Sector, the PRTB commissioned research into the Future of the Private Rented Sector. The Minister also asked the PRTB to commission research into Rent Stability. The contract for both studies was awarded to a consortium including DKM Economic Consultants, the ESRI, RED C and Ronan, Daly Jermyn Solicitors. The research and subsequent reports were an independent study, and a summary of the research is included in Section 3. It includes a very thorough analysis of the Irish Rental Market and a detailed comparative analysis with other European countries. The reports put forward a series of recommendations for the consideration of the Minister. The authors do not recommend rent controls, pointing out that lack of supply is the reason for escalating rents and there is a danger of an exit from the markets. It does proffer some alternatives however, such as long term rent certainty leases to be offered to landlords who rent to socially supported tenants and who in return are given tax incentives akin to those available to commercial landlords. It puts forward

a range of measures to increase supply including the extension of the Living City Initiative to landlords, and changes to VAT for 2 years. The report suggests that landlords must justify rent increases by reference to three comparable properties, give three months notice of rent increases, that rent reliefs for tenants should be increased and greater security of tenure with longer notice periods and / or indefinite leases. The Board and Management of the PRTB consider that this background research will be of value to the Minister in the development of a Strategy for the Private Rental Sector, to be published by the end of 2015. The RED C survey reports disappointing findings in terms of tenants knowledge of their rights and as a result of this the PRTB will be launching an awareness campaign shortly.

This research was launched by the Minister at a 10th Anniversary Conference in Dublin Castle in October of 2014. The Conference was chaired by Olivia O'Leary with speakers representing landlords, tenants and specialists in the field. Perhaps



one of the most memorable aspects of the conference was the extent to which delegates participated and PRTB would like to thank everyone who attended. A report of the conference is set out in Section 3.

## 2014 ACTIVITIES – BRIEF SUMMARY

### REGISTRATIONS & ENFORCEMENT OF REGISTRATIONS

The PRTB registered 112,873 new tenancies in 2014, bringing to 303,574 the number of live tenancies registered with us. This represents over 160,000 Landlords and over 643,000 Occupants (which may or may not include minors). This enabled us to remain self financing for the sixth year in a row and also to fund Local Authority inspections in the amount of €2.3m. Nearly 30,000 unregistered landlords were detected and contacted. The vast majority of those proceeded to register but in 17 cases it was necessary to prosecute to ensure compliance, resulting in criminal convictions and total fines and costs of €95,770 against the landlords in question.

The PRTB register is a very important aspect of regulation of the sector. It ensures that those participating in the business of renting meet the costs of regulation and that the hard pressed taxpayer is no longer called upon to do so. The register is provided to Revenue for the purpose of facilitating tax compliance

in rental income and the Department of Social Protection for fraud detection.

The PRTB recognises that the late registration penalties enshrined in the Act (ie doubling registration from €90 to €180 after one month) are excessively punitive. The Board has requested that this is amended to a sliding scale of late fees in the amount of €20 per month, subject to an overall cap. We understand that this will be included in the Residential Tenancies Amendment Bill when enacted.

### DISPUTES RESOLUTION SERVICES

It should be noted that the vast majority of landlord and tenants observe the law and only 1% of Tenancies ended in Dispute in 2014. This is due in no small part to the advice and guidance on rights / responsibilities in the Act which was provided in 110,000 calls and 42,000 E Mails / letters handled by our Call Centre in SouthWestern.

Nonetheless the volume of Disputes handled by PRTB staff has increased by 104% since 2008. Dispute applications (for Mediation and Adjudication services) totalled 3,374 (involving 6,071 separate complaints to be processed). The outcome of 447 cases was appealed to Tribunal. The single biggest cause of Dispute was Rent Arrears and overholding, involving 34% of cases. Invalid Notice of Termination was the second biggest complaint at 25% and

Deposit Retention was the third biggest category of Dispute at 23% of cases. Failure to return a Deposit can mean a tenant is unable to source alternative rented accommodation and can cause serious hardship for more vulnerable Tenants. As is evident in the Local Authority Sector, Rent Arrears is a significant issue in all rented sectors.

2014 saw the introduction of Telephone Mediations. This new service means that case parties can resolve their Dispute with the assistance of a trained Mediator at a time convenient to them and from the comfort of their own homes. 577 cases availed of telephone mediation in 2014 and a striking feature is that 99% adhere to the agreement reached.

In 535 cases Determination Orders were not adhered to and parties requested the PRTB to pursue enforcement on their behalf. This compares to 100 cases in 2008, over 500% of an increase. 450 cases were carried forward into 2014. 158 Circuit Court orders were obtained in 2014 with the assistance of Eversheds Solicitors, 156 cases were settled following the intervention of PRTB staff. 402 files were referred to our Solicitors for legal

enforcement. 329 cases are ongoing at the end of 2014.

The PRTB has been criticised for delays in case processing times. During 2014 Telephone Mediations took an average of 10-12 weeks, Adjudication / Mediations took 5 – 6 months and Tribunals took 2-3 months. While this compares favourably to 18 months processing time for Adjudications in 2008 (i.e. prior to computerisation and other modernisation measures) it still causes serious difficulties for a tenant awaiting the return of a Deposit or a landlord experiencing Rent Arrears and particularly if the tenant in question is overholding.

The PRTB Board has formally written to the Department requesting changes in the legislation to fast track cases of rent arrears, to simplify the notices of termination procedures, and to change the manner in which Determination Orders may be enforced, (where they are not adhered to). It is very important for the effective regulation of the sector that these issues in the current legislation are effectively addressed. We understand that a Deposit Protection Scheme will be introduced in the legislation to address

2014 SAW THE INTRODUCTION OF TELEPHONE MEDIATIONS.



the problem of unjustified retention of Deposits and we look forward to the challenge of implementing this. The Department and PRTB are also looking at the question of adequate staffing, in the context of the inclusion of the Approved Housing Bodies in the remit of the Board and of other legislative changes.

#### **APPOINTMENTS AND STAFF**

Two Competitions for both a new panel of Mediators/Adjudicators and DRC Members were run during 2014. We would like to pay tribute to the work of the two outgoing panels and to welcome the new panels to the PRTB.

In 2014 Ms Paula O'Reilly (Department of Environment, Community and Local Government) stepped down as a Board Member, and we would like to acknowledge her contribution to the PRTB and to welcome her successor, Mr Jimmy Leahy, to the Board.

We would like to thank the Department of Environment, Community and Local Government for their support and assistance.

Finally we would like to thank all of the staff of the PRTB for their dedication and hard work during the year, particularly the Senior Management team (Kathryn Ward, Pádraig McGoldrick, Carmel Diskin and Janette Fogarty) for the leadership

they have provided in sometimes difficult circumstances. The Board has seen significant increases in all areas of work. The Department has approved the appointment of the additional staff to assist with existing workloads, and we look forward to their arrival, and discussions are on-going in relation to the staffing requirements for the new legislation.

**Catriona Walsh, Chairperson**

**Anne Marie Caulfield, Director**



## SECTION 1

# [ REGISTRATION ACTIVITIES OF THE PRTB ]

PRTB ANNUAL REPORT 2014



# [ 01 ] REGISTRATION ACTIVITIES

Registrations Activities 2014 at a glance	
Total number of tenancies	303,574
Number of landlords	160,160
Number of Occupants*	*643,330
Total number of new tenancy agreements registered in 2014	**112,873
Average number of new applications received daily	447
Number of phone calls in 2014	110,410
Funds paid to Local Authorities to conduct minimum standard inspections	€2.3m

*\*Please note that the Occupants figure is a new statistic introduced by the PRTB in 2014 based on the number of occupants listed on the registration application form. The PRTB believe this Occupants figure provides a truer picture of the numbers residing in the private rental sector. The figure quoted in previous years Annual Reports reflected the number of tenants listed on a registration application form. However, this tenants figure generally represented only the named parties in a tenancy agreement with contractual responsibility for that tenancy and did not reflect the actual number of people living in the private rental sector, e.g. it generally did not include minors under the age of 18.*

*\*\*This figure also includes updates to registrations online.*

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 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.

BY YEAR END 2014, THE UPTAKE OF ONLINE REGISTRATION HAD IMPROVED TO ALMOST 50%.

- 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 PRTB in the previous 12 months. No fee is payable for an update of details of a tenancy already registered.

### ONLINE REGISTRATION SERVICES

Tenancies can be registered online at [www.prtb.ie](http://www.prtb.ie). Just click on the icon “register a tenancy”. 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 2014, the uptake of online registration had improved to almost 50%, and the PRTB continues to promote and encourage landlords to use this service as much as possible.

### 2014 HIGHLIGHTS

The volume of activities have been expanding rapidly in the PRTB and this is reflective of the increased importance of the private rental sector in fulfilling housing needs. The number of people living in the sector has, according to the most recent census, more than doubled over a decade.

Reflective of this trend, 2014 continued to see record volumes of registration activities, including both document management and contact management services.

### TENANCY REGISTRATIONS

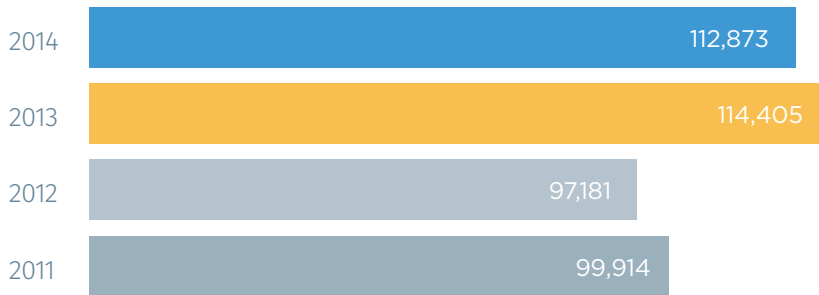
Just under 113,000 tenancy registration applications were received by the PRTB in 2014. While the number of tenancy registrations in 2014 was down slightly by just over 1% year-on-year, the overall income generated was up by 3% to €11.6 million\*. This is well over 20% higher than registration income generated in both 2011 and 2012.

*\*This figure represents actual cash receipts generated from tenancy registrations in 2014. This figure differs from the figure provided in the Income and Expenditure account on Page 79 which reflects movement in provisions for incomplete applications.*

**VALUE OF REGISTRATION APPLICATIONS RECEIVED**



**NUMBER OF REGISTRATION APPLICATIONS RECEIVED**



**CONTACT CENTRE**

SouthWestern, in Clonakilty, Co. Cork are contracted to handle the contact management and document management services on behalf of the PRTB. SouthWestern handles all telephone calls, emails, online queries, and written correspondence. They also process all tenancy registration and disputes applications.

**CALLS**

The demand for our contact centre services increased by over 12% during 2014. The total number of calls offered in 2013 was 98,323, while the demand in 2014 had risen to 110,410.

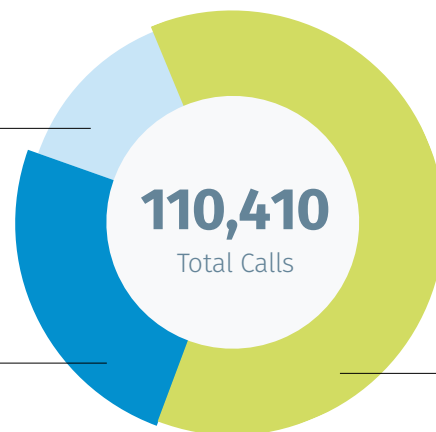
Below is a breakdown of calls per section.

**14,452**

Tribunal and Enforcement (D.O. and Registrations)

**27,538**

Disputes



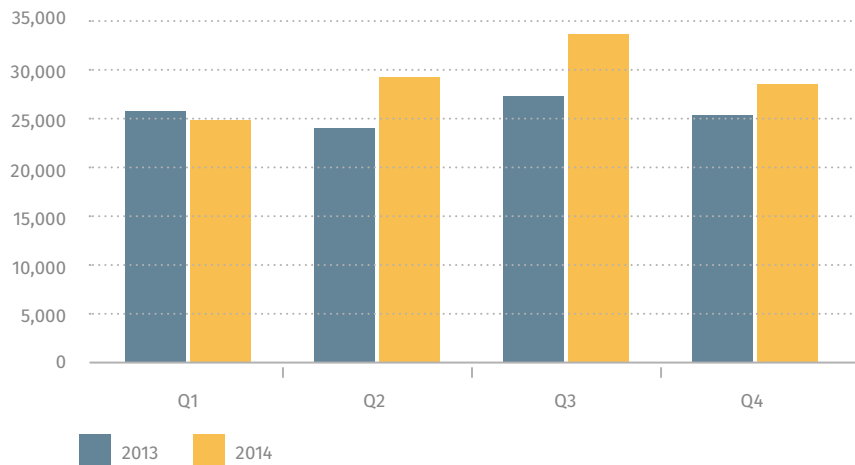
**68,420**

Registrations



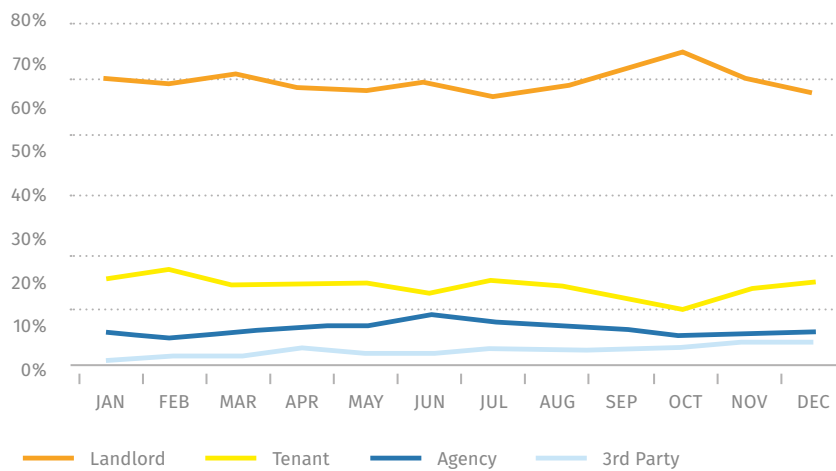


### CALLS RECEIVED



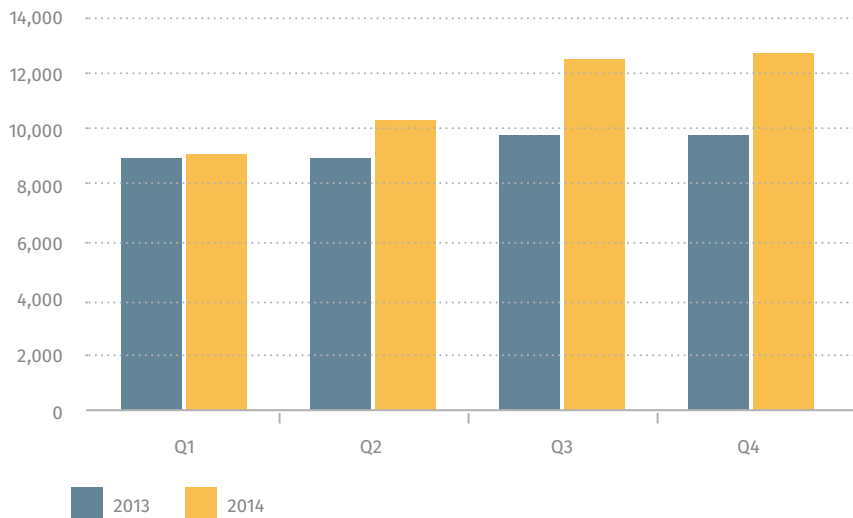
### CALLER TYPES

Of these over 110,000 calls in 2014, the greatest number of callers were from Landlords at just over 66% cumulatively for the year, followed by tenants at just under 20%. The balance of calls were received from Agents and third parties.



### EMAIL QUERIES

There was a large increase of 22% in the number of email queries in 2013, rising by 7,530 from 34,326 to 42,356. This increase reflects the greater emphasis by the PRTB of usage of electronic and online services.



### 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, policymaking 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.

THERE WAS A LARGE INCREASE OF 22% IN THE NUMBER OF EMAIL QUERIES IN 2013, RISING BY 7,530 FROM 34,326 TO 42,356.



### **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](http://www.prtb.ie). Click on the icon "Is My Tenancy Registered"; then 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](mailto: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 the Environment, Community and Local Government, one fifth of the registration fee income was allocated to the Local Authorities in 2014. 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 2014 under instruction from the DoECLG was €2.3 million, bringing the total disbursed to Local Authorities by the PRTB since 2004 to €28.9 million.

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](http://www.environ.ie).

[02]

# ENFORCEMENT OF THE LEGAL REQUIREMENT TO REGISTER

## REGISTRATION ENFORCEMENT SUMMARY

Registrations Enforcement 2014 at a glance	
General Information Notices to Landlords of the legal obligation to register	19,641
Official Enforcement Notices	9,212
Solicitor's warning letters	403
Occupier Notices	37
Summons Issued	17
Convictions handed down by Court	17

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.

## SOURCES OF INFORMATION

The PRTB receives information from a number of sources including:

<b>Dispute &amp; Registration Sections</b>	Internally in PRTB
<b>Department of Social Protection (DSP)</b>	Rent Supplement Database
<b>Local Authorities</b>	Standards for Rented Dwellings Inspections, Rental Accommodation Scheme
<b>Members of the Public</b>	Neighbours, Tenants
<b>Others</b>	TDs, Councilors, Gardaí

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.



## REGISTRATION ENFORCEMENT NOTICES/LETTERS ISSUED

In 2014 the PRTB continued an active enforcement campaign against unregistered landlords.

A total of 29,293 enforcement notices/solicitor warning letters issued to Landlords in 2014, they can be broken down as follows:

Type of Notice/Letter	Number
General Information Notices informing Landlords of their legal obligation to register under the Act and the penalties for non-compliance	19,641
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	9,212
Solicitor Warning Letters	403
Occupier Notices to Rented Dwellings requesting details of Tenancy	37
<b>Total</b>	<b>29,293</b>

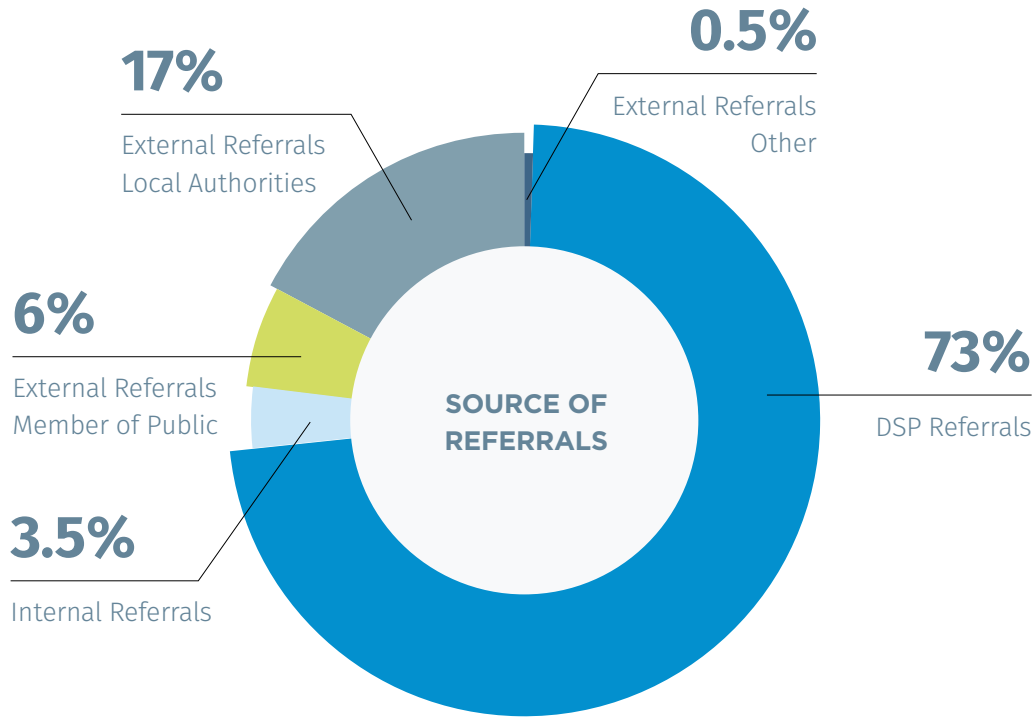
## SOURCE OF REFERRALS RECEIVED

The following table and chart shows the breakdown of the source of the 29,293

referrals where Official enforcement notices, solicitor's warning letters and occupier notices issued:

## BREAKDOWN OF THE SOURCE OF REFERRALS FOR NOTICES/LETTERS ISSUED

Total Issued	DSP Referrals	Internal Referrals	External Referrals		
			Member of Public	Local Authorities	Other
29,293	21,492	1,040	1,678	5,062	21

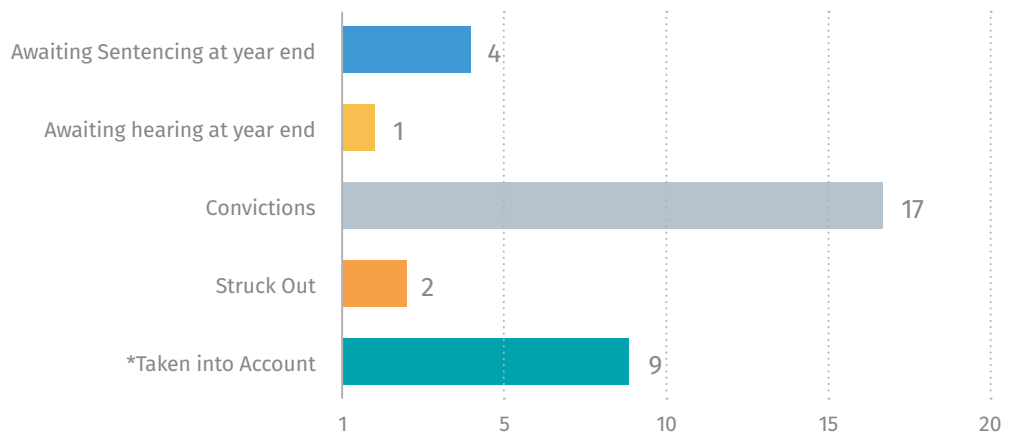


**COURT ACTION**

21 District Court Summons were served on landlords who failed to register their tenancies with the PRTB in 2014 despite having received a number of statutory notices and solicitor’s warning letters requesting them to do so. 13 cases were also carried forward from 2013, 2 for hearing and 11 for sentencing in 2014.

One case was withdrawn prior to hearing. Section 144 cases are first heard in the District Court and then on appeal in the Circuit Court. In total the PRTB had 125 Court Appearances scheduled in 2014, 107 in the District Court, 8 in Circuit Court. Please see the breakdown of the status/ outcome of these cases in the following chart:

**LEGAL PROCEEDINGS AT DISTRICT COURT LEVEL 2014**



*\*The Judge, when presented with more than one case for the same landlord, may decide to hear a sample of the cases and take the others into account when sentencing.*

Every effort is made to ensure enforcement action targets Landlords in a fair manner. The table below shows the distribution by county of summons issued in 2014.

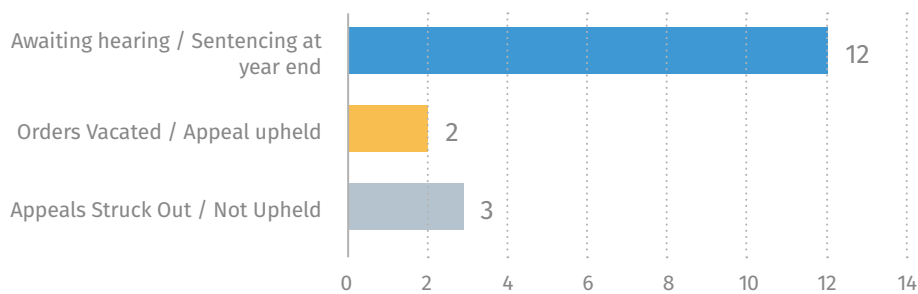
**DISTRIBUTION BY COUNTY OF SUMMONS ISSUED 2014**

Convictions Summary (County of LL Residence)	No. of Landlords	No. of Convictions	Fines	Costs
Kildare	1	1	€3,000.00	€3,075.00
Wexford	1	1	€3,000.00	€3,075.00
Dublin	1	1	€3,000.00	€3,075.00
Dublin	1	2	€4,000.00	€6,150.00
Dublin	1	1		€2,420.00
Limerick	1	1	€3,000.00	€3,075.00
Kilkenny	1	10	€25,000.00	€30,750.00
Sub-Total & Total	7			€51,620.00
<b>Struck Out</b>				
Kerry	1			€3,075.00
Roscommon	1			€3,075.00
Sub-Total & Total				€6,150.00
<b>Withdrawn</b>				
Monaghan	1			
Sub-Total & Total				
<b>Total</b>	<b>7</b>	<b>17</b>	<b>€41,000.00</b>	<b>€57,770.00</b>

The total cost of prosecutions to landlord in 2014 was €85,620, this takes into account costs/fines reduced on appeal.

17 appeals were received in 2014, the table belows shows the status/outcomes of these appeals at the end of 2014.

**LEGAL PROCEEDINGS AT CIRCUIT COURT LEVEL 2014**



The table below gives an overview of legal proceedings for the last two years.

### OVERVIEW OF PROCEEDINGS AGAINST UNREGISTERED LANDLORDS 2013/14

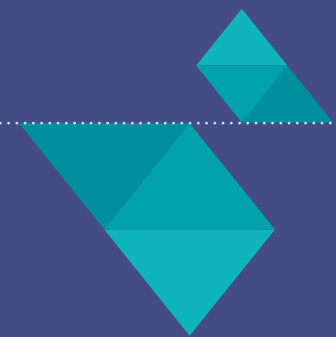
Case Outcomes/Status	2013	2014	Cumulative 2013/2014
Summons Issued	50	21	71
Carried for hearing from previous year	0	2	
Carried for sentencing from previous year	0	11	
Withdrawn pre hearing	0	1	1
Cases for hearing/sentencing (Not including Appeals)	50	33	
Taken into Account	6	9	15
Struck Out	4	2	6
Convictions	27	17	44
Awaiting hearing / sentencing	13	5	
<b>Appeals</b>			
Appeals carried for hearing from previous year	0	0	
Appeals Rec'd	10	17	27
Appeals for hearing/sentencing	10	17	
Orders Vacated/Appeal Upheld	6	2	8
Appeals Struck Out/Not upheld	4	3	7
Appeals awaiting hearing/sentencing	0	12	
<b>Costs to Landlords</b>			
Number of Landlords Convicted	17	7	24
Number of Counties of LL Convicted	9	5	
Costs Awarded	€74,150.00	€57,770.00	€131,920.00
Costs Reduced on Appeal	€13,300.00	€6,150.00	€19,450.00
Contributions to Charity	€3,850.00	0	€3,850.00
Fines imposed	€58,000.00	€41,000.00	€99,000.00
Fines Reduced on Appeal	€10,700.00	€7,000.00	€17,700.00
Total Cost to LL	€112,000.00	€85,620.00	€197,620.00



## SECTION 2

# [ DISPUTE RESOLUTION ACTIVITIES ]

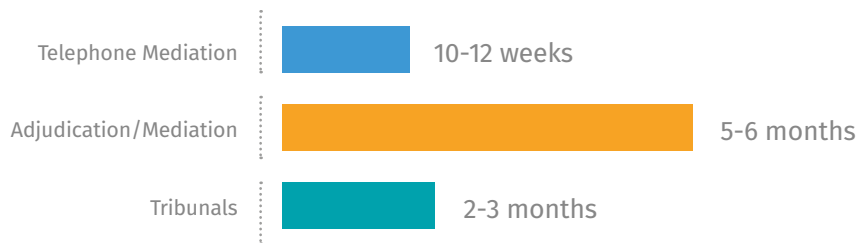
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# [ 01 ] ADJUDICATION AND MEDIATION SERVICES

PRTB Dispute Resolution Services 2014	Number of Applications	Number of reasons for dispute
Adjudication & Mediation Services Applications	3,374	6,071
Tribunals Applications	447	492 within the 249 Tribunals convened
Number of telephone queries responded to in relation to Disputes	22,713	
Number of email queries responded to in relation to Disputes	17,407	

## TIMELINES FOR DISPUTES IN 2014



% of Applications closed / processed	Timelines
33%	1-2 months
17%	4 months
30%	5-6 months
13%	7-8 months
7%	9-10 months

THE PRTB RECEIVED 3,374 APPLICATIONS FOR DISPUTE RESOLUTION IN 2014.

The PRTB received 3,374 applications for Dispute Resolution in 2014. All dispute applications and hearings were processed through the Tenancy Management System (TMS). This integrated technology allows the PRTB to fully analyse the dispute categories and reasons that parties apply to the Board for dispute resolution. Of the applications received, there were 6,071 reasons for dispute indicated by applicant parties that must all be handled through the dispute resolution process. With the intervention of the PRTB staff, 1,458 Applicants withdrew their case in 2014. It is likely that the withdrawal was due to agreements reached by the parties or parties reconsidered their applications based on information provided by the PRTB on parties' rights and obligations and the evidential proofs required.

### **ACCESSING THE DISPUTE RESOLUTION SERVICE**

The PRTB replaces the Courts for the vast majority of Landlord and Tenant disputes. For a fee of €25 or €15 (if submitted on-line), a Tenant, Third Party or *registered* Landlord can apply to the Board for adjudication or mediation services. Adjudications and Mediations are held in seven regional locations throughout the country.

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.

### **TELEPHONE MEDIATION**

In late 2013 the PRTB introduced a new telephone mediation service for an extended 12 month pilot basis. This service proved successful. The telephone mediation process is far quicker than the adjudication process. In 2014 there were 577 telephone mediations and the timeline is 10-12 weeks compared with 5-6 months for adjudication. Where both parties agree to enter into telephone mediation, the mediator will, through a series of calls, facilitate the parties in coming to an agreed resolution within a short period of time. Both parties are contacted individually and so are not in direct communication with each other. In addition to being an efficient service, it is convenient for both parties as they do not have to attend a hearing and it is non adversarial. Where a satisfactory resolution cannot be reached, either party may appeal to a tenancy Tribunal.

### **OUTSOURCING OF DISPUTES SERVICES IN 2014**

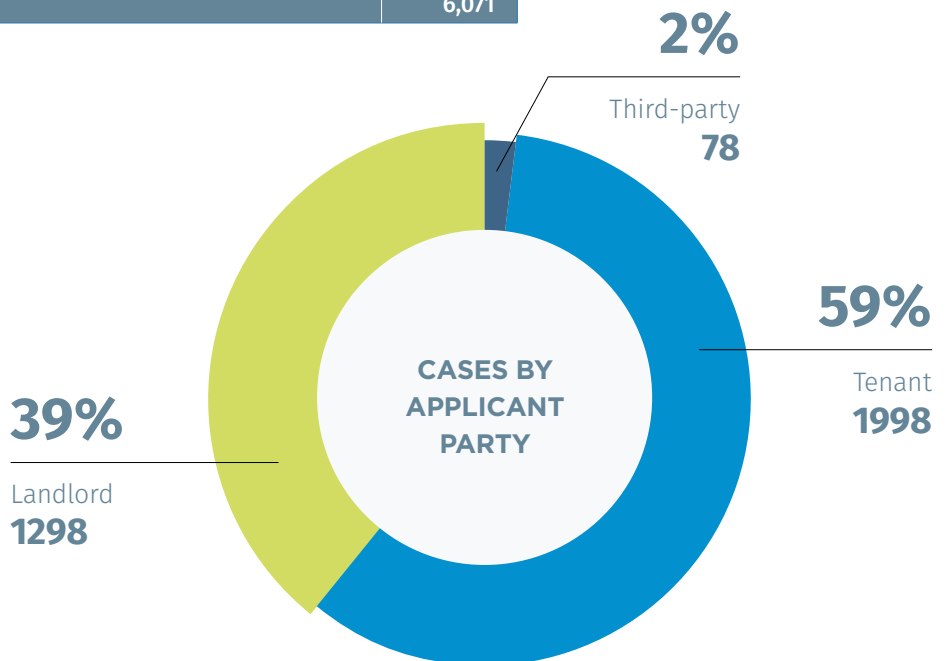
2014 saw the outsourcing of parts of the dispute resolution process with regard to the assessment of dispute resolution applications and the issuing of reports and determination orders. However, it should be noted that the core activities of the PRTB will remain in the PRTB offices and will be carried out by the staff of the PRTB.

**THE MAIN CATEGORIES OF DISPUTE IN 2014**

As previously stated 3,374 applications for Dispute Resolution were received in 2014, incorporating 6,071 categories of dispute from applicant parties. The main

category of Dispute was Rent Arrears and Overholding at 1,134 instances (34%) followed by Invalid Notice of Termination at 830 (25%), and Deposit Retention at 801 (24%). The below table sets out all the dispute categories of cases received.

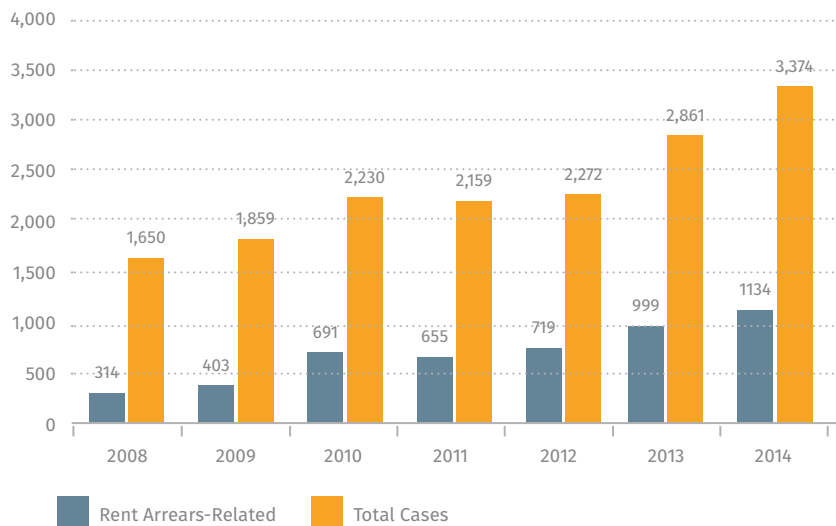
Dispute Type (All cases)	Count
Invalid Notice of Termination	830
Rent arrears	819
Deposit Retention	801
Breach of Landlord Obligations	581
Overholding	458
Breach of Tenant Obligations	435
Standard and Maintenance of Dwelling	433
Rent Arrears and Overholding	315
Other	359
Unlawful termination of tenancy (Illegal Eviction)	263
Anti-Social behaviour	215
Breach of fixed term lease	196
Rent more than market rate	185
Damage in excess of normal wear and tear	181
<b>Total</b>	<b>6,071</b>



LANDLORDS MADE 1,298 (38%) APPLICATIONS TO THE PRTB DISPUTE RESOLUTION SERVICES IN 2014 WITH TENANTS TAKING 1,998 (59%) AND THIRD PARTIES 78 (3%) CASES.

### EXAMINATION OF MAIN DISPUTE TYPES IN 2014

#### RENT ARREARS 2014



Rent Arrears related Disputes was the largest category of Dispute referred to the PRTB in 2014. The Act states that a tenant must continue to pay their rent in full and on time, regardless of whether they are in an on-going dispute with their landlord. Where a tenant fails to pay their rent further to the requisite warnings, a landlord may serve them with a notice

of termination. 1,134 applications relating to rent arrears were referred in 2014 and accounted for 34% of the overall number of dispute applications received by the Board. With 40,000 Buy to Let properties in serious mortgage arrears at end 2014, the growing issue of Rent Arrears is a matter of serious concern

**NOTICE OF TERMINATION**

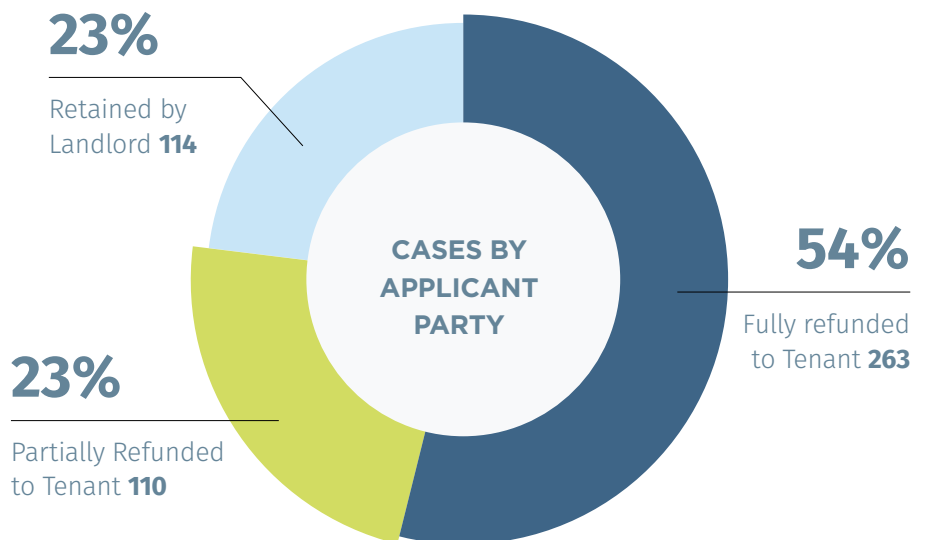
In order to validly terminate a tenancy a landlord or tenant must serve a valid Notice of Termination on the tenant or landlord. There are certain principles that must be followed. These include that a notice must contain the following;

1. Be in writing (not by text or verbal).
2. Be signed by the landlord or his authorised agent or as appropriate the tenant.
3. Specify the service date.
4. Specify the termination date. The day that is to be specified as the termination date is the last day of the notice period. The notice period starts on the day following service of the notice of termination. See Notice periods in Section 66 of the Act.
5. For a landlord, if the tenancy is over 6 months state the reason contained in section 34 of the Act.

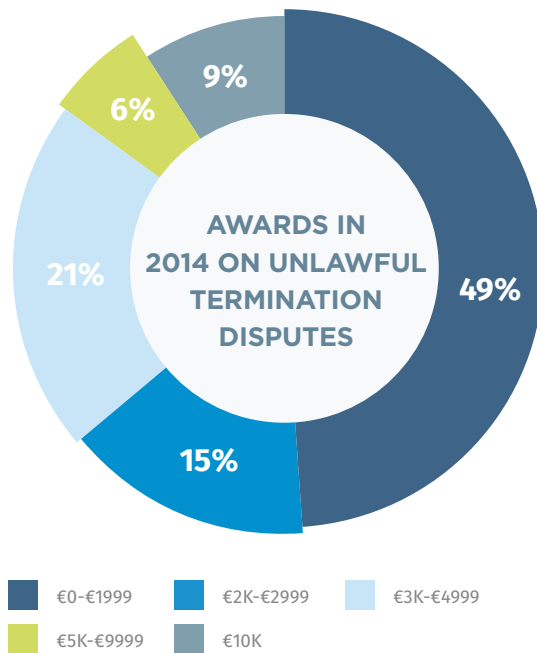
6. Where a landlord is giving the notice state that the tenant has a whole of 24 hours to vacate possession.
7. State that any issue as to the validity of the notice may be referred to the PRTB within 28 days of the receipt of the notice.

Regardless of the circumstances of a case, a PRTB Adjudicator or Tribunal can only direct that a tenant vacate a rented dwelling on the expiration of a valid notice of termination, which is fully in compliance with the Residential Tenancies Act 2004. Where landlords and or their agents serve an invalid notice, the PRTB is precluded by law from directing vacant possession. In those circumstances, a new valid notice of termination must be served thereby delaying recovery of the property. The full list of steps for validly serving a notice and sample of these are on our website [www.prtb.ie](http://www.prtb.ie)

**DEPOSIT RETENTION 2014**



The chart on the previous page illustrates the outcome of the deposit retention cases heard in 2014. The PRTB received 801 applications which related to deposit retention. This equates to 24% of overall applications received (3,374). A deposit is clearly defined in the Residential Tenancies Act 2004 as the property of the tenant and may only be retained (either partially or wholly) where a tenant is in arrears of rent or utilities are owing, has caused damaged beyond normal wear and tear or has provided inadequate notice resulting in a loss to the landlord. A landlord is required to mitigate their losses. In 77% of cases the PRTB found that the tenant was entitled to a full or partial refund of their deposit. Since deposits may constitute the only savings of many vulnerable tenants, retention in these circumstances causes serious hardship.



### UNLAWFUL TERMINATION OF TENANCY

An unlawful termination of tenancy, or illegal eviction, is deemed to have taken place where a landlord through force, intimidation or otherwise, prevents a tenant from accessing the rented dwelling or removes their belongings from a dwelling. In 2014, the PRTB received 263 complaints of alleged illegal eviction. Awards for unlawful termination in 2014 ranged from €1,000 to €10,000.

### ADJUDICATOR/MEDIATOR PAYMENTS 2014

The current panel of Adjudicators and Mediators were appointed in 2014 through a rigorous 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 €616 per day for three hearings. Adjudicators and Mediators are expected to submit their reports within ten days of the hearing for non-priority cases and seven days for priority cases.

IN 2014, THE PRTB RECEIVED 263 COMPLAINTS OF ALLEGED ILLEGAL EVICTION

### ADJUDICATOR/MEDIATOR PAYMENTS 2014 (FEES FOR DISPUTES CASES + TRAINING)

Panel Member	Hearings	Training	Total
Aisling Fair	19,712.00	196.00	19,908.00
Angela Becker	16,632.00	980.00	17,612.00
Brian Whelan	35,728.00	980.00	36,708.00
Catherine McGuigan	14,784.00	784.00	15,568.00
Ciaran Smith	5,544.00		5,544.00
Colm Keating	2,464.00		2,464.00
Cynthia Lennon	14,784.00	980.00	15,764.00
Dairine Mac Fadden	8,008.00		8,008.00
Daniela Bills Everett	2,508.00		2,508.00
David Duncan	51,744.00	1,372.00	53,116.00
Deirdre Bignell	38,148.00	588.00	38,736.00
Eoin Byrne	19,712.00	588.00	20,300.00
Frank Brady	31,416.00	784.00	32,200.00
Gerard Murphy	12,936.00	196.00	13,132.00
Healy Hynes	8,008.00		8,008.00
Helen Connaughton	2,464.00		2,464.00
Helen-Claire O'Hanlon	17,864.00	196.00	18,060.00
Jack Nicholas	12,980.00		12,980.00
James Egan	18,480.00	588.00	19,068.00
John Conran	8,624.00		8,624.00
John Keane	14,784.00	196.00	14,980.00
John Keaney	8,624.00		8,624.00
Kevin Baneham	21,560.00	588.00	22,148.00
Marissa O'Keeffe	5,544.00	196.00	5,740.00
Mervyn Hickey	12,320.00		12,320.00
Monica Brennan	3,080.00		3,080.00
Roderick Maguire	4,312.00	196.00	4,508.00
Sarah Brophy	28,952.00	784.00	29,736.00
Suzy Quirke	3,696.00		3,696.00
Corona Grennan	6,776.00		6,776.00



Panel Member	Hearings	Training	Total
Tracey McGee	1,232.00		1,232.00
Deirdre McGowan	9,240.00	392.00	9,632.00
Caitriona O'Connor	11,088.00	392.00	11,480.00
Laura Farrell	11,088.00	392.00	11,480.00
Denis Kelliher	12,320.00	392.00	12,712.00
Linda Brophy	14,784.00	392.00	15,176.00
Eithne Corry	11,704.00	392.00	12,096.00
Steven Dixon	10,472.00	392.00	10,864.00
Susan Fay	3,080.00	392.00	3,472.00
Ciara Fitzgerald	8,008.00	392.00	8,400.00
Simon Brady	9,240.00	392.00	9,632.00
Sheila Young	4,312.00	392.00	4,704.00
Louise Beirne	4,928.00	392.00	5,320.00
Chris McDermott	6,160.00	392.00	6,552.00
Shaun Smyth	9,240.00	392.00	9,632.00
Thomas Dowling	7,392.00	392.00	7,784.00
Dermot Sheehan	9,240.00	392.00	9,632.00
Mema Byrne	9,240.00	392.00	9,632.00
Lauren Tennyson	9,856.00	392.00	10,248.00
Stephen Brady	9,856.00	392.00	10,248.00
Mark Kane	11,088.00	392.00	11,480.00
Emma Synnott	7,392.00	392.00	7,784.00
Barry McCormack	660.00		660.00
Órla Ryan	4,312.00	392.00	4,704.00
Grand Total	648,120.00	18,816.00	666,936.00

*Training includes induction and telephone mediation training.*

## [02] APPEALS TO TRIBUNAL

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](http://www.prtb.ie)).

The PRTB received 447 appeals which were considered by the Board in 2014, of which 358 were granted and 88 were either refused or withdrawn. Appeals were refused by the Board as they were either late or failed to submit the requisite fee.

There were 249 Tribunals convened in 2014. A further 40 Tribunals were cancelled prior to the hearing as the appellants withdrew their appeal.

### TRIBUNAL PROCESSING TIMES

A total of 221 Determination Orders were made in 2014 in respect of Tribunal hearings. The average processing time for these Tribunals from the date the original dispute application is received to a Determination Order issuing is 8-9 months. This represents 5-6 months at Adjudication stage and 2-3 months at Tribunal stage.

### BREAKDOWN OF TRIBUNAL CASES HEARD IN 2014 BY APPELLANT PARTY AND LOCATION

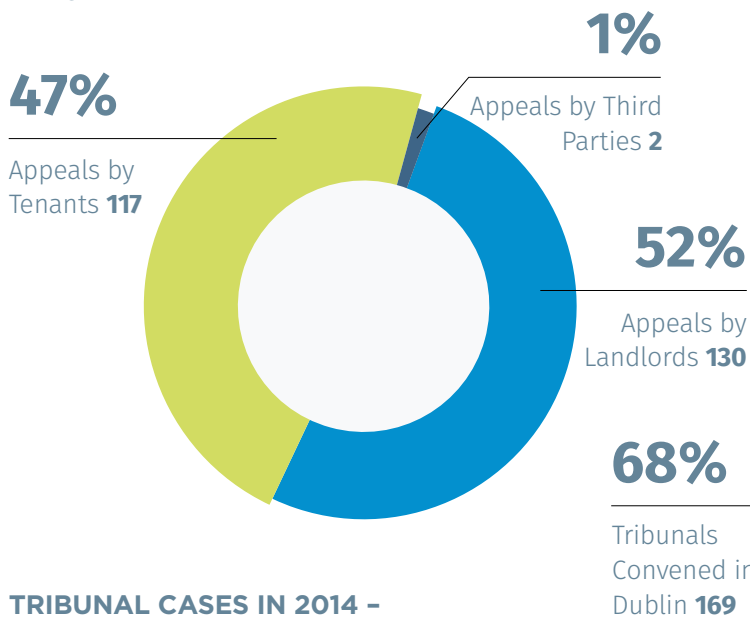
There were 249 Tribunal hearings in 2014. 52 per cent (130 cases) of the appeals that went before a Tenancy Tribunal in 2014 were from landlords, 47% (117 cases) from tenants, and 1% (2 cases) from a third party.

68% of Tribunals were convened in the Dublin area, and 32% relate to the rest of the country.

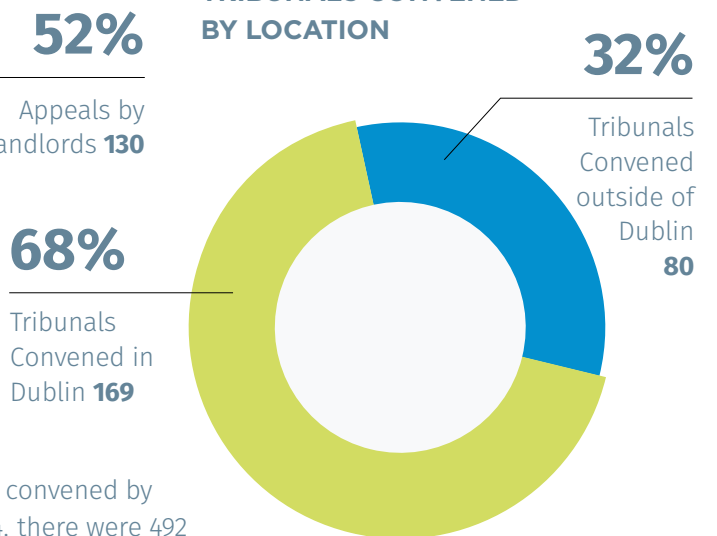
THE PRTB RECEIVED 447 APPEALS WHICH WERE CONSIDERED BY THE BOARD IN 2014, OF WHICH 358 WERE GRANTED AND 88 WERE EITHER REFUSED OR WITHDRAWN.



**BREAKDOWN OF TRIBUNAL CASES HEARD IN 2014 BY APPELLANT PARTY**



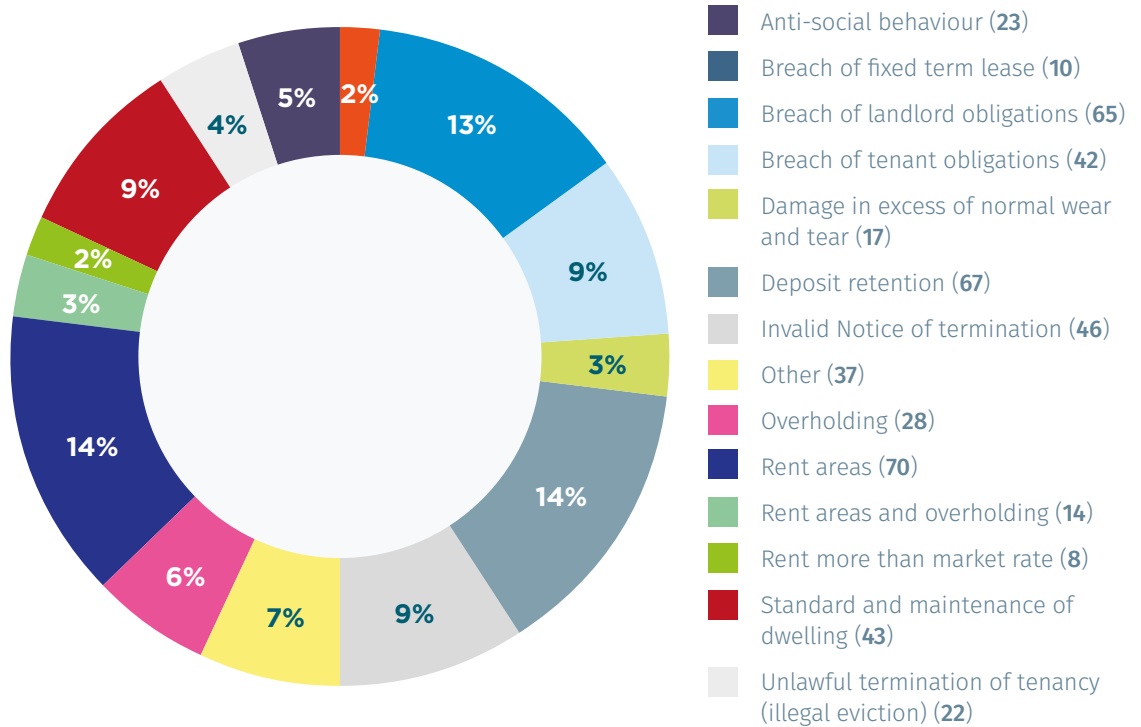
**TRIBUNALS CONVENED BY LOCATION**



**TRIBUNAL CASES IN 2014 - CATEGORIES AND OUTCOMES**

The below chart shows the breakdown of Tribunals convened by dispute type. Of the 249 Tribunals convened in 2014, there were 492 different dispute types cited as a reason for the appeal.

**DISPUTE TYPES DETERMINED AT 2014 TRIBUNALS**



**RENT ARREARS AND DEPOSIT RETENTION CASES APPEALED TO TRIBUNAL**

It is clear from the above chart that rent arrears and deposit retention are still the main disputes types that are determined by a Tenancy Tribunal.

A tenant has an obligation to pay rent to a landlord on the date it falls due. The tenant must continue to pay their rent in full until the tenancy ends and while any PRTB dispute is ongoing. Rent Arrears cases can place a landlord in serious financial hardship, therefore the PRTB make every effort to prioritise these types of cases. It is important for landlord's to know in this type of dispute that in order to validly terminate a tenancy a landlord must serve a valid notice of

termination on the tenant. Regardless of the circumstances of a case, a Tribunal can only direct that a tenant vacate a rented dwelling on the expiration of a valid notice of termination, which is fully in compliance with the Residential Tenancies Act 2004. Where landlords and/or their agents serve an invalid notice, the PRTB is precluded from directing vacant possession. In those circumstances, a new valid notice of termination must be served thereby considerably delaying recovery of the property.

Deposit retention disputes have remained one of the single largest categories of appeal before a Tenancy Tribunal. In 14% of cases deposit retention was cited as a reason for dispute. In 67% of the Tribunals it was determined that landlords



should refund part or all of the deposit to their tenants. In 33% 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 retains the deposit.

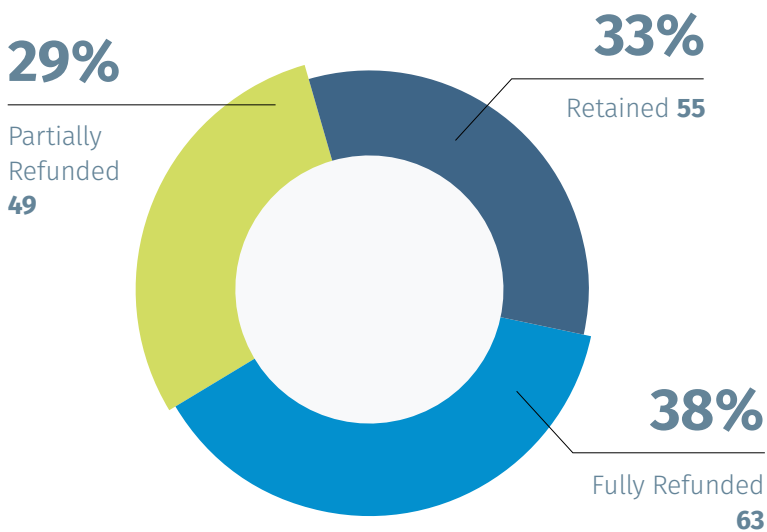
**DAMAGES FOR DEPOSIT RETENTION AND BREACH OF LANDLORD OBLIGATIONS**

Of the determinations made at Tribunals heard during 2014, where damages were awarded, 42% related to either deposit retention or rent arrears disputes, with the next highest category being 15% for breach of landlord obligations.

**DISPUTE RESOLUTION COMMITTEE**

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, makes a determination and notifies 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; 249 such Tribunals were held during 2014.

**OUTCOMES ON DEPOSIT RETENTION DISPUTE ITEMS IN 2014 TRIBUNALS**



## TRIBUNALS PAYMENTS 2014

DRC Member	Chair	Panel Member	Amount (€)
Aidan Brennan	9	42	15,996.00
Anne Colley*	0	3	1,714.00
Anne Leech*	3	4	6,560.00
Bairbre Redmond*	1	3	2,713.00
Catriona Walsh	5	2	3,562.00
Charles Corcoran*	2	0	2,586.00
Ciara Doyle*	0	1	877.00
Claire Millrine*	0	1	877.00
Dervla Quinn*	2	0	2,586.00
Eoin O'Sullivan*	1	0	1,020.00
Finian Matthews	20	47	33,336.00
Fintan McNamara*	1	1	1,889.00
Gareth Robinson	21	14	20,912.00
Gene Feighery	18	99	46,232.00
Henry Murdoch*	2	1	2,896.00
John FitzGerald	38	16	33,502.00
John Lynch*	1	1	1,566.00
John Tiernan	14	62	34,016.00
Kathleen McKillion **	0	3	1,187.00
Kieran Buckley*	1	2	2,907.00
Liam Nolan*	3	3	5,299.00
Louise Moloney*	2	1	2,940.00
Mary Doyle*	1	0	1,461.00
Mary Heaslip*	1	3	3,092.00
Mary Morris*	1	0	1,901.00
Michael Irvine*	0	1	702.00
Nesta Kelly*	2	3	4,601.00
Noel Conroy	0	2	681.00

Noel Merrick*	2	0	2,550.00
Orla Coyne	8	47	24,008.00
Patricia Sheehy Skeffington	46	15	44,578.00
Thomas Reilly	15	76	41,252.00
Tim Ryan	42	12	36,072.00
Tom Dunne*	0	1	506.00
Vincent P. Martin	14	63	33,525.00
<b>TOTAL</b>			<b>420,102.00</b>

\*These Members did not sit on Tribunals in 2014 but did receive payment for Tribunals convened in late 2013.

\*\* The fees of Ms Kathleen McKillion are paid to the Irish Council for Social Housing. Taxation deductions are applied in advance of these payments.

## [03]

ENFORCEMENT OF  
PRTB DETERMINATION  
ORDERS (IF NOT  
ADHERED TO)

The Residential Tenancies Act 2004 provides a power to the Parties to a dispute or to the Board to pursue civil proceedings and/or criminal prosecutions through the Circuit Court for civil matters or through the District Court in the case of criminal prosecution where parties fail to comply with a Determination Order. The Board may on request agree to pursue civil proceedings on behalf of a party where that party is in receipt of an Order that has not been complied with.

The Enforcement provisions are set out in Sections 124 (civil) and S.126 (criminal) of the Residential Tenancies Act.

→ Civil proceedings pursuant to Section 124 of the Residential Tenancies Act 2004 (the “2004 Act”), may be brought by either the PRTB as applicant, where a request to enforce has been made and granted by the Board, or by the parties to a Determination Order themselves. The proceedings are brought by way of Notice of Motion grounded on Affidavit, returnable to the relevant Circuit Court. Civil proceedings pursuant to S.124 of

the 2004 Act were the enforcement method availed of in all cases referred to the PRTB for enforcement in 2014. In the vast majority of cases pursued by the PRTB, the PRTB was awarded its costs of €4,000 to be taxed in default of agreement. The PRTB registers judgments against respondents who fail to comply with Court Orders made against them.

→ Criminal prosecutions pursuant to Section 126 can, similarly as civil proceedings, be initiated by the PRTB or by the party seeking compliance with a determination order made in his or her favour. Such proceedings are initiated in the District Court. While the relief in regard to the terms of the determination order not complied with is not provided through criminal proceedings, the consequences of receiving a criminal conviction are serious – the penalties may comprise a fine of up to €4,000 and / or a period of imprisonment of up to 6 months.





## REQUESTS FOR ENFORCEMENT OVER THE LAST 7 YEARS

Requests Received from Parties seeking Enforcement of Determination Orders						
2008	2009	2010	2011	2012	2013	2014
100	307	577	589	346	405	535

As can be seen from the above table, the number of requests made to the PRTB in respect of enforcement has been steadily increasing. While this is reflective of the increase in dispute applications received over the last number of years, it's also a feature of the more difficult economic situation parties are experiencing. The table above shows a 17 % increase from 2012 to 2013 and the trend continues with a 32 % increase from 2013 to 2014.

As the number of requests received by the PRTB every year remains high, it is not sustainable for the PRTB, as a self-financing agency, to seek enforcement on behalf of all of its clients. Under the Act, enforcement is a discretionary power of the PRTB and there is no legal obligation on the PRTB to enforce its orders.

Decisions on whether or not to pursue legal enforcement are made on a case by case basis and the Board has developed a number of criteria which are taken into consideration when granting or refusing a request made.

The Board initially endeavours to secure enforcement by non-legal means by writing to the non-compliant party to remind them of the terms of the Order, likely consequences if they remain non-compliant and requiring them to make arrangements to comply. If this approach is unsuccessful then the criteria

the Board have regard to, in making a decision whether or not to pursue legal proceedings on behalf of a party include the following:

- Dispute type.
- History of compliance with landlord/tenant legislation.
- Technical strength of the case.
- What contact/steps the person seeking compliance has taken with the non-compliant party to obtain compliance of the Order.
- What contact, if any, the PRTB has had with the non-compliant party regarding enforcement and any relevant information obtained.
- Geographical Spread.
- Particular circumstances of the case.

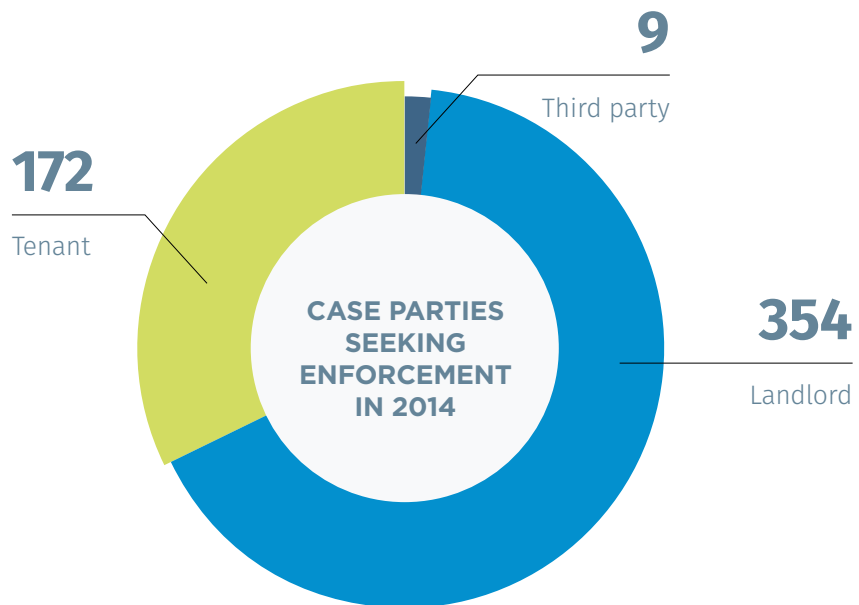
The cost of taking all requests to Court would mean that significant Exchequer funding would have to be sought or fees would have to be increased. Neither of these are viable options. However, the PRTB takes the issue of non-compliance with Determination Orders very seriously and during 2014 alone the PRTB referred 402 cases to its Legal Advisors, Eversheds, for enforcement proceedings.

While the PRTB has been extremely successful in obtaining judgement orders in its proceedings, it must be born in mind that obtaining a Court Order does not in of itself guarantee that the monies due will be paid. In those circumstances, the Board registers the judgment and this has the effect of publicising the judgment; details of registered judgments are published by various trade periodicals including the Insolvency Journal & websites. A registered judgement has the potential to significantly impact on the debtor's borrowing ability. The judgement obtained will be registered as a debt against the party, which will negatively impact on the person's credit rating.

**NEW ENFORCEMENT REQUESTS RECEIVED IN 2014**

The PRTB received a total of 535 requests to enforce in 2014.

THE NUMBER OF REQUESTS RECEIVED FROM LANDLORDS, 354 OR 66% CONTINUE TO BE NOTABLY HIGHER THAN THE 172 OR 32% RECEIVED FROM TENANTS. 9 REQUESTS ACCOUNTING FOR 2% OF OVERALL REQUESTS WERE RECEIVED FROM THIRD PARTY APPLICANTS.



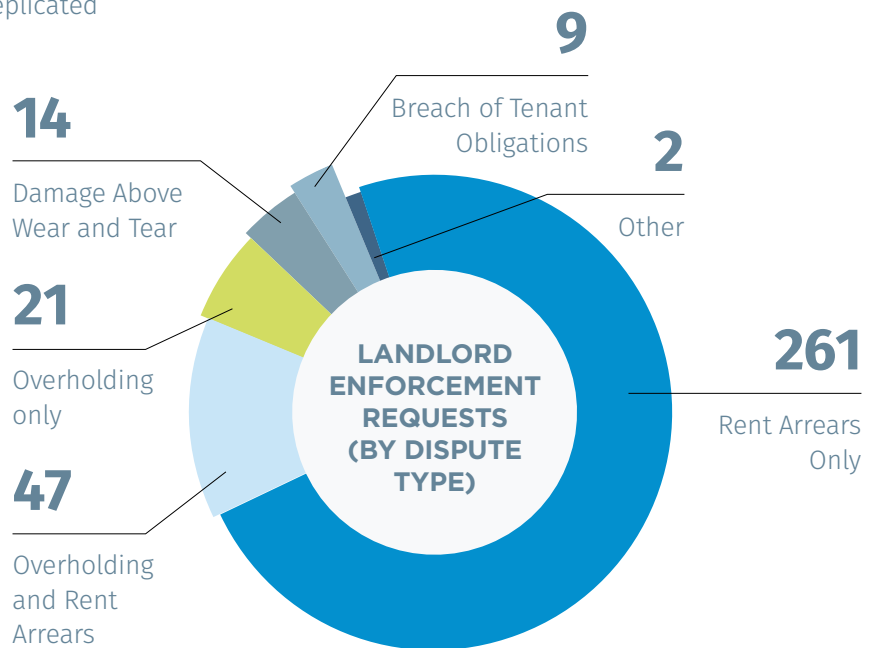
**ENFORCEMENT WORK IN 2014**

In addition to the 535 new enforcement requests received in 2014, the PRTB’s Enforcement Unit also carried out work on circa 450 cases that remained ongoing at the end of 2013. The Board continued to prioritise cases deemed to be of an urgent nature and such as those involving overholding & rent arrears or unlawful termination of a tenancy.

When a request to enforce the terms of an Order is made to the Board, a warning letter is issued and the non-complaint parties reminded of their obligation to comply with the terms of the Order made against them. The matter is then referred to the Board for their decision as to whether the Board will sanction pursuing enforcement on behalf of the parties. Once the decision is made to enforce, Counsel is briefed and proceedings are issued. While it may take a minimum of 3.5 months to obtain a Court Order in a priority case, non-priority cases will take longer. It must also be borne in mind that enforcement is pursued through the Circuit Court and while Dublin Circuit has sitting on a weekly basis, this is unfortunately not replicated through the country.

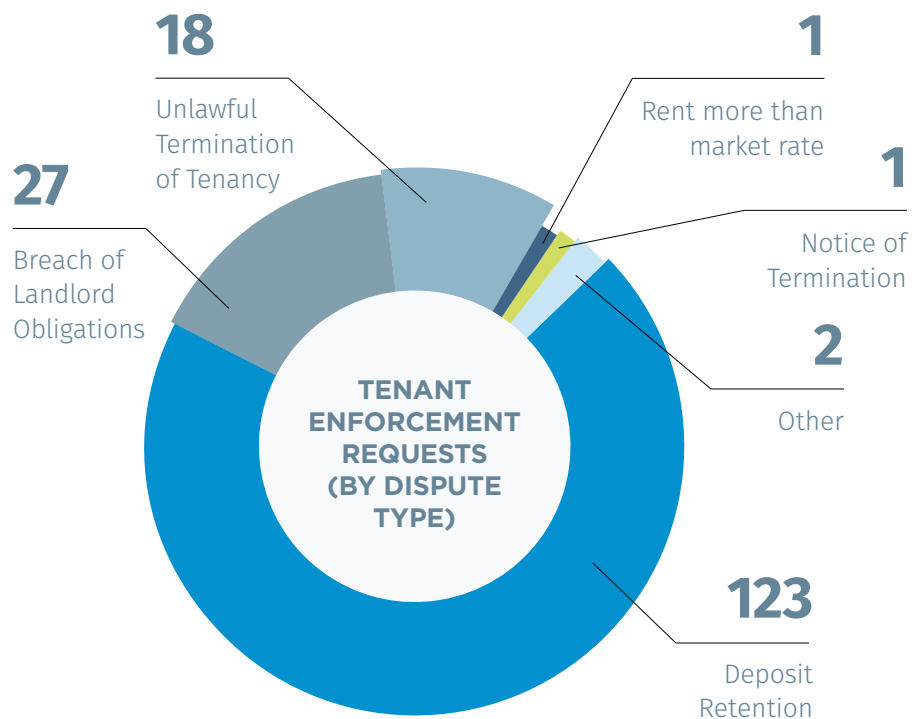
402 files were referred to our Legal Advisors, Eversheds. Compliance or settlement without the requirement of referral for legal proceedings was achieved in 156 cases following initial intervention from the Enforcement Unit of the PRTB. 329 requests were carried forward to 2015 (75% of the requests which were pending processing or on which work was on-going at the end of the year, were requests received in 2014).

The Enforcement Unit of the PRTB continued to provide assistance to case parties seeking to comply with the PRTB Determination Orders prior to need for legal action. In close to 400 cases the Unit facilitated this service by forwarding settlement payments and settlement proposals between the disputing parties, in circumstances for example where current contact information was not available to the parties themselves. This is in addition to the 245 cases where settlement was facilitated by PRTB and Eversheds staff after Enforcement was requested but prior to Court appearances.



The PRTB received 354 requests to enforce the terms of its determination orders from landlords. Requests associated with rent arrears were the highest category of cases in which compliance was sought and accounted for 74% of overall requests from landlords. This is the second year that rent arrears was the biggest category type the Board were requested to enforce.

Cases referred in respect of rent arrears, overholding or the two dispute types combined were responsible for 93% of requests from landlords. Other issues in respect of which enforcement was sought were those relating to damage caused above wear and tear or breaches of tenant obligations.



172 files were referred to the Enforcement Unit of the PRTB as a result of requests for enforcement submitted by tenants. Matters involving deposit retention remain the highest category of Orders in respect of which enforcement is sought. 71% of the overall number of requests received from tenants were requests in relation to awards made in respect of the tenant's deposit.

Requests in respect of non-compliance involving the return of a tenant's deposit were followed by requests made in respect of monetary awards for breaches of landlord obligations and unlawful termination of tenancy. The two categories of claims accounted for 16% and 10% accordingly.



## COURT OUTCOMES

### SECTION 124 ORDERS OBTAINED

158 Circuit Court Orders were obtained in 2014. In almost all cases an order for costs, to be taxed in default of agreement, was awarded.

Circuit Court Orders obtained in accordance with Section 124 of the 2004 Act						
2008	2009	2010	2011	2012	2013	2014
5	13	13	42	91	140	158*

\*These Court Orders relate to 2014 cases and pre-2014 cases which were already going through the Court process.

### SECTION 126 CONVICTIONS

The PRTB did not initiate any criminal prosecutions pursuant to Section 126 of the 2004 Act in 2014. The primary reason for this is that a S.126 prosecution does not in fact require the non-compliant party to comply with the actual terms of the Order and therefore a second legal proceeding under S.124 would be necessary. This is not efficient or cost effective. In addition, it is a defence for a party to a criminal prosecution to declare that they are not unwilling to comply but rather they are not in a position to comply due to lack of means and in that situation it is highly unlikely that the Court would convict.

### REGISTERING JUDGEMENTS

PRTB policy for all cases of non-compliance with a Court Judgement is to register that judgement as a debt. If parties wish to make settlement payments following the Court hearing then the PRTB will not register the judgement to allow for a payment plan to be completed and

payments to be made. In circumstances where payments cease then it is open to the PRTB to register the outstanding balance as a judgement debt.

### SETTLEMENTS REACHED FOLLOWING REFERRAL TO LEGAL ADVISORS.

In addition to the 400 cases where the Enforcement unit facilitated settlement prior to referral to a Solicitor, following referral of cases to the PRTB's legal advisors compliance or settlement was achieved in a further 245 cases without the necessity of pursuing full legal proceedings. Depending on the stage the non-compliant seeks to settle the matter some measure of costs may be a factor consequently it's in a party's interest to engage at the earliest possible stage.

**SUMMARY OF ENFORCEMENT WORK UNDERTAKEN IN 2014**

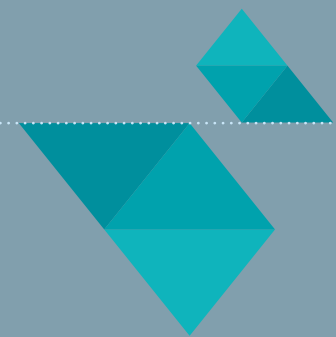
Enforcement Cases carried over from 2013	450
Enforcement Requests received throughout 2014	535
Enforcement Requests declined by the Board	65
Settlement agreements reached by PRTB staff & Legal Advisors prior to Court proceedings	245*
Enforcement Files referred to Legal Advisors	402
Court Orders Obtained	158
Statutory Appeals pursuant to S123	10 → 7 successfully defended → 2 withdrawn → 1 to be heard in 2015
Judicial Review	1 → Successfully defended
Enforcement Requests on hand at end of 2014	329

*\*In addition, the Enforcement Unit facilitated compliance by forwarding settlement proposals and settlement payments received on foot of a Determination Order in 380 cases.*

SECTION 3

[ PRTB  
RESEARCH  
FUNCTIONS ]

PRTB ANNUAL REPORT 2014



[01]

PRTB RESEARCH ON THE FUTURE OF THE PRIVATE RENTED SECTOR AND RENT STABILITY – SUMMARY BY CAROLINE KELLEHER, DKM ECONOMIC CONSULTANTS





To mark the tenth anniversary of the establishment of the Private Residential Tenancies Board (PRTB) and in light of some of the issues facing the sector and the changes that have occurred over that period, the Board commissioned DKM Economic Consultants, ESRI, RED C and Ronan Daly Jermyn Solicitors to prepare two reports on the current state of the sector and its likely future. Entitled *Rent Stability in the Private Rented Sector*, and *Future of the Private Rented Sector*, the reports' findings were the subject of a special conference hosted by the PRTB in October 2014.

The *Rent Stability in the Private Rented Sector* report considered short term and medium to long term options to address the escalation in rents. It examined a range of issues in regard to rent stability; including the current tax treatment of the rental sector, the potential for indexation of Rent Supplement and the potential for rent regulation in an Irish context, should a political decision be made in favour of rent regulation. The findings were informed by a comprehensive review of rent regulation in other jurisdictions with a developed private rented sector, which examined how they are administered, the pros and cons of different approaches and their impacts.

The research considered that rent controls were not appropriate at this time, having regard to the dangers that this would reduce supply (i.e. with nearly 40,000 Buy to Let Properties in serious mortgage arrears, 29% of landlords in the RED C poll intended to sell their properties as soon as they could). The report concluded that the overriding concern in the Irish market is that any form of rent regulation could potentially reduce the supply and quality of rented accommodation and thus distort the market further, in the absence of any incentives to stimulate supply.

Having recommended against rent regulation, the research set out a number of policy options to achieve greater rent stability and certainty in the Irish market. These other measures focused on:

- Providing targeted tax incentives including the possible introduction of a Rent Certainty Lease (leases for 5 years or more where only rent increases linked to CPI will be allowable in return for possible tax breaks for landlords).
- Providing better information to ensure the sector is more informed.

LOOKING AT SECURITY OF TENURE,  
THE REPORT STATED THAT LONG TERM  
TENANCIES COULD BENEFIT BOTH  
LANDLORDS AND TENANTS BY OFFERING THE  
PROSPECT OF A STABLE REVENUE STREAM.

- Improving the situation with respect to the review of rents including stronger regulation around the increase of rents, including 3 months' notice of a Rent Increase, an obligation on landlords to justify the increase by reference to three comparable properties (as in Germany), including the PRTB Rent Index.
- Enforcing what legislation is in place under the Residential Tenancies Act 2004.
- Protecting the existing stock.
- Increasing the supply of rental properties.

The Future of the Private Rented Sector report examined regulatory issues and attitudes amongst the main stakeholders - via surveys and consultations - as well as reviewing international experience in regard to regulation and supply measures. The purpose of the review was to present the PRTB with a set of options on how the private rental sector can be sustainable into the future and play a vital role in accommodating a wide range of households in affordable and good quality accommodation.

The report pointed out that the fiscal changes in the period between 2007 and 2014 have increased substantially the tax burden on the part of landlords. The tax regime for landlords investing in the residential investment sector is in the main less favourable than for investors in commercial investment property. Borrowings to fund investment in the residential rental sector attract 75% interest allowance as opposed to 100% for the commercial rental sector. Without levelling the investment outcomes for individuals leveraging such purchases with investment in the commercial property

sector, there is a potential barrier to entry for investment into the private rental sector.

Having regard to the Exchequer situation, it is acknowledged that increased interest relief is likely to take some years. In a shorter timeframe an option identified may be to grant 100% interest relief to landlords who are housing Rent Supplement, HAP or RAS tenants for at least 5 years. The report also suggested that tax relief on Rent might be granted to tenants to the end of 2017.

Other options in relation to the supply side in the report included the need to encourage REITs investment. It also identified the option of extending the Living City initiative to landlords, pointing out that there is a supply of potential units of rental accommodation in inner city areas which in turn would benefit significantly from the economic regeneration and additional footfall. Existing schemes such as Rent a Room should also be advertised and promoted.

Finally on the supply side, the report noted that the mortgage arrears problem is one of the biggest remaining challenges from the financial crisis which is having an impact on tenants. This is an issue which requires an immediate solution if the existing stock of properties is to be retained within the sector. The report also pointed to the impact on tenants of the repossession of distressed Buy to Lets and to the need for a Code of Practice for repossession.

Looking at security of tenure, the report stated that long term tenancies could benefit both landlords and tenants by offering the prospect of a stable revenue



stream. It was considered that this which would be very attractive to landlords, provided it did not impact on the ability to adjust rent levels, while tenants would enjoy the certainty of long term residence provided they could afford the rent increases.

Turning to the role of the regulation and of the PRTB, the research found that there is a lack of awareness of their rights and responsibilities on the part of both landlords and tenants, and that the terms of the 2004 Act are complex and difficult to understand, especially in the areas of lawful termination of tenancies, entitlement to security of tenure for up to four years, and the circumstances in which rent may be increased.

On the question of enforcing minimum standards in rental accommodation, the report put forward an option of a periodic independent certification, similar to the NCT system, before landlords can rent. Similarly it suggests that units should not be advertised without a BER. Finally, it proposed an option of introducing an online examination on the Residential Tenancies Act for Estate Agents who wish to offer letting / management services.

Finally, the report also stated that the key emerging policy challenge is to create a sufficient supply of high quality rented accommodation for long term renters at an affordable price, with the appropriate level of regulation for the main providers and increased security of tenure for current and prospective tenants. It also stated that achieving a more positive image for the sector must involve changing the perception that renting is only seen as a transition to home ownership. In time, an appropriately regulated private rented sector providing good quality affordable accommodation should become firmly embedded alongside the other channels of housing provision, notably local authorities, the not for profit voluntary sector and the private owner occupied sector.

ACHIEVING A MORE POSITIVE IMAGE FOR THE SECTOR MUST INVOLVE CHANGING THE PERCEPTION THAT RENTING IS ONLY SEEN AS A TRANSITION TO HOME OWNERSHIP.

# [02] PRTB 10TH ANNIVERSARY CONFERENCE



The year marked the tenth anniversary of the establishment of the PRTB, and to celebrate the event a special 10th Anniversary Conference was held in Dublin Castle on October 23rd on the future of the private rented sector in Ireland. This featured the launch of two major reports, *The Future of the Private Rented Sector* and *Rent Stability in the Private Rented Sector*, produced by a team comprising DKM Economic Consultants; Ronan, Daly Jermyn; the ESRI and Red C. The reports were launched by the Minister for the Environment, Community and Local Government, Alan Kelly, T.D., and the

conference was moderated by broadcaster Ms. Olivia O'Leary. The conference speakers and presentations included:

- Profile of the Private Rented Sector, and the Role of the PRTB – Catriona Walsh, Chairperson, PRTB.
- Attitudes to the Private Rented Sector – David Duffy, ESRI.
- Residential Tenancies Amendment Bill and Deposit Protection Scheme – Damian Allen, Principal Officer, Department of the Environment, Community and Local Government.

- Not for Profit Housing Association's Perspective – Kathleen McKillion, PRTB Board Member and Director of Operations, Irish Council for Social Housing.
- Tenant Perspective – Bob Jordan, CEO, Threshold.
- Landlord Perspective – Kersten Mehl, Director, KMPM.
- Future of the Private Rented Sector Introduction – Anne Marie Caulfield, Director, PRTB.
- International Review of Rental Markets – Caroline Kelleher, Senior Economist, DKM Economic Consultants.

“WE HAVE REDUCED ADJUDICATION TIMELINES FROM 18 MONTHS IN 2008 TO FIVE MONTHS NOW. MOREOVER, *IF* BOTH PARTIES ARE WILLING TO ENGAGE IN OUR NEW TELEPHONE MEDIATION SERVICES, IT IS NOW POSSIBLE TO RESOLVE DISPUTES IN NINE WEEKS. TRIBUNALS ARE TAKING FOUR MONTHS, BUT THE APPEAL RATE HAS DROPPED CONSIDERABLY”.

Chairperson of the PRTB,  
Ms. Catriona Walsh

“THE RESIDENTIAL TENANCIES AMENDMENT (NO.2) BILL 2012 WHICH IS CURRENTLY BEFORE THE OIREACHTAS, BUILDS ON WHAT HAS ALREADY BEEN ACHIEVED BY THE RESIDENTIAL TENANCIES ACT AND IN PARTICULAR BY THE PRTB. THIS IS A VERY IMPORTANT PIECE OF LEGISLATION WHICH WILL PROVIDE FOR THE FURTHER DEVELOPMENT AND REGULATION OF THE RENTAL SECTOR AND IS A KEY COMPONENT IN THE DELIVERY OF THE GOVERNMENT'S HOUSING POLICY”.

Minister for the Environment,  
Community and Local Government,  
Mr. Alan Kelly, T.D.

# [03] PRTB RENT INDEX

One of the roles of the PRTB is to collect and provide information relating to the private rented residential sector, including information concerning prevailing rent levels.

The Rent Index is the most accurate and authoritative rent report of its kind on the private accommodation sector in Ireland because it reflects the actual rents being paid, according to the PRTB's records, as distinct from the asking or advertised rent, which is the basis of other rent reports. The Rent Index is based on anonymised data supplied to the ESRI by the PRTB. It is produced using a hedonic regression methodology which is a method of estimating demand or prices i.e. it decomposes the item being researched into characteristics (e.g. dwelling size, property type, location etc.) and obtains estimates of the value of each characteristic. The rent index contains information relating to nine different categories i.e. national, Dublin, outside Dublin, and is also further broken down by house and apartment type. The index is of assistance for a range of Government purposes, including housing policy generally and informing the Department of Social Protection's Rent Supplement scheme. It is also an important reference document in landlord/tenant disputes on rent.

More detailed data is available in the average rent dataset. It enables people to check the average rent being paid for particular time periods for five different categories of dwelling types in 446 locations throughout the country, in both urban and rural areas. The location selection is based on population and dataset size. This enables people to check what is the actual rent being paid for, say, a semi-detached house or a two-bed apartment in their neighbourhood, and in other parts of the country.

## **PRTB RENT INDEX - OVERVIEW OF 2014 BY DAVID DUFFY, ESRI**

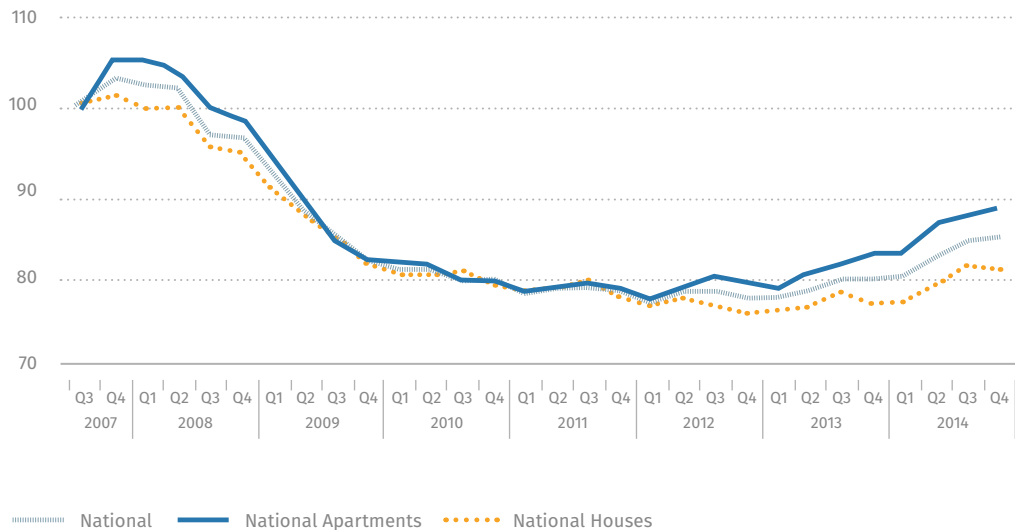
The PRTB Rent Index shows that by the fourth quarter of 2014, nationally, rents were 5.8 per cent higher than in quarter 4 of 2013. At a national level, rents for houses were 4.8 per cent higher, while apartment rents were 6.4 per cent higher than in the same quarter of 2013. Annual growth in the Dublin market was stronger, up by 9.6 per cent, with Dublin house rents up by 7 per cent and Dublin apartment rents higher by 10.9 per cent. In contrast, annual growth in rents for the market outside Dublin was more subdued, recording growth of 3.9 per cent when compared to the fourth quarter of 2013. Again the performance differs by property type. The rent for houses outside Dublin increased by 4.4 per cent, while apartments outside Dublin experienced an increase of 2.9 per cent.

The Rent Index shows that, nationally rents peaked in the fourth quarter of 2007 before declining by 26 per cent to their trough in the first quarter of 2012. By quarter 4, 2014 rents nationally were 17.8 per cent lower than their peak. Rents in 2014 were 5.6 per cent higher in Quarter 4 when compared to the first quarter of the year. The strongest growth took place in the Dublin market, with apartments up by 10.5 per cent between Quarter 1 and Quarter 4 2014, while house rents in Dublin rose by 6.5 per cent over the same period. While the peak-to-trough in the Dublin market was similar to that experienced nationally, the strength of the recovery in Dublin means that rents are just 9 per cent lower than their highest point. In contrast, the market outside Dublin was more subdued with outside Dublin rents growing by 3.4 per cent in the year.

Apartments continue to account for the majority of registrations in 2014 at nearly 43 per cent, with the next largest share by property type accounted for by semi-detached at 24.6 per cent. Dublin city and county represents the largest market for apartment rentals, accounting for 53 per cent of all apartments.

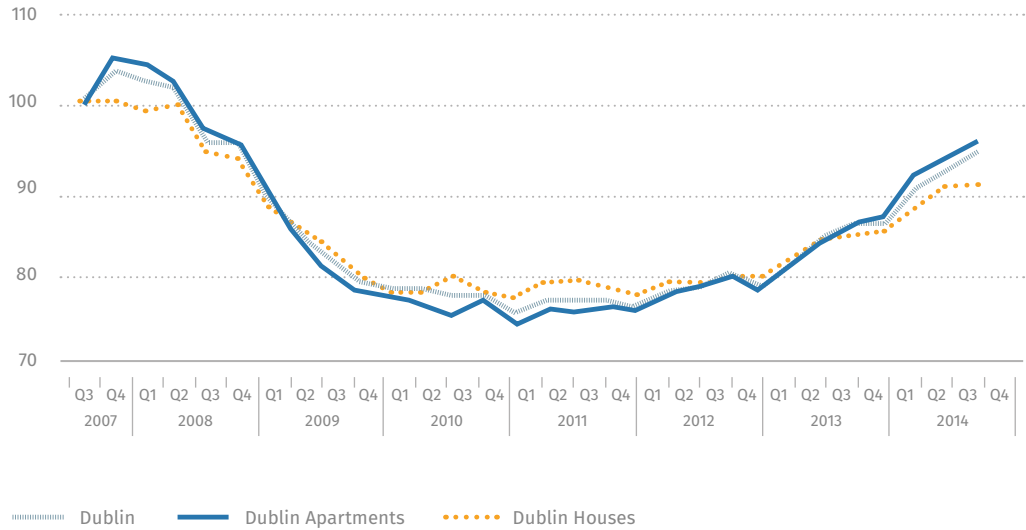
**THE PRTB RENT INDEX - NATIONAL**

Q3 2007=100



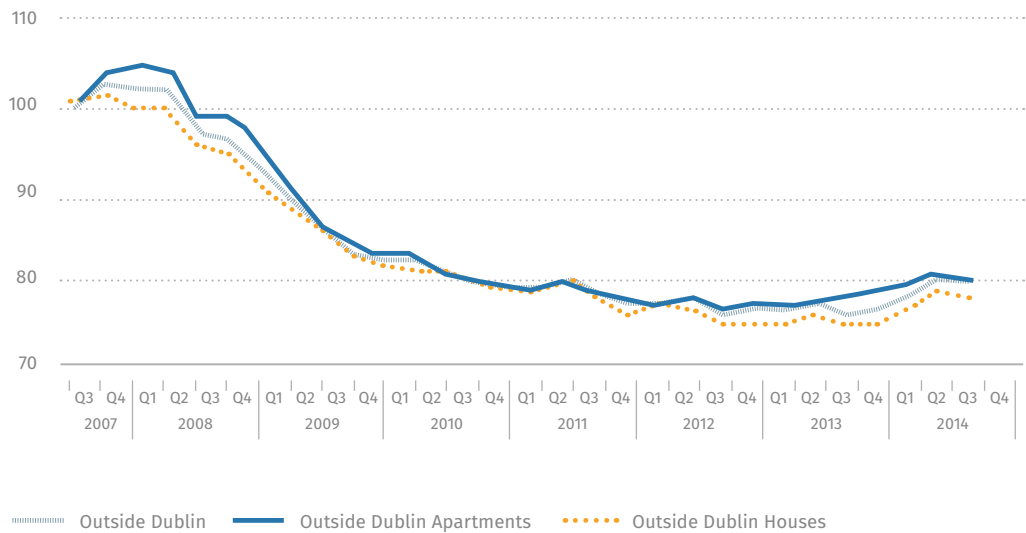
### THE PRTB RENT INDEX - DUBLIN

Q3 2007=100



### THE PRTB RENT INDEX - OUTSIDE DUBLIN

Q3 2007=100



### HOW TO CHECK THE RENT INDEX?

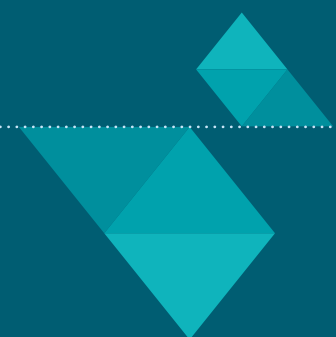
To check the Rent Index and the average rent dataset, log on to the PRTB’s website at [www.prtb.ie](http://www.prtb.ie). Click on the icon “Rent Index”.



## SECTION 4

# [ PRTB GOVERNANCE ]

PRTB ANNUAL REPORT 2014



# [01] THE BOARD

## MEMBERS OF THE BOARD



**Catriona Walsh**  
Solicitor (Chairperson)



**Noel Conroy**  
Former Garda Commissioner



**Rhonda Donaghey**  
Trade Union Official



**John Fitzgerald**  
Property Professional, Member of the Institute of Property Auctioneers and Valuers (I.P.A.V)



**Paul Flood**  
Estates Manager, Health Service Executive, Dublin North



**Kathleen McKillion**  
Director of Operations, Irish Council for Social Housing



**Joseph Meehan**  
Civil Servant, Department of Social Protection



**Noel Merrick**  
Property Professional, Member of the Institute of Property Auctioneers and Valuers (I.P.A.V)



**Tim Ryan**  
PR and Public Affairs Consultant



**Gareth Robinson**  
Barrister



**Tricia Sheehy Skeffington**  
Barrister



**Jimmy Leahy**  
IT Technician

Paula O'Reilly – resigned 2014; Joe Meehan – reappointed 2014; Jimmy Leahy – appointed 2014.



## 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, staff, and for adjudicators and mediators. It has also prepared a three year corporate strategy and annual business plans.

The Board met on 59 occasions during 2014, to deal with matters relating to both policy and disputes. In addition, there were 51 meetings of the Board's committees.

In 2014, Board members were paid fees totalling €297,667 of which €151,298 was in respect of attendances at Board meetings (policy, disputes, committees, training and Rent Tribunals), and €146,369 for work associated with Tribunals. For a breakdown of all payments made to Board members in 2014, please see page 93 of this Annual Report.

Board members were also paid a total of €18,214.77 for travel and subsistence incurred for attendances at meetings and Tribunals, in accordance with the Department of Finance guidelines.

The fees payable in 2014 for Board related duties were as follows:

Activity	Fees
Board Meetings/Committee Meetings/Training	€196
Board Meetings/Committee Meetings – Chairperson	€217
Disputes Meetings	€329
Disputes Meetings – Chairperson	€509
Tribunals	€506*
Tribunals – Chairperson	€1,020*

\* A report fee is included in this amount.

THE BOARD MET ON 59 OCCASIONS DURING 2014, TO DEAL WITH MATTERS RELATING TO BOTH POLICY AND DISPUTES.

## BOARD MEMBERS' ATTENDANCE 2014

The attendance of Board members at meetings and participation in other Board-related work throughout the year is set out below, for the period 1 January to 31 December 2014.

Number of Meetings Attended by Board Members in 2014				
Board Member	Date of Appointment	Board Policy	Board Disputes	Committees/ Training/ Meetings of the Chair*/ Other**
Catriona Walsh	16/04/2013	11	28	20
Joe Meehan	01/12/2010	6	1	1
Tim Ryan	17/02/2012	9	19	17
Tricia Sheehy Skeffington	17/02/2012	13	17	18
John FitzGerald	01/04/2013	11	44	12
Paul Flood	01/04/2013	9	4	4
Noel Merrick	01/04/2013	13	42	24
Rhonda Donaghey	16/04/2013	10	14	0
Gareth Robinson	02/10/2013	12	37	12
Noel Conroy	02/10/2013	12	46	12
Kathleen McKillion	02/10/2013	9	5	12
Jimmy Leahy	10/06/2014	7	28	11
Former Board Members – Term expired/resigned in 2014		Board Policy	Board Disputes	Committees & Training
Paula O'Reilly		4	8	0
<b>Total number of meetings</b>		<b>13</b>	<b>46</b>	<b>59</b>

\* Applies only to Chairperson.

\*\*PRTB 10 Year Anniversary Conference, October 2014.

# [02] PRTB GOVERNANCE STRUCTURES

## COMMITTEE'S 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

**Catriona Walsh**

**Aidan Brennan**

**Finian Matthews**

**Gareth Robinson**

**Gene Feighery**

**John FitzGerald**

**John Tiernan**

**Kathleen McKillion**

**Noel Conroy**

**Orla Coyne**

**Patricia Sheehy Skeffington**

**Thomas Reilly**

**Tim Ryan**

**Vincent P. Martin**

**Noel Merrick**

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 Tribunals, 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, makes a legally binding Determination Order that, together with the Tribunal report, issues to the parties concerned; 249 such Tribunals were held during 2014.

### 2. RESEARCH, EDUCATION AND AWARENESS & PR COMMITTEE

**Tim Ryan**, Chairperson and Board Member

**John Fitzgerald**, Board Member

**Noel Conroy**, Board Member

**Noel Merrick**, Board Member

**Patricia Sheehy Skeffington**, Board Member

**Bob Jordan**, Threshold

**Caren Gallagher**, Irish Council for Social Housing

**John Leahy**, irishlandlord.com

**Kersten Mehl**, Property Professional

**Thomas Reilly**, Property Professional

**Eoin O'Sullivan**, Professor in Social Policy, Trinity College Dublin

In 2014, the Research, Education and Awareness Committee merged with the PR Committee (REA/PR). The Committee met three times during the year. In 2014, the Committee tendered for research into the future of the private rented sector, including consideration of measures to achieve a greater level of rent stability. A sub committee was created to oversee the research, work in consultation with the successful tenderer, and to report back to the REA/PR Committee.

The contract was awarded to a consortium of parties led by DKM Economic Consultants, and included the ESRI, Red C Research and Marketing, and law firm Ronan, Daly Jermyn.

A summary of both the Rent Stability and Future of the Private Rented Sector report by Caroline Kelleher of DKM Consultants can be found in Section 3.

The REA/PR Committee also oversaw the PRTB 10 Year Anniversary Conference held

on October 23rd which officially launched both the Rent Stability and Future of the Private Rented Sector reports. Details of the Conference can be found in Section 3.

The REA/PR Committee hosted a meeting with key stakeholders such as the Irish Property Owners Association (IPOA), the Institute of Professional Auctioneers and Valuers (IPAV), Society of Chartered Surveyors Ireland (SCSI), the Simon Community, IrishLandlord.com, Focus Ireland, KMPM, Threshold, the Union of Students in Ireland (USI) and St Vincent de Paul. Topics considered by the Stakeholder group included Minimum Standards, Approved Housing bodies, the Housing Assistance Programme and the PRTB Rent Index, among others.

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 2014, and participated in several media events to launch this.



### 3. AUDIT COMMITTEE

**Joe Meade**, Chairperson, Former Financial Services Ombudsman

**Dermot Byrne**, Department of Public Expenditure and Reform

**Paul Flood**, Board Member

**Damian Allen**, Housing Regulation Section, Department of the Environment, Community and Local Government

**Gareth Robinson**, Board Member

The Audit Committee consists of five members, two of whom are Board members and three of whom are external to the PRTB. The committee is chaired by Joseph Meade, former Financial Services Ombudsman, and was convened on four occasions in 2014.

The Internal Audit Plan 2013 – 2015 was reviewed at all meetings and from that, Audits on Registrations Enforcement, Disaster Recovery, Review of the Outsourced Contract Centre Services, Certification of PRTB Senior Management Salaries and Review of Internal Financial Controls were undertaken or completed in 2014. The committee undertook Audit Refresher Training in 2014 and determined that it should be undertaken on an annual basis.

### 4. FINANCE COMMITTEE

**Catriona Walsh**, Chairperson, Board Chairperson

**Tim Ryan**, Board Member

**John FitzGerald**, Board Member

**Noel Merrick**, Board Member

**Kathleen McKillion**, Board Member\*

**Jimmy Leahy**, Board Member\*

**Joe Meehan**, Board Member\*

**Paula O'Reilly**, Board Member\*

\*The term of Mr Joseph Meehan (Civil Servant, Department of Social Protection and Board Member) on the committee expired on 16/03/2014 and Ms Paula O'Reilly (Civil Servant, DoECLG and Board Member) resigned on 30/05/2014. They were replaced on the committee by Mr Jimmy Leahy and Ms Kathleen McKillion on 27/06/2014.

The Finance Committee met on ten occasions in 2014. 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 since 2009.

## 5. LEGISLATIVE, PRACTICE & PROCEDURES COMMITTEE

**Finian Matthews**, Chair, Retired Civil Servant

**Catriona Walsh**, Chair of the PRTB Board

**Anne Colley**, Solicitor

**William B. Devine\***, Solicitor

**Tricia Sheehy Skeffington**, Board Member

**Tim Ryan**, Board Member\*

**Noel Merrick**, Board Member

**Kathleen McKillion**, Board Member\*

**Noel Conroy**, Board Member\*

**Karen Murphy\***, Irish Council for Social Housing

**John Fitzgerald**, Board Member\*

\*The term of Mr William B. Devine on the committee expired on 19/10/2014, Mr Tim Ryan and Ms Kathleen McKillion resigned on 26/03/2014 and 27/06/2014 respectively. The three members were replaced by Mr Noel Conroy (appointed on 27/06/2014), Ms Karen Murphy (appointed on 27/06/2014) and Mr John Fitzgerald (appointed on 29/08/2014).

The Legislative, Practice and Procedure Committee is a subcommittee of the Board established under the provisions of section 157 of the RTA. The Committee's primary functions is to support and assist the Board in the exercise of the Board's statutory function of advising the Minister on policy matters, including the operation of the Private Residential Tenancies Act, as amended and proposed amendments to that legislation.

The Committee met twelve times in 2014, with the January monthly meeting adjourned to a separate date because of the number of items on the agenda.

The Committee engaged throughout the year with the proposals to amend the RTA, with a particular focus on the proposed deposit protection scheme and changes to the arrangements for the registration of tenancies. On the Board's instructions the Committee met the Department a number of times to address issues likely to impact on the PRTB's functions and responsibilities. The need for this engagement became more acute in mid year with the decision that the deposit scheme would be administered in its entirety by the PRTB, rather than a private company or companies. Issues which the Committee raised in the context of the revised proposals included arrangements for payment of deposits, implications of scheme being retrospective, efficient and timely procedures for the return of deposits, possibility of transferring deposits from one tenancy to another, the funding of the scheme and the application of the scheme to Approved Housing Bodies, the majority of whom do not require the payment of the deposits.

Other issues which the Committee addressed during the year were the growing impact of the appointment of Receivers over landlords' assets and the consequent implications for existing tenants; the implications for its dispute resolution quasi-judicial functions of



the proposals to extend the Freedom of Information legislation to the PRTB; the Rental Assistance Scheme; procedures for the processing by the Board of dispute resolution reports and making of determination orders; the powers of adjudicators and Tribunals to carry out inspections; issues relating to the termination of Further Part 4 tenancies; and the requirements on adjudicators and Tribunals to report matters that may come to their attention during a hearing to the relevant authorities, particularly in relation to child safety and protection; fast tracking of Rent Arrears cases and Enforcement of Determination Orders through the Court Registrars.

## **PROTECTED DISCLOSURES ACT 2014**

Pursuant to its obligations under this Act, the PRTB confirms that no protected disclosures were made in 2014.

### **6. SECTION 189 COMMITTEE**

**Catriona Walsh**, Chairperson, Board  
Chairperson

.....  
**Tricia Sheehy Skeffington**, Board Member

.....  
**Gareth Robinson**, Board Member

.....  
**Tim Ryan**, Board Member

.....  
**Noel Conroy**, Board Member

Section 189 of the Residential Tenancies Act 2004 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 met four times in 2014. The Section 189 Committee sought relief for one case which was subsequently granted by the court. The Committee agreed not to seek redress under this section on the three other occasions.

# [03] ICT IN THE PRTB

## ICT STEERING COMMITTEE

**Gareth Robinson**, Chairperson, Board Member\*

**Denis Carthy**, Former Local Government Computer Services Board

**Aidan Sullivan**, Department of the Environment, Community and Local Government

**Paul Dowling**, The Office of the Revenue Commissioners

**Dera McLoughlin**, Mazars\*

**Jimmy Leahy**, Board Member\*

**Ken Jordan**, NTMA\*

\*Mr Gareth Robinson and Mr Jimmy Leahy were appointed to the ICT Steering Committee on 24/07/2014 to meet the requirement of two board members sitting on the committee. Ms Dera McLoughlin resigned from the committee on 04/12/2014 due to external commitments. Mr Ken Jordan resigned from the Committee on 24/06/2014.

The ICT Steering Committee comprises members of the executive and the external members listed above. The Committee acts in an advisory capacity providing guidance during 2014 on ICT governance, oversight of ICT budget and the implementation of the approved ICT Strategy Development Project (Approved by PRTB Board, 14 March 2014). The Committee met ten times during 2014.

## 3-YEAR ICT STRATEGY

2014 saw the development, with the assistance of Mazars, of an ICT strategy, setting out a comprehensive, integrated, three year roadmap for the development of information and communication technology within the PRTB. This was overseen and approved by the ICT Steering Committee and subsequently approved by the Board. The Strategy now serves as the principal working document for guiding technical, staffing and financial decisions relating to the development, use and support of ICT systems, infrastructure and facilities at the PRTB and will form the basis for the evolution of information technology at the organisation during the next three years until the end of 2016.

The Strategy encompasses a large and challenging body of work for an organisation as small as the PRTB in what is anticipated to be a period of significant change and development. It focuses on meeting new business needs, enhancing service delivery, increasing capacity and extending delivery. The strategy has been prepared as a programme of work with ten interdependent tracks or projects. Key changes proposed include: enhanced ICT governance arrangements; outsourcing of operational activities to a Managed Service provider; a refocusing of the internal ICT Team on delivering projects; development of a new version of the Tenancies Management System ( "TMS 2") that supports legislative and other changes;

and the introduction of a new financial management system.

The development of TMS 2, is by far the most important from a business view point as during 2015 and 2016 it is envisaged that it will be required – on a phased basis – to facilitate the delivery of legislative changes in accordance with the Residential Tenancies (Amendment) (No.2) Bill 2012, including facilitating the proposed deposit retention scheme, as well as providing for many other functional and usability enhancements. All the other tracks either enable the development and implementation of TMS 2, or are closely linked to it in terms of service delivery and maximisation of benefits.

The strategy builds on the sound technology platforms (in particular a Tenancies Management System, “TMS”) put in place by PRTB over the last number of years, and responds to the Irish Government’s Public Service Reform Plan which recognises that citizens and businesses expect public services to be delivered faster, better and more efficiently than in the past.

## **DELIVERY OF EIRCODES**

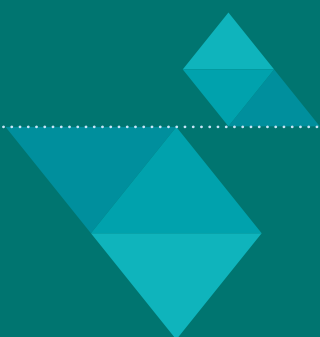
The PRTB is continuing its involvement at the forefront of adoption of the new national postcode system and the PRTB is actively engaged in preparatory work to deliver on this important initiative. The lack of a unique dwelling code is the source of duplicate entries in our registrations database, as is also the case for many other public and private sector bodies. It is planned that the new national postcode system will go-live in mid-2015.



## SECTION 5

# [ PRTB FINANCES ]

PRTB ANNUAL REPORT 2014



# PRIVATE RESIDENTIAL TENANCIES BOARD

**REPORT AND FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31 DECEMBER 2014**



**Subject to C and AG Audit**

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**PRIVATE RESIDENTIAL TENANCIES BOARD  
REPORT AND FINANCIAL STATEMENTS**

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## Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

# INFORMATION

### MEMBERS OF THE PRIVATE RESIDENTIAL TENANCIES BOARD - 2014

**Ms Catriona Walsh**, Solicitor (Chairperson)

**Ms Paula O'Reilly**, Civil Servant, Department of the Environment, Community and Local Government

**Mr Joseph Meehan**, Civil Servant, Department of Social Protection

**Mr Tim Ryan**, PR Consultant

**Ms Tricia Sheehy Skeffington**, Barrister

**Ms Rhonda Donaghy**, Trade Union Official

**Mr John FitzGerald**, Property Professional

**Mr Noel Merrick**, Property Professional

**Mr Paul Flood**, Estates Manager, Health Service Executive

**Mr Gareth Robinson**, Barrister

**Mr Noel Conroy**, Former Garda Commissioner

**Ms Kathleen McKillion**, Director of Operations, Irish Council for Social Housing

**Mr Jimmy Leahy**, IT Technician

#### Members who left the Board in 2014

Ms Paula O'Reilly (Civil Servant, DoECLG) resigned from the Board on 30th May 2014.

#### Members Appointed to the Board in 2014

Mr Jimmy Leahy was appointed to the Board on 10th June 2014.

# Subject to C and AG Audit





**PRIVATE RESIDENTIAL TENANCIES BOARD**

REPORT OF THE COMPTROLLER AND  
AUDITOR GENERAL

**Subject to C and AG Audit**

**PRIVATE RESIDENTIAL TENANCIES BOARD**

REPORT OF THE COMPTROLLER AND  
AUDITOR GENERAL



**Subject to C and AG Audit**

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## PRIVATE RESIDENTIAL TENANCIES BOARD

# STATEMENT OF RESPONSIBILITIES OF THE BOARD

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 a 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.

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**Director**

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**Chairperson**

# Subject to C and AG Audit

**PRIVATE RESIDENTIAL TENANCIES BOARD**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 and AG Audit

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## PRIVATE RESIDENTIAL TENANCIES BOARD

# 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 2014 and this work will continue in 2015.

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**Chairperson**

# Subject to C and AG Audit

**PRIVATE RESIDENTIAL TENANCIES BOARD**STATEMENT OF  
ACCOUNTING POLICIES

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

**1. 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;

**2. 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.

**3. INCOME***Registration & Dispute Fees*

Fees in respect of registrations and disputes are recognised when a form is received and a provision is made for potential refunds from incomplete.

*Other Income*

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

*State Funding*

The PRTB has operated on a self financing basis since 1st January 2010.

# Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

# STATEMENT OF ACCOUNTING POLICIES

### 4. 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	<b>5%</b>	Straight Line
Furniture & fittings	<b>10%</b>	Straight Line
Office equipment	<b>20%</b>	Straight Line
Computer equipment and software development	<b>20%</b>	Straight Line

### 5. 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.

### 6. CAPITAL ACCOUNT

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

### 7. 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).

# Subject to C and AG Audit

**PRIVATE RESIDENTIAL TENANCIES BOARD**STATEMENT OF  
ACCOUNTING POLICIES

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 and AG Audit**

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## PRIVATE RESIDENTIAL TENANCIES BOARD

INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31 DECEMBER 2014

	Notes	Year Ended 31 December 2014 €	Year Ended 31 December 2013 €
<b>Income</b>			
Deferred pension funding	10c	230,000	220,000
Registration fees	1	12,073,140	10,715,676
Amounts due to Local Authorities	6	(2,414,629)	(2,143,175)
Disputes fees		95,235	111,494
Other income	2	109,419	118,070
Transfer from capital account	7	383,754	220,850
		<u>10,476,919</u>	<u>9,242,915</u>
<b>Expenditure</b>			
Staff costs	3a	(2,054,121)	(2,120,685)
Administration costs	3b	(7,521,240)	(5,968,975)
Depreciation	4	(440,976)	(425,021)
		<u>(10,016,337)</u>	<u>(8,514,681)</u>
Surplus for the year	8	<u>460,582</u>	<u>728,234</u>

The Statement of Accounting Policies and Notes 1 to 15 form part of these Financial Statements.

All income and expenditure for the year ended 31 December 2014 relate to continuing activities.

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Director

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Chairperson

**Subject to C and AG Audit**

## PRIVATE RESIDENTIAL TENANCIES BOARD

INCOME AND EXPENDITURE ACCOUNT  
FOR THE YEAR ENDED 31 DECEMBER 2014

	Notes	Year Ended 31 December 2014 €	Year Ended 31 December 2013 €
Surplus for the year	8	460,582	728,234
Experience gain / (loss) on pension scheme Liabilities	10d	80,000	70,000
Changes in assumptions underlying the present value of pension scheme liabilities	10e	—	—
Actuarial gain/ (loss) recognised	10b	80,000	70,000
Adjustment to deferred pension funding		(80,000)	(70,000)
Total recognised gain for the year		<u>460,582</u>	<u>728,234</u>

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Director

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Chairperson

**Subject to C and AG Audit**

## PRIVATE RESIDENTIAL TENANCIES BOARD

BALANCE SHEET  
AS AT 31 DECEMBER 2014

	Notes	Year Ended 31 December 2014 €	Year Ended 31 December 2013 €
<b>FIXED ASSETS</b>			
Tangible assets	4	2,364,748	2,748,502
<b>CURRENT ASSETS</b>			
Debtors	5	187,223	98,899
Cash at bank		8,836,984	9,216,217
		<u>9,024,207</u>	<u>9,315,116</u>
<b>CREDITORS</b>			
Amounts falling due within one year	6	<u>(5,164,946)</u>	<u>(5,916,437)</u>
Net current assets		3,859,261	3,398,679
<b>TOTAL ASSETS LESS CURRENT LIABILITIES BEFORE PENSIONS</b>			
		6,224,009	6,147,181
Deferred pension funding	10c	1,400,000	1,250,000
Pension scheme liabilities	10b	<u>(1,400,000)</u>	<u>(1,250,000)</u>
<b>TOTAL ASSETS LESS CURRENT LIABILITIES</b>			
		<u>6,224,009</u>	<u>6,147,181</u>
<b>FINANCED BY</b>			
Accumulated surplus	8	3,859,261	3,398,679
Capital account	7	2,364,748	2,748,502
		<u>6,224,009</u>	<u>6,147,181</u>

The Statement of Accounting Policies and Notes 1 to 15 form part of these Financial Statements.

**Subject to C and AG Audit**

Director \_\_\_\_\_ Chairperson \_\_\_\_\_

## PRIVATE RESIDENTIAL TENANCIES BOARD

CASHFLOW STATEMENT  
FOR THE YEAR ENDED 31 DECEMBER 2014

	Notes	Year Ended 31 December 2014 €	Year Ended 31 December 2013 €
<b>Reconciliation of operating surplus to net</b>			
<b>Cash inflow from operating activities</b>			
Operating surplus for year	8	460,582	728,234
Depreciation	4	440,977	425,021
Interest earned	2	(55,083)	(78,012)
Profit on disposal of fixed assets		-	-
Transfer to capital account	7	(383,754)	(220,850)
(Increase) / Decrease in debtors	5	(88,324)	(45,466)
Increase / (Decrease) in creditors	6	(751,491)	1,937,072
Net cash inflow from Operating activities		<u>(377,093)</u>	<u>2,745,999</u>
<b>Cashflow Statement</b>			
Net cash inflow from operating activities		(377,093)	2,745,999
<b>Returns on investment and servicing of finance</b>			
Interest received	2	55,083	78,012
<b>Net capital expenditure</b>			
Payments to acquire tangible fixed assets	7	(57,223)	(204,171)
Proceeds from disposal of fixed assets	7	-	-
<b>Decrease in cash</b>		<u>(379,233)</u>	<u>2,619,840</u>
<b>Reconciliation of net cash-flow to movement in net funds</b>			
Net funds at 1 January		9,216,217	6,596,377
Net funds at 31 December		8,836,984	9,216,217
<b>Increase in cash</b>		<u>(379,233)</u>	<u>2,619,840</u>

The Statement of Accounting Policies and Notes 1 to 15 form part of these Financial Statements.

# Subject to C and AG Audit

Director

Chairperson

**PRIVATE RESIDENTIAL TENANCIES BOARD**NOTES (FORMING PART OF THE  
FINANCIAL STATEMENTS)**1. REGISTRATION FEES INCOME**

Fees which were received from landlords as payment for the registration of their tenancies amounted to €12,073,140 (2013: €10,715,676).

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 €2,414,628

Retained by the PRTB towards its administration costs:

→ 80% in the year which amounted to €9,658,512

**2. OTHER INCOME**

	<b>31 December 2014</b>	<b>31 December 2013</b>
	€	€
Interest income	55,266	78,012
Legal costs recovered	54,153	40,058
	<u>109,419</u>	<u>118,070</u>

# Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

## NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

## 3A. STAFF COSTS

	Year Ended 31 December 2014	Year Ended 31 December 2013
	€	€
Seconded & PRTB staff	1,532,184	1,604,687
Agency staff	–	2,345
Pension costs	329,430	376,509
Training of staff and office holders	49,718	27,132
Social welfare costs	79,992	90,010
Other staff costs	62,797	20,002
	<u>2,054,121</u>	<u>2,120,685</u>

**Staff numbers:**

The number of staff employed by the Board in the year was 21 (2013: 21). A further 9 staff were seconded to the Board by the Department of the Environment, Community and Local Government (2013: 10), 2 by Dublin City Council (2013: 2), and 1 from the Department of Transport, Tourism and Sport (2013: 1).

**Pension Levy:**

€42,369 of pension levy has been deducted and paid over to the Department of the Environment, Community and Local Government (2013: €46,694).



# Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

## NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

## 3B. ADMINISTRATIVE EXPENDITURE

	Year Ended 31 December 2014	Year Ended 31 December 2013
	€	€
Board members fees	170,404	145,642
Tribunal members fees	449,418	461,227
Adjudicators and mediators fees	667,393	603,583
Rent tribunal (Note *)	5,331	7,069
Travel & subsistence	57,157	42,725
Outsourcing costs	1,099,067	1,073,117
Legal & professional fees	2,146,943	1,931,215
Audit fees	35,239	8,554
Accountancy	58,264	50,687
Stenography costs	102,882	70,102
Meeting expenses	6,904	7,258
Office supplies	137,013	127,525
Postage & distribution costs	571,768	342,950
Printing & translation costs	48,687	75,620
Telephone expenses	39,687	43,743
Public information & education	58,299	31,327
Computer expenses & maintenance	1,037,878	462,987
Establishment costs	594,209	383,835
Cleaning services	22,218	23,197
Research studies	178,704	51,587
Late payment in commercial transactions	-	211
Miscellaneous	33,775	24,814
	<u>7,521,240</u>	<u>5,968,975</u>

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

## PRIVATE RESIDENTIAL TENANCIES BOARD

## NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

## 4. TANGIBLE FIXED ASSETS

	Computer Equipment & Software Development	Leasehold Improvem.	Furniture & Fittings	Office Equipment	Total
	€	€	€	€	€
<b>Cost</b>					
Opening Balance	2,629,748	1,746,933	204,262	84,328	4,665,271
Additions	57,223	-	-	-	57,223
Disposals	-	-	-	-	-
At 31 December 2014	<u>2,686,971</u>	<u>1,746,933</u>	<u>204,262</u>	<u>84,328</u>	<u>4,722,494</u>
<b>Depreciation</b>					
Opening Balance	1,196,323	517,825	118,788	83,834	1,916,770
Charge for the year	333,205	87,348	19,929	494	440,976
Depreciation on disposals	-	-	-	-	-
At 31 December 2014	<u>1,529,528</u>	<u>605,173</u>	<u>138,717</u>	<u>84,328</u>	<u>2,357,746</u>
<b>Net Book Value</b>					
At 31 December 2014	<u>1,157,443</u>	<u>1,141,760</u>	<u>65,545</u>	<u>-</u>	<u>2,364,748</u>
At 31 December 2013	<u>1,433,423</u>	<u>1,229,111</u>	<u>85,474</u>	<u>494</u>	<u>2,748,502</u>

## 5. DEBTORS

## Amounts falling due within one year

	31 December 2014	31 December 2013
	€	€
Prepaid expenses	147,616	48,393
Accrued legal costs recovered	-	200
Interest receivable	28,082	31,794
Voluntary deductions	6,038	7,621
Sundry debtors	5,487	10,891
	<u>187,223</u>	<u>98,899</u>



**PRIVATE RESIDENTIAL TENANCIES BOARD**NOTES (FORMING PART OF THE  
FINANCIAL STATEMENTS)**6. CREDITORS****Amounts falling due within one year**

	<b>31 December 2014</b>	<b>31 December 2013</b>
	€	€
Creditors & Accruals	1,588,783	2,074,769
Amounts Due to Local Authorities	<u>3,576,163</u>	<u>3,841,668</u>
	<u>5,164,946</u>	<u>5,916,437</u>

**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;

	<b>31 December 2014</b>	<b>31 December 2013</b>
	€	€
Opening Balance	3,481,668	2,538,493
Fees allocated to local authorities in the year	2,414,629	2,143,175
Fees disbursed in the year	<u>(2,320,134)</u>	<u>(1,200,000)</u>
Amounts due to local authorities	<u>3,576,163</u>	<u>3,481,668</u>

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.

# Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

## NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

## 7. CAPITAL ACCOUNT

	31 December 2014	31 December 2013
	€	€
Opening Balance	2,748,502	2,969,352
Transfer (to) / from Income and Expenditure Account		
Funding to acquire Assets	57,223	204,171
Amortisation in line with asset depreciation	(440,977)	(425,021)
Release of disposal of fixed asset	–	–
	<u>(383,754)</u>	<u>(220,850)</u>
Closing Balance at 31 December	<u>2,364,748</u>	<u>2,748,502</u>

## 8. ACCUMULATED SURPLUS / (DEFICIT)

	31 December 2014	31 December 2013
	€	€
Opening Balance	3,398,679	2,670,445
(Deficit) / Surplus for the year	460,582	728,234
Closing Balance at 31 December	<u>3,859,261</u>	<u>3,398,679</u>

## 9. 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 years 5 and 10. The annual commitment under this lease at year end was €264,424.

## Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

## NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

## 10. SUPERANNUATION

## a) Analysis of total pension costs charged to Expenditure

	31 December 2014	31 December 2013
	€	€
Current service cost	160,000	160,000
Interest on pension scheme liabilities	70,000	60,000
Employee contributions	(33,193)	(38,490)
	<u>196,807</u>	<u>181,510</u>
Superannuation (Department staff)	132,623	194,999
	<u>329,430</u>	<u>376,509</u>

## b) Movement in net pension liability during the financial year

	31 December 2014	31 December 2013
	€	€
Net pension liability at 1 January	(1,250,000)	(1,100,000)
Current service cost	(160,000)	(160,000)
Past service costs	-	-
Interest costs	(70,000)	(60,000)
Actuarial gain/ (loss)	80,000	70,000
Deficit at end of year	<u>(1,400,000)</u>	<u>(1,250,000)</u>

# Subject to C and AG Audit

**PRIVATE RESIDENTIAL TENANCIES BOARD**

# NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

**c) Movement in net pension liability during the financial year**

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:

	<b>2014</b>	<b>2013</b>
	€	€
Funding recoverable in respect of current year pension	230,000	220,000
State Grant applied to pay pensions	-	-
	<u>230,000</u>	<u>220,000</u>

The deferred funding asset for pensions as at 31 December 2014 amounted to €1,400,000 (2013: €1,250,000).

**d) History of defined benefit obligations**

	<b>2014</b>	<b>2013</b>
	€	€
Defined Benefit Obligations	1,400,000	1,250,000
Experience gains on		
Scheme Liabilities Amount	80,000	70,000
Percentage of Scheme Liabilities	(6%)	(6%)

The cumulative actuarial loss recognised in the Statement of Total Recognised Gains and Losses amounts to €243,000 (2013: €163,000).

**PRIVATE RESIDENTIAL TENANCIES BOARD**NOTES (FORMING PART OF THE  
FINANCIAL STATEMENTS)**e) General Description of the Scheme**

Defined benefit superannuation schemes apply to the staff of the Private Residential Tenancies Board (PRTB). Benefits are financed on a “pay-as-you-go” basis and there are no assets held in respect of the accrued pension liabilities of the PRTB staff. Superannuation entitlements arising under the schemes are paid out of current income and are charged to the Income and Expenditure Account, net of employee superannuation contributions, in the year in which they become payable.

The results set out below are based on an actuarial valuation of the liabilities in respect of the staff as at 31 December 2014. This valuation was carried out by a qualified independent actuary for the purposes of the accounting standard, Financial Reporting Standard No. 17 – Retirement Benefits (FRS 17).

The financial assumptions used to calculate scheme liabilities were:

	<b>31 December 2014</b>	<b>31 December 2013</b>
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%

**11. 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 2014 to be nil (2013: €211.37).

**12. UNSOLVED CASES**

The Board had 516 dispute resolution cases awaiting hearing at 31 December 2014. 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 2014 is included in the Financial Statements. In addition approximately 110 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.

**PRIVATE RESIDENTIAL TENANCIES BOARD**NOTES (FORMING PART OF THE  
FINANCIAL STATEMENTS)**13. 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.

**14. DIRECTORS & BOARD MEMBERS REMUNERATION****Directors' Remuneration**

Directors' Salary €93,248

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 2014. The Directors' pension entitlement does not extend beyond the standard entitlements in the model public sector defined benefit superannuation scheme. The Director was paid €1,036.31 in relation to Travel & Subsistence in 2014.

Board members are paid fees based on their attendance at Board and Board committee meetings. The fee rates are set by the Department of Finance and Department of Environment, Community and Local Government.

The table below sets out the fees paid in 2014. The figures refer to actual payments made to Board Members during 2014. As a result of their nature some of these payments relate to meetings attended in 2014. The figure included in Note 4b for Board Members Fees is calculated on an accruals basis for all meetings attended during 2014, regardless of when the payments were made.



# Subject to C and AG Audit

## PRIVATE RESIDENTIAL TENANCIES BOARD

## NOTES (FORMING PART OF THE FINANCIAL STATEMENTS)

PRTB Board Members Payments 2014					
NAME	Tenancy Disputes Meetings	Tribunals	Board Fees	Other*	Total
Patricia Sheehy Skeffington	6,133	44,578	5,096	854	56,661
Tim Ryan	6,282	36,072	5,418	196	47,968
Noel Merrick	15,016	2,550	7,273	196	25,035
John FitzGerald	14,687	33,502	4,942	196	53,327
Catriona Walsh	14,252	3,562	7,476	392	25,682
Noel Conroy	15,165	681	4,312	196	20,354
Gareth Robinson	12,714	20,912	4,550	0	38,176
James Leahy	9,063		3,528	196	12,787
Kathleen McKillion	1,825	1,187	4,312	196	7,520
Rhonda Donaghy	5,264	0	1,568	0	6,832
<b>TOTAL</b>	<b>100,401</b>	<b>143,044</b>	<b>48,475</b>	<b>2,422</b>	<b>294,342</b>

\*Other includes payments made for training (€588), Interviewing (€658), dispute resolution committee AGM (€980) and for rent tribunal AGM (€196).

The fees of Ms Rhonda Donaghy are paid to Threshold and those of Ms Kathleen McKillion are paid to the Irish Council for Social Housing. Taxation deductions are applied in advance of these payments. The amount shown above for Ms Donaghy was accrued and paid early in 2015.

Board fees have not been paid to the following Board Members;

Mr Paul Flood  
Mr Joseph Meehan  
Ms Paula O'Reilly

Board Fees were also paid to former Board Members Prof. Eoin O'Sullivan (€1,020) and Mr John Tiernan (€2,305) during 2014 relating to their terms on the Board during 2013.

Board members were also reimbursed a total of €18,214.77 for travel and subsistence incurred for attendances at meetings and Tribunals. These were paid in accordance with the Department of Finance guidelines.

## 15. APPROVAL OF FINANCIAL STATEMENTS

The Financial Statements were approved by the Board on 27th March 2015.





## SECTION 6

# [ APPENDICES ]

PRTB ANNUAL REPORT 2014

The page features decorative geometric shapes in the bottom corners. On the left, there is a cluster of overlapping triangles in shades of orange and yellow. On the right, there is a cluster of overlapping triangles in shades of teal and blue. A horizontal dotted line spans the width of the page, positioned just above the bottom decorative elements.

## I. 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 2014, the Board or the Director approved a number of contracts as outlined below, following appropriate public tendering:

- Recruitment Services for appointment of DRC – Sigmar Recruitment - February 2014
- Interviewer and Interviewee Training - Baker Tilly Ryan Glennon - July 2014
- Recruitment Services for internal recruitment competition – CPL - August 2014
- Provision of Accountancy Services - Moore Stephens Nathans - November 2014
- Corporate Governance Training for PRTB Board of Directors and Senior Management - UCD Smurfit School, November 2014



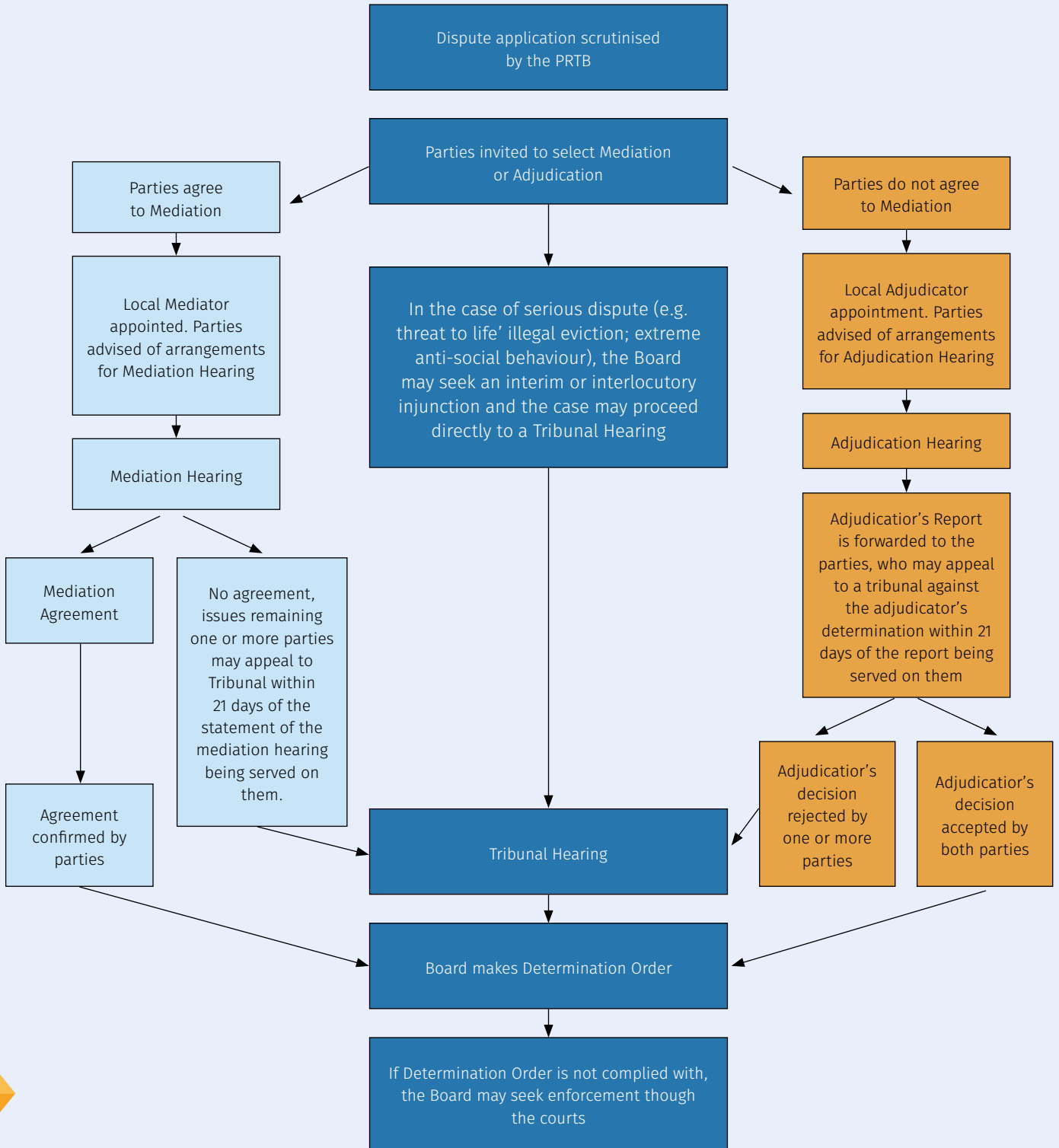
## **II. OVERVIEW OF PRTB ENERGY USAGE IN 2014**

The PRTB is based in O'Connell Bridge House, D'Olier Street, Dublin 2. We occupy two of the ten floors in the building (20% Consumption). The only energy consumption we have at present is Electricity.

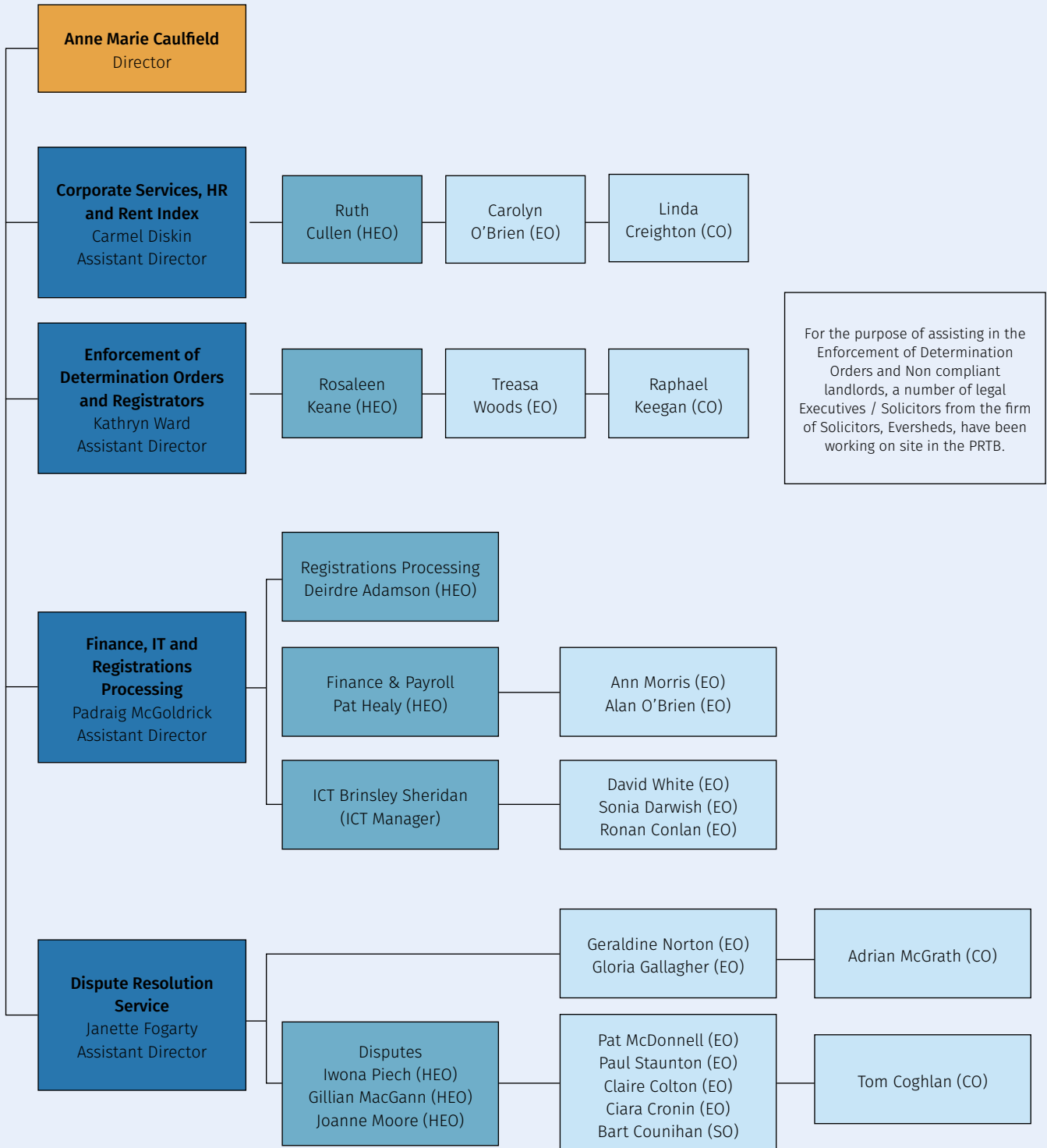
In 2014, PRTB consumed 51.919 KWh of electricity.

This is 5.3% less energy consumption than in 2013.

### III. PRTB DISPUTE RESOLUTION SERVICE



**IV. 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.







Private Residential Tenancies Board

Po Box 47

Clonakilty

County Cork



# TUARASCÁIL BHLIANTÚIL AGUS CUNTAIS

2014





## 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-chleachtas 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 iomchúí;

- 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 de thithíocht ar cíos san earnáil phríobháideach ach tugann sé ar aird go sannfar earnálacha eile den mhargadh foriomlán dó cosúil le Tithíocht Shóisialta agus Dheonach agus feidhmeanna margaidh eile cosúil leis an Scéim Coinneála Taiscí ag an mBille um Thionóntachtaí Cónaithe (Leasú) (Uimh 2) 2012. Tá an BTCP tiomanta do ghlacadh leis na freagrachtaí nua ar bhealach éifeachtúil agus éifeachtach, nuair is gá sin agus más gá sin faoi réir na n-acmhainní riachtanacha a bheith ar fáil.

Nuair a bhíonn a sainordú á fheidhmiú aici, bíonn an eagraíocht faoi threoir ag a ráitis Misin, Físe agus Luachanna

## MISEAN

Earnáil chónaithe ar cíós atá dea-rialaithe a fhorbairt agus a choinneáil in Éirinn a rachaidh chun tairbhe do thiarnaí talún, do thionóntaí agus don 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 cíós 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 fíorthábhachtach chun ár bhfís, ár misean agus ár sainordú a chomhlíonadh:

- Ceart agus 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 chónaithe ar cíós

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TO LET



# RÁITEAS AN CHATHAOIRLIGH AGUS AN STIÚRTHÓRA



## FORBHREATHNÚ AR EARNÁIL NA TITHÍOCHTA AR CÍOS

Tá áthas orainn Tuarascáil Bhliantúil 2014 an Bhoird um Thionóntachtaí Cónaithe Príobháideacha a chur i láthair. In 2014 tá an Bord ag comóradh deich mbliana a bhunaithe. Tá sé tábhachtach a aithint gur tháinig athrú bunúsach ar ról agus ar phróifíl na tithíochta ar cíos san earnáil príobháideach sna chéad deich mbliana ina raibh an BTCP ar an saol. Tá méid na hearnála tar éis dúbailt idir daonáireamh 2007 agus 2011. Tá a gcuid tithe ar cíos ag líon tí amháin as gach cúig líon tí anois, agus de réir mar a éiríonn sé níos deacra morgáistí a fháil, tá na tréimhsí a mbíonn tionóntaí ag glacadh tithe ar cíos ag éirí níos faide. Tá ról fíorthábhachtach anois ag an tithíocht ar cíos san earnáil príobháideach maidir le tithíocht a chur ar fáil do Thionóntaí a bhfuil tacaíocht shóisialta á fáil acu. Chun é seo a chur

i gcomhthéacs, le linn 2014 bhí 70,000 tionónta ag fáil Forlíonadh Cíosa agus bhí 36,000 sa Scéim um Chóiríocht ar Cíos, arb ionann é agus an tríú cuid den tithíocht ar cíos san earnáil príobháideach. Leanfar den ról seo agus é mar sprioc ag an Straitéis Tithíochta Sóisialta, a foilsíodh i mí na Samhna 2014, go mbeadh 75,000 aonad á seachadadh ag Tithíocht ar Cíos san Earnáil Phríobháideach. Is Tiarnaí Talún neamhghairmiúla is mó atá sa mhargadh féin agus gan ach réadmhaoin amháin nó dhó ag 84% díobh. Tá fadhb shuntasach ann faoi láthair le riaráistí morgáiste san earnáil Ceannach le Ligean. Ag deireadh 2014 bhí díreach faoi bhun 40,000 réadmhaoin Ceannach le Ligean a raibh riaráistí morgáiste a bhí tromchúiseach orthu. Bhain iarmhairtí tromchúiseacha leis sin do na Tiarnaí Talún agus do na Tionóntaí atá ina gcónaí iontu araon.

TÁ MÉID NA HEARNÁLA TAR ÉIS DÚBAILT  
IDIR DAONÁIREAMH 2007 AGUS 2011.



## TAIGHDE AN BTCP

Tá taighde a dhéanamh ar Thithíocht ar Cíos san Earnáil Phríobháideach ar cheann de na feidhmeanna atá ag an BTCP, faoi mar atá leagtha síos san Acht, (Alt 151(f) den Acht). Chun comóradh a dhéanamh ar na deich mbliana ó bunaíodh an BTCP agus freisin mar gheall ar an mbrú atá le tabhairt faoi deara san earnáil, choimisiúnaigh an BTCP taighde ar Thodhchaí na Tithíochta ar Cíos san Earnáil Phríobháideach. D'iarr an tAire ar an BTCP taighde a choimisiúnú ar Chobhsaíocht Chíos. Bronnadh an conradh don dá staidéar ar Chuibhreannas lena n-áirítear na Comhairleoirí Eacnamaíoch DKM, an ESRI, RED C agus na haturnaetha Ronan, Daly Jermyn. Staidéar neamhspleách ba ea an taighde agus na tuarascálacha dá éis, agus tá achoimre den taighde san áireamh i gCuid 3. Cuimsíonn sé anailís an-chríochnúil ar Mhargadh Cíos na hÉireann agus mionanailís chomparáideach le tíortha Eorpacha eile. Cuirtear roinnt moltaí chun cinn sna tuarascálacha lena mbreithniú ag an Aire. Ní mholann na

húdair rialú cíosa, léiríonn siad gur easpa soláthair is cúis le cíosanna a bheith ag ardú agus go bhfuil an baol ann go mbeifear ag fágáil na margaí. Cuireann sé roinnt roghanna eile ar fáil, mar léasanna a thugann cinnteacht faoi chíos fadtéarmach a thairiscint do Thiarnaí Talún a lígeann tithíocht ar cíos le Tionóntaí a bhfuil tacaíocht shóisialta á fáil acu agus ar a shon sin go dtabharfaí dreasachtaí cánach do na Tiarnaí Talún sin ar aon dul leo siúd atá ar fáil do Thiarnaí Talún tráchtála. Cuireann sé réimse de bhearta chun soláthar a mhéadú chun cinn, ina measc Tionscnamh na Cathrach Beo a leathnú chuig Tiarnaí Talún, agus athruithe ar CBL ar feadh dhá bhliain. Moltar sa tuarascáil go gcaithfeadh Tiarnaí Talún arduithe cíosa a chosaint trí thagairt a dhéanamh do thrí réadmhaoin chomparáideacha, fógra trí mhí a thabhairt faoi arduithe cíosa, go méadófaí faoiseamh cíosa do Thionóntaí agus go mbeadh daingneacht tionónachta níos fearr ann le tréimhsí fógra níos faide agus / nó léasanna neamhiata. Measann Bord agus Bainistíocht an BTCP go mbeidh an taighde cúlra seo úsáideach don Aire



agus Straitéis á forbairt do Thithíocht ar Cíos san Earnáil Phríobháideach, a fhoilseofar faoi dheireadh 2015. B'údar díomá na torthaí a tuairiscíodh i suirbhé RED C maidir leis an eolas a bhí ag Tionóntaí ar a gcearta agus mar thoradh air sin beidh feachtas feasachta á sheoladh go luath ag an BTCP.

Sheol an tAire an taighde seo ag Comhdháil Chomórtha Deich mBliana i mBaile Átha Cliath i mí Dheireadh Fómhair na bliana 2014. Bhí Olivia O'Leary ina cathaoirleach ar an gComhdháil agus bhí cainteoirí ann ag déanamh ionadaíochta ar Thiarnaí Talún, Tionóntaí agus speisialtóirí sa réimse. Is dócha gurbh í an fhairsinge a bhain le rannpháirtíocht na dtoscairí an ghné ba shuntasáí den chomhdháil agus ba mhian leis an BTCP buíochas a ghlacadh leo siúd ar fad a bhí i láthair. Tá tuairisc ar an gcomhdháil le fáil i gCuid 3.

## GNÍOMHAÍOCHTAÍ IN 2014 - ACHOIMRE GHAIRID

### CLÁRÚCHÁIN & FORFHEIDHMIÚ CLÁRÚCHÁN

Chláraigh an BTCP 112,873 tionóntacht nua in 2014, agus anois tá 303,574 tionóntacht bheo cláraithe linn. Is ionann é sin agus 160,000 Tiarna Talún agus níos mó ná 643,000 Tionónta (gan mionaoisigh san áireamh). Chuir sé seo ar ár gcumas a bheith féinmhaoinitheach don séú bliain as a chéile agus chomh maith leis sin cistiú €2.3m a chur ar fáil do chigireacht Údarás Áitiúil. Braitheadh 30,000 Tiarna Talún nach raibh cláraithe agus chuathas i dteagmháil leo. Chláraigh a bhformhór siúd ach i 17 gcás b'éigean ionchúiseamh a ghlacadh chun comhlíonadh a chinntiú. Mar

thoradh air sin, ciontaíodh go coiriúil na Tiarnaí Talún a bhí i gceist agus gearradh fíneálacha agus costais €95,770 san iomlán orthu.

Gné an-tábhachtach de rialú na hearnála is ea clár an BTCP. Cinntíonn sé go seasann siad siúd atá páirteach sa ghnó a bhaineann le tithíocht a ligean ar cíos costais na rialála agus nach bhfuil ar an gcáiníocóir atá go mór faoi bhrú é sin a dhéanamh a thuilleadh. Cuirtear an clár ar fáil do na Coimisinéirí Ioncaim chun comhlíonadh cánach maidir le hioncam cíosa a éascú agus don Roinn Coimirce Sóisialaí ar mhaithe le calaois a bhrath.

Aithníonn an BTCP go bhfuil na pionóis do chlárúchán déanach atá cumhdaithe san Acht (.i. clárúchán a dhúbailt ó €90 go dtí €180 tar éis míosa) róphionósach. D'iarr an Bord go ndéanfaí leasú air seo agus go gcuirfí scála aistritheach, €20 sa mhí, i bhfeidhm i leith táillí déanacha faoi réir caidhp fhoriomlán. Tuigimid go gcuirfear é seo san áireamh sa Bhille um Thionóntachtaí Cónaithe (Leasú) nuair a dhéanfar é a achtú.

### SEIRBHÍSÍ RÉITITHE DÍOSPÓIDÍ

Ba chóir a lua go gcomhlíonann formhór na dTiarnaí Talún agus na dTionóntaí an dlí agus nár bhain Díospóid ach le 1% de Thionóntachtaí in 2014. Tá cuid mhór den bhuíochas faoi seo ag dul don chomhairle agus don treo ar chearta / ar fhreagrachtaí san Acht a cuireadh ar fáil in 110,000 glaoch agus 42,000 ríomhphost / litir a láimhsigh ár Lárionad Glaonna in SouthWestern.

Mar sin féin, tháinig fás 104% ar líon na nDíospóidí a láimhsigh foireann an BTCP ó 2008. Rinneadh 3,374 iarratas Díospóide (ar sheirbhísí Idirghabhála agus Breithnithe)

san iomlán (ina raibh 6,071 gearán faoi leith le próiseáil). Rinneadh achomharc chuig Binse maidir le toradh 447 cás. Ba iad Riaráistí Cíosa agus rósheilbh, a raibh baint acu le 34% de na cásanna, na cúiseanna ba mhó a bhí le Díospóidí. Bhí Fógra Foirceanta Neamhbhailí ar an dara cúis ghearáin ba mhó ag 25% agus bhí Coinneáil Éarlaise sa tríú catagóir Dhíospóide ba mhó ag 23% de na cásanna. Mura dtugtar éarlais ar ais, d'fhéadfadh sé nach mbeadh Tionónta ábalta cóiríocht eile a fháil ar cíos agus d'fhéadfadh sé sin cur isteach go mór ar Thionóntaí leochaileacha. Faoi mar is léir in Earnáil na nÚdarás Áitiúil, ceist shuntasach is ea Riaráistí Cíosa sna hearnálacha go léir a bhaineann le tithíocht ar cíos.

Tugadh isteach Idirghabháil Ghutháin in 2014. Fágann an tseirbhís nua seo gur féidir le páirtithe sa chás a nDíospóid a réiteach le cúnamh ó Idirghabhálaí oilte ag am atá oiriúnach dóibh agus ní gá dóibh bogadh óna dtithe féin. Baineadh leas as idirghabháil ghutháin in 577 cás in 2014 agus tá sé an-suntasach gur gcloíonn 99% díobh leis an socrú a rinneadh.

Níor cloíodh le hOrduithe Cinnidh in 535 cás agus d'iarr páirtithe ar an BTCP forfheidhmiú a lorg ar a son. I gcomparáid

leis seo, bhí 100 cás in 2008, sin ardú 500%. Tugadh 450 cás ar aghaidh chuig 2014. Fuarthas 158 ordú ón gCúirt Chuarda in 2014 le cabhair ó Aturnaetha Eversheds, socraíodh 156 cás i ndiaidh d'fhoireann an BTCP idirghabháil a dhéanamh. Cuireadh 402 comhad ar aghaidh chuig ár nAturnaetha d'fhorfheidhmiú dlíthiúil. Tá 329 cás ar siúl fós ag deireadh 2014.

Tá cáineadh déanta ar an BTCP mar gheall ar mhoill a bhaineann le cásanna a phróiseáil. Le linn 2014 thóg Idirghabháil Ghutháin idir 10 agus 12 sheachtain ar an meán, thóg Breithniú / Idirghabháil idir cúig agus sé mhí agus thóg Binsí idir dhá mhí agus trí mhí. Cé gur feabhas é seo ar na 18 mí a thóg sé Idirghabháil a phróiseáil in 2008 (.i. roimh ríomhairiú agus bearta eile nua-aoisithe), baineann deacrachtaí móra leis fós do Thionóntaí atá ag fanacht le hÉarlais a fháil ar ais nó do Thiarna Talún a bhfuil Riaráistí Cíosa ag dul dó/di agus go háirithe má tá an Tionónta atá i gceist ag róshealbhú.

Scríobh Bord an BTCP go foirmiúil chuig an Roinn ag iarraidh athruithe sa reachtaíocht chun cásanna riaráistí cíosa a bhrostú, na próisis a bhaineann le fógraí foirceanta a shimpliú, agus chun an bealach inar féidir Orduithe Cinnidh a fhorfheidhmiú (nuair

## TUGADH ISTEACH IDIRGHABHÁIL GHUTHÁIN IN 2014.



nach gcloítear leo) a athrú. Tá sé an-tábhachtach maidir le rialú éifeachtach na hearnála go dtugtar aghaidh ar bhealach éifeachtach ar na ceistanna seo sa reachtaíocht reatha. Tuigtear dúinn go dtabharfar isteach Scéim Cosanta Éarlaise sa reachtaíocht chun aghaidh a thabhairt ar an bhfadhb a bhaineann le hÉarlaisí a bheith á gcoinneáil gan údar maith leis agus táimid ag súil leis an dúshlán a bhaineann leis seo a fheidhmiú. Tá an Roinn agus an BTCP ag féachaint freisin ar an gceist a bhaineann le soláthar foirne atá leordhóthanach, i gcomhthéacs na gComhlachtaí Tithíochta Ceadaithe a bheith á gcur san áireamh i sainchúram an Bhoird agus athruithe reachtacha eile.

## **CEAPACHÁIN AGUS FOIREANN**

Ritheadh dhá chomórtas do phainéal nua Idirghabhálaithe/Breithneoirí agus do Chomhaltaí CRD le linn 2014. Ba mhian linn an obair a rinne an dá phainéal atá ag imeacht a mholadh agus fáilte a chur roimh na painéil nua chuig an BTCP.

In 2014 d'éirigh an tUasal Paula O'Reilly, (An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil) as a bheith ina Comhalta Boird, agus ba mhian linn aitheantas a thabhairt don méid a chuir sí leis an BTCP agus fáilte a chur roimh a comharba an tUasal Jimmy Leahy chuig an mBord.

Ba mhian linn buíochas a ghlacadh leis an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil as an tacaíocht agus as an gcabhair a thug siad dúinn.

Ar deireadh, ba mhian linn buíochas a ghlacadh leis an bhfoireann ar fad sa BTCP as a ndúthracht agus as an obair chrua a rinne siad le linn na bliana, go háirithe an fhoireann Ardbhainistíochta (Kathryn Ward, Pádraig McGoldrick, Carmel Diskin agus Janette Fogarty) as an gceannasaíocht a thug siad i gcúinsí a bhí deacair ar uairibh. Tá méadú tagtha ar gach réimse d'obair an Bhoird. Tá cead tugtha ag an Roinn foireann bhreise a cheapadh chun cuidiú leis an ualach oibre atá ann faoi láthair agus táimid ag tnúth leo agus tá comhráití ar siúl fós maidir le riachtanais foirne don reachtaíocht nua.

**Catriona Walsh, Cathaoirleach**

**Anne Marie Caulfield, Stiúrthóir**



CUID 1

[ GNÍOMHAÍOCHTAÍ  
CLÁRÚCHÁIN AN  
BTCP ]

TUARASCÁIL BHLIANTÚIL AGUS CUNTAIS 2014



# [ 01 ] GNÍOMHAÍOCHTAÍ CLÁRÚCHÁIN

Sracfhéachaint ar Ghníomhaíochtaí Clárúcháin 2014	
Líon iomlán na dtionóntachtaí	303,574
Líon na dtiarnaí talún	160,160
Líon na dtionóntaí*	*643,330
Líon iomlán na gcomhaontuithe tionóntachta nua a cláraíodh in 2014	**112,873
An meánlíon iarratas nua a fuarthas in aghaidh an lae	447
Líon na nglanna gutháin in 2014	110,410
Cistí a íocadh le hÚdaráis Áitiúla chun tabhairt faoi chigireacht íoschaighdeáin	€2.3m

\*Tabhair do d'aire go bhfuil an figiúr seo tógtha ó shonraí a chuirtear ar fáil ar iarratais ar chlárúcháin agus mar sin go bhféadfadh sé nach bhfuil gach tionónta i dtionóntacht san áireamh ann (e.g. mionaoisigh).

\*\*Tá nuashonruithe ar chlárúcháin ar líne san áireamh san fhiigiúr seo

Faoin Acht um Thionóntachtaí Cónaithe 2004, bíonn ar thiarnaí talún iarratas a dhéanamh chuig an mBord chun tionóntachtaí a chlárú leis an BTCP laistigh de mhí ón am a gcuirtear tús leo. Tá cosc ar Thiarnaí Talún tionóntachtaí neamhchláraithe díospóid a threorú chuig an BTCP. Ní chuireann neamhchlárú isteach ar chearta tionóntaí agus tá teacht ag tionóntaí ar an tseirbhís réitithe díospóide beag beann ar an tionóntacht a bheith cláraithe.

## TÁILLÍ CLÁRÚCHÁIN TIONÓNTACHTA

Tá an BTCP féinchistithe go hiomlán agus faigheann sé a chuid cistiúcháin ó tháillí clárúcháin. I gcás tionóntachtaí a thosaíonn ar 1 Eanáir 2011 nó ina dhiaidh sin:

→ €90 in aghaidh na tionóntachta, a fhad agus go bhfaigheann an BTCP an t-iarratas comhlánaithe ar chlárú laistigh de mhí amháin ón dáta ar cuireadh tús leis an tionóntacht. Beidh táille déanach €180 i bhfeidhm ina dhiaidh sin.

FAOI DHEIREADH NA BLIANA 2014, BHÍ FEABHAS TAGTHA AR AN NGLACADH LE CLÁRÚ AR LÍNE GO DTÍ BEAGNACH 50%.

- Maireann an Clárúchán le linn thréimhse na tionóntachta, faoi réir ceithre bliana ar a mhéad. Ní mór tionóntachtaí a athchlárú nuair is ann dóibh ar feadh ceithre bliana.
- €375 i gcás tionóntachtaí iolracha (táille ilchodach) san fhoirgneamh céanna atá á gclárú ag an am céanna ag tiarna talún amháin laistigh de mhí den dáta ar cuireadh tús leis an gcéad tionóntacht.
- Ní bhíonn aon táille iníoctha má rinneadh dhá íocaíocht leis an BTCP i leith na tionóntachta le linn an dá mhí dhéag roimhe sin. Níl aon táille iníoctha as nuashonrú ar shonraí tionóntachta atá cláraithe cheana féin.

### SEIRBHÍSÍ CLÁRÚCHÁIN AR LÍNE

Is féidir tionóntachtaí a chlárú ar líne ag [www.prtb.ie](http://www.prtb.ie). Ní gá ach cliceáil ar an deilbhín “cláraigh tionóntacht”. Tá sraith de cheisteanna coitianta agus leideanna áisiúla ar an láithreán gréasáin chun cabhrú le tiarnaí talún agus le gníomhairí chun tionóntachtaí a chlárú ar líne leis an BTCP. Faoi dheireadh na bliana 2014, bhí feabhas tagtha ar an nglacadh le clárú ar líne go dtí beagnach 50% agus leanann an BTCP de bheith ag cur na seirbhíse seo chun cinn agus de bheith ag spreagadh tiarnaí talún chun í a úsáid chomh mór agus is féidir.

### BUAICPHOINTÍ 2014

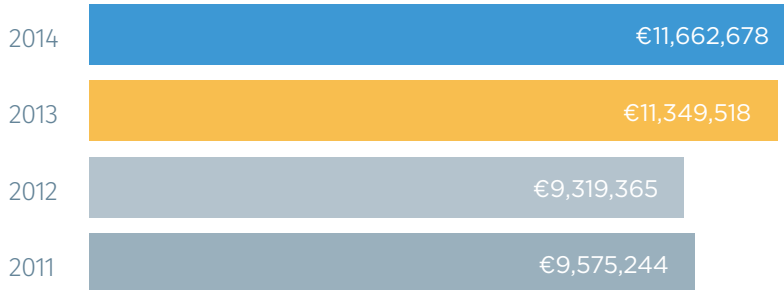
Tá líon na ngníomhaíochtaí sa BTCP ag fás go tréan agus is léiriú é seo ar an tábhacht níos mó a bhaineann le tithíocht ar cíos san earnáil phríobháideach chun riachtanais tithíochta a shásamh. De réir an daonáirimh is déanaí, tá an líon daoine atá ina gcónaí san earnáil tar éis dúbailt in imeacht deich mbliana.

Mar léiriú ar an treocht seo, tharla níos mó gníomhaíochtaí clárúcháin in 2014 ná riamh cheana, lena n-áirítear seirbhísí bainistithe doiciméad agus seirbhísí bainistithe teagmhála.

### CLÁRÚCHÁIN TIONÓNTACHTA

Fuair an BTCP díreach faoi bhun 113,000 iarratas ar thionóntachtaí a chlárú in 2014. Cé go raibh líon na gclárúcháin tionóntachta beagán níos ísle de bheagán le cois 1% bliain ar bhliain, bhí méadú 3% go dtí €11.6 milliún\* ar an ioncam foriomlán a gineadh. Tá sé seo níos mó ná 20% níos airde ná an t-ioncam clárúcháin a gineadh in 2011 agus in 2012.

*\*Léiríonn an figiúr seo na fáiltais airgid féin a gineadh ó chlárúcháin tionóntachta in 2014. Níl an figiúr seo ag teacht leis an bhfigiúr atá ar fáil sa chuntas ioncaim agus caiteachais ar leathanach 96 a léiríonn gluaiseacht i soláthairtí d'iarratais neamhiomlána.*

**LUACH NA NIARRATAS AR CHLÁRÚCHÁN A FUARTHAS****LÍON NA NIARRATAS AR CHLÁRÚCHÁN A FUARTHAS****LÁRIONAD TEAGMHÁLA**

Tá conradh ag SouthWestern i gCloich na Coillte, Contae Chorcaí chun na seirbhísí bainistíochta teagmhála agus na seirbhísí bainistíochta doiciméad a láimhseáil ar son an BTCP. Láimhseálann SouthWestern na glaonna gutháin, na ríomhphoist, na ceisteanna ar líne agus an comhfhreagras scríofa ar fad. Chomh maith leis sin, déanann siad próiseáil ar na hiarratais ar fad a bhaineann le clárúchán agus díospóidí tionóntachta.

**GLAONNA**

Tháinig méadú 12% ar an éileamh ar sheirbhísí ár lárionad teagmhála le linn 2014. Tairgeadh 98,323 glaoch san iomlán in 2013, agus d'ardaigh an t-éileamh in 2014 go dtí 110,410.

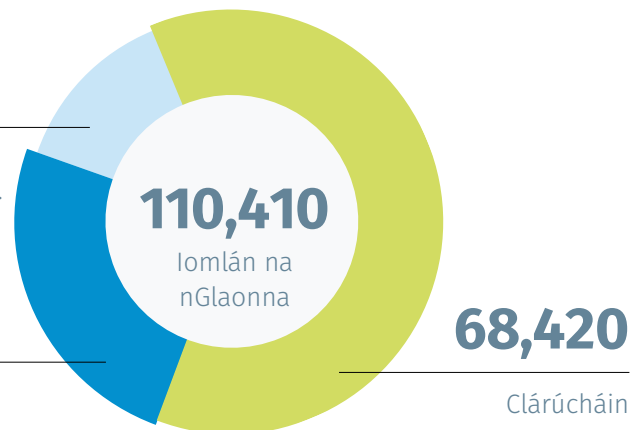
Tugtar briseadh síos ar na glaonna de réir rannóige thíos.

**14,452**

Binse agus Forfheidhmiú (O.C. agus Clárúcháin)

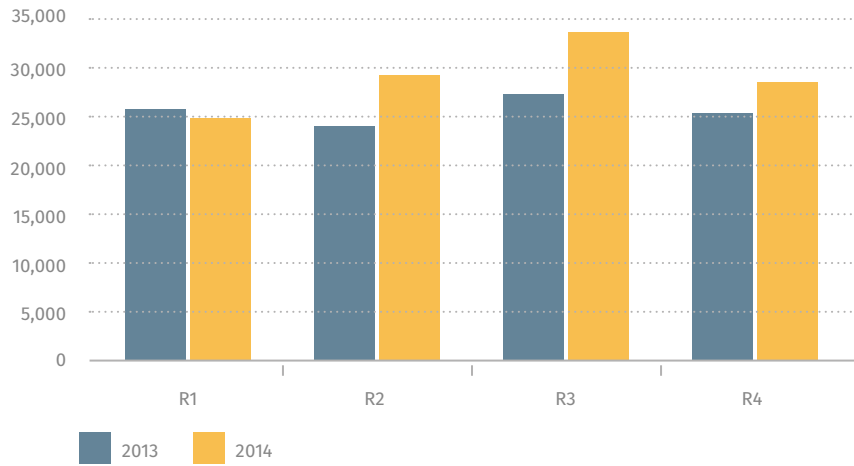
**27,538**

Díospóidí



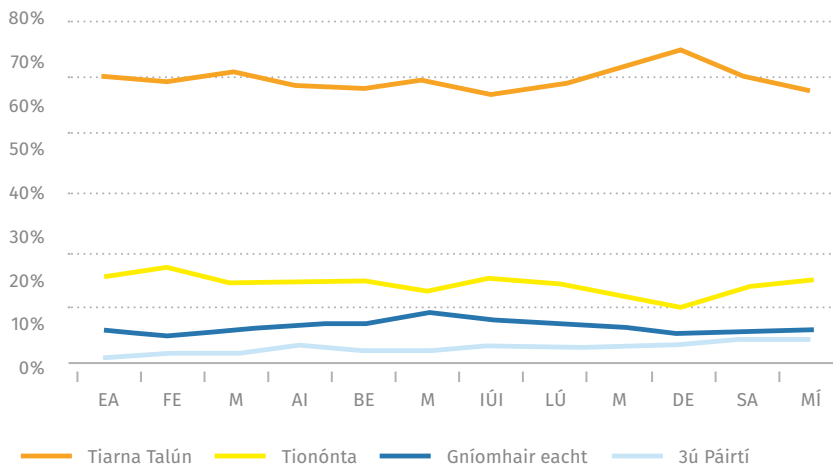


## GLAONNA A FUARTHAS



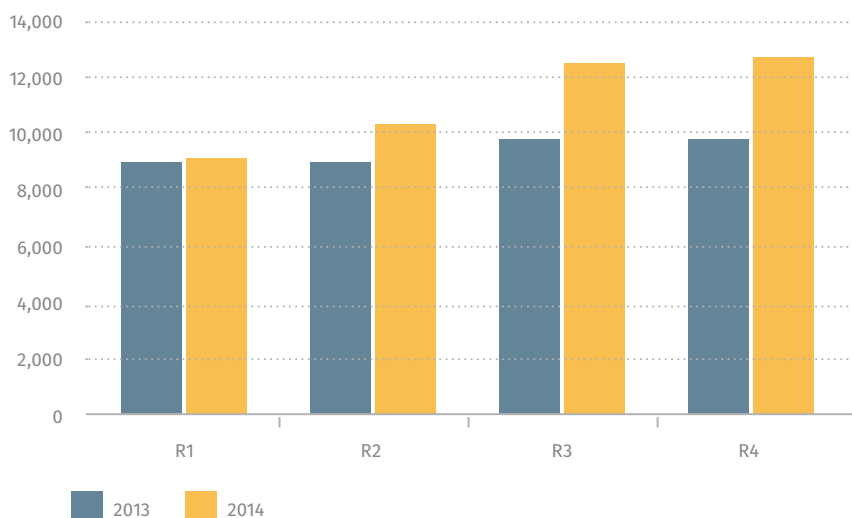
## CINEÁLACHA GLAOITEOIRÍ

As an 110,000 gaoch in 2014, tháinig a bhformhór, díreach le cois 66% go carnach don bhliain, ó Thiarnaí Talún. Tháinig an chéad líon eile ba mhó, díreach faoi bhun 20%, ó thionóntaí. Tháinig an chuid eile de na gaoch ó Gníomhairí agus ó thríú páirtithe.



## CEISTEANNA AR RÍOMHPHOST

Bhí méadú mór de 22% ar líon na gceisteanna ar ríomhphost in 2013, ardú 7,530 ó 34,326 go dtí 42,356. Léiríonn an t-ardú seo an bhéim bhreise atá á leagan ag an BTCP ar úsáid seirbhísí leictreonacha agus ar líne.



## GNÉITHE DE CHLÁR NA DTIONÓNTACHTAÍ ATÁ AR FÁIL DON PHOBAL

Tá ar an BTCP clár a choinneáil ar thionóntachtaí i gcomhréir leis an Acht um Thionóntachtaí Cónaithe 2004 agus bunachar sonraí atá cothrom le dáta a choinneáil agus a bhainistiú ar mhaithe le cuspóirí faisnéise, déanta beartais agus staitistiúla. Sliocht atá sa chlár foilsithe ó

chlár na dtionóntachtaí agus cuimsítear ann sonraí ón bhfoirm chlárúcháin a sholáthraíonn an tiarna talún nó an gníomhaire. Soláthraíonn an clár seoladh na háite cónaithe ar cíos; cur síos ar an áit chónaithe; an líon seomraí leapa agus na spásanna leapa; agus achar an urláir. Ní chuimsítear sa chlár foilsithe aon fhaisnéis as a bhféadfaí an tiarna talún nó an tionónta nó an cíos iníoctha a shainaithint.

BHÍ MÉADÚ MÓR DE 22% AR LÍON NA GCEISTEANNA AR RÍOMHPHOST IN 2013, ARDÚ 7,530 Ó 34,326 GO DTÍ 42,356.



## **CONAS A SHEICEÁIL AN BHFUIL RÉADMHAOIN AR CÍOS CLÁRAITHE?**

Chun an clár foilsithe a sheiceáil, logáil isteach ar láithreán gréasáin an BTCP ag [www.prtb.ie](http://www.prtb.ie). Cliceáil ar an deilbhín “An bhfuil mo Thionóntacht Cláraithe?”; cliceáil ansin ar an gcontae cuí agus déan cuardach faoi sheoladh na háite cónaithe ar cíos. Tá fáil ar an gclár i bhformáid PDF agus Excel araon. Nuashonraítear an clár foilsithe ar an láithreán gréasáin gach seachtain. Má tá tú ar an eolas faoi mhaoin ar cíos nach bhfuil cláraithe, féadfaidh tú seo a thuairisciú don BTCP, faoi rún daingean, ag [Enforcement@prtb.ie](mailto:Enforcement@prtb.ie).

## **CISTIÚ ÚDARÁS ÁITIÚIL ÓN BTCP CHUN NA HÍOSCHAIGHDEÁIN A FHORFHEIDHMÍÚ**

I gcomhréir le forálacha an Achta um Thionóntachtaí Cónaithe, 2004, soláthraítear cistiú do na hÚdaráis Áitiúla chun íoc as costas na cigireachta ar chóiríocht phríobháideach chónaithe ar cíos. De bhun treoracha sonracha íocaíochta a rinne an tAire Comhshaoil, Pobail agus Rialtais Áitiúil, rinneadh an cúigiú cuid den ioncam ón táille chlárúcháin a leithdháileadh ar na hÚdaráis Áitiúla in 2013. Choinnigh an BTCP an fuílleach chun íoc as a gcostais oibriúcháin féin. Coinníonn an BTCP an t-airgead seo ar chumas muiníneach agus b’ionann an tsuim a íocadh amach le hÚdaráis Áitiúla in 2013 faoi threoir ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil agus €2.3 milliún, agus mhéadaigh seo an tsuim iomlán a d’íoc an BTCP amach le hÚdaráis Áitiúla ó 2004 go dtí €28,9 milliún.

Tá tuilleadh eolais faoi rátaí cigireachta na nÚdarás Áitiúil agus na híoschaighdeáin nua i gCóiríocht Phríobháideach ar Cíos ar fáil ó láithreán gréasáin na Roinne Comhshaoil, Pobail agus Rialtais Áitiúil. [www.viron.ie](http://www.viron.ie).

## [02]

AN CEANGLAS DLÍTHIÚIL  
MAIDIR LE CLÁRÚ A  
FHORFHEIDHMIÚ

## ACHOIMRE AR FHORFHEIDHMIÚ CLÁRÚCHÁIN

Sracfhéachaint ar Fhorfheidhmiú Clárúcháin in 2014	
Fógraí Faisnéise Ginearálta chuig tiarnaí talún ar an dualgas dlíthiúil chun clárú	19,641
Fógraí Oifigiúla Forfheidhmithe	9,212
Litreacha Rabhaidh ó Aturnae	403
Fógraí Áititheora	37
Gairmeacha a Eisíodh	17
Ciontuithé á dtabhairt ag Cúirt	17

Téann an BTCP sa tóir go gníomhach ar thiarnaí talún nach gcláraíonn. Má theipeann orthu tionóntacht a chlárú, d'fhéadfaí iad a ionchúiseamh agus fineálacha a mhéid le €4,000 agus/nó téarma príosúin a fhad le sé mhí a

ghearradh orthu. Tá na gníomhaíochtaí forfheidhmithe a ghlacann an BTCP mar chúram orthu féin i gcomhréir le forálacha an Achta um Thionóntachtaí Cónaitheacha 2004, ailt 144 agus 145 go sonrach.

## FOINSÍ EOLAIS

Faigheann an BTCP eolas ó líon foinsí, lena n-áirítear:

Na Rannóga Díospóide & Clárúcháin	Go hInmheánach sa BTCP
An Roinn Coimirce Sóisialaí (DSP)	Bunachar Sonraí an Fhorlíonaidh Chíos
Údarás Áitiúla	Cigireacht maidir le Caighdeáin Áitreabh ar Cíos, An Scéim Cóiríochta Cíos
Baill den Phobal	Comharsana, Tionóntaí
Eile	Teachtaí Dála, Comhairleoirí, Gardaí

Tugadh córais nua TFC isteach go luath in 2011 chun comparáid bunachar sonraí le gníomhaireachtaí agus ranna eile stáit a éascú chun tiarnaí talún neamhchláraithe a shainaithint ar mhaithe le cuspóirí

comhlíonta. Anuas air sin, cabhraíonn bogearraí nua bainistíochta cásanna le cásanna atá á n-ionchúiseamh a bhainistiú.

## FÓGRAÍ/LITREACHA A EISÍODH MAIDIR LE FORFHEIDHMIÚ CLÁRÚCHÁIN

In 2014 lean an BTCP d'fheachtas gníomhach forfheidhmithe i gcoinne tiarnaí talún nach raibh cláraithe.

Eisíodh 29,293 fógra/litir rabhaidh ó aturnae chuig Tiarnaí Talún in 2014. Is féidir iad a bhriseadh síos mar seo a leanas:

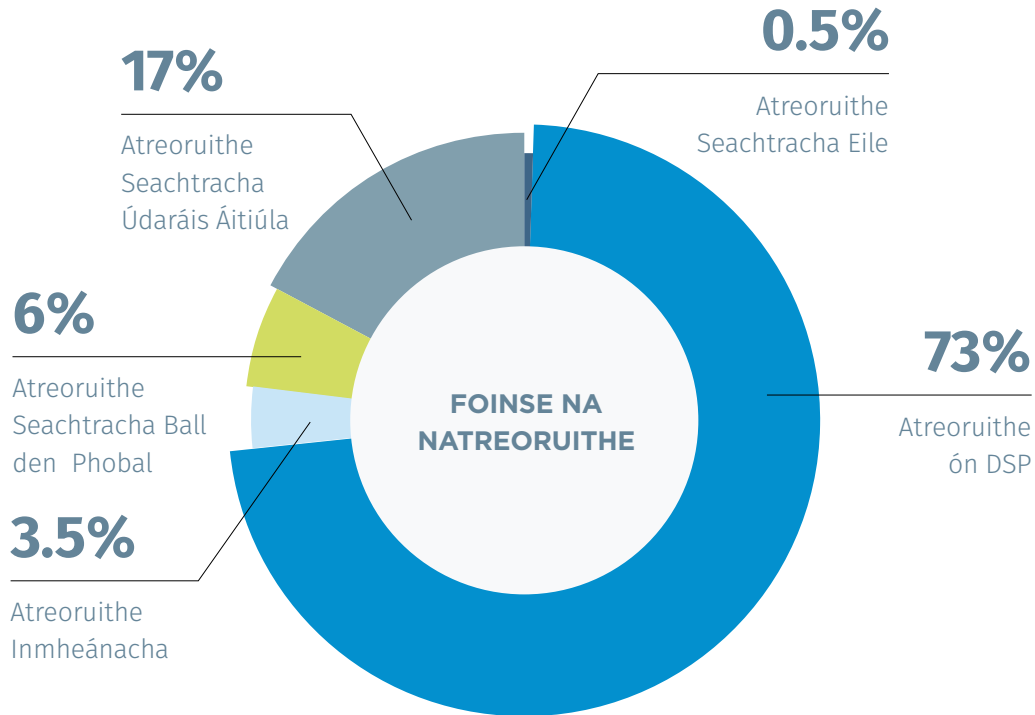
An Cineál Fógra/Litreach	Líon
Fógraí Faisnéise Ginearálta ag tabhairt eolais do Thiarnaí Talún maidir lena ndualgas dlíthiúil clárú faoin Acht agus na pionóis a bhaineann le neamhchomhlíonadh	19,641
Fógraí Forfheidhmithe Oifigiúla faoi Alt 144 den Acht ag cur in iúl do Thiarnaí Talún gur tháinig an Bord ar an tuairim gurb ann do thionóntacht nó gurbh ann di agus go bhfuil sé ar intinn ag an mbord ionchúiseamh mura gcláraítear an tionóntacht	9,212
Litreacha Rabhaidh ó Aturnae	403
Fógraí Áititheoirí chuig Áitribh ar Cíos ag iarraidh sonraí faoi Thionóntacht	37
<b>Iomlán</b>	<b>29,293</b>

## FOINSE NA NATREORUITHE A FUARTHAS

Léiríonn an tábla agus an chairt seo a leanas an briseadh síos ar fhoinsé an 29,293 atreorú ar eisíodh fógraí forfheidhmithe Oifigiúla, litreacha rabhaidh ó aturnae agus fógraí áititheora ina leith.

## BRISEADH SÍOS AR FHOINSE NA NATREORUITHE D'FHÓGRAÍ/LITREACHA A EISÍODH

An Líon Iomlán a Eisíodh	Atreoruithe ón DSP	Atreoruithe Inmheánacha	Atreoruithe Seachtracha		
			Duine den Phobal	Údaráis Áitiúla	Eile
29,293	21,492	1,040	1,678	5,062	21

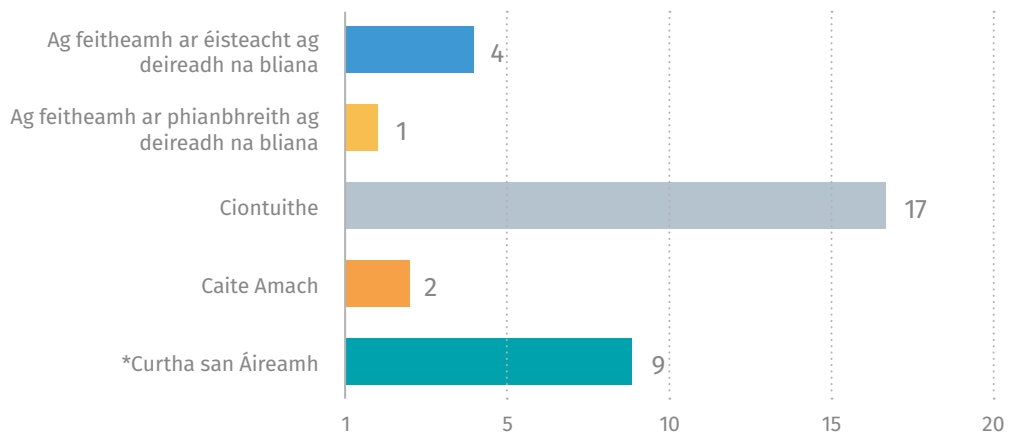


**CAINGEAN CÚIRTE**

Seirbheáladh 21 Gairm Cúirte Dúiche ar thiarnaí talún ar theip orthu a dtionóntachtaí a chlárú leis an BTCP in 2014, in ainneoin go bhfuair siad líon fógraí reachtúla agus litreacha rabhaidh ó aturnaetha a d'iarr orthu sin a dhéanamh. Chomh maith leis sin, tugadh 12 chás ar aghaidh ó 2013, dhá cheann i gcomhair

éisteachta agus 11 i gcomhair pianbhreithe in 2014. Tarraingíodh siar cás amháin sular éisteadh é. Éistear cásanna Alt 144 sa Chúirt Dúiche i dtús báire agus sa Chúirt Chuarda i gcás achomhairc. Bhí an BTCP le bheith sa Chúirt 125 uair san iomlán in 2014, 107 uair sa Chúirt Dúiche agus ocht n-uair sa Chúirt Chuarda. Féach an briseadh síos ar stádas/ar thoradh na gcásanna seo sa chairt seo a leanas:

**IMEACHTAÍ DLÍTHIÚLA AG LEIBHÉAL NA CÚIRTE DÚICHE**



*\*Nuair a thagann níos mó ná cás amháin os comhair breithimh agus go mbaineann siad leis an tiarna talún céanna, d'fhéadfadh sé go ndéanadh an breitheamh cinneadh sampla de na cásanna a éisteadh agus na cinn eile a chur san áireamh nuair a bhíonn pianbhreith á cur.*

Déantar gach iarracht a chinntiú go ndírítear gníomhaíocht forfheidhmithe ar bhealach cóir. Léiríonn an tábla thíos dáileadh na n-gairmeacha a eisíodh in 2014 de réir contae.

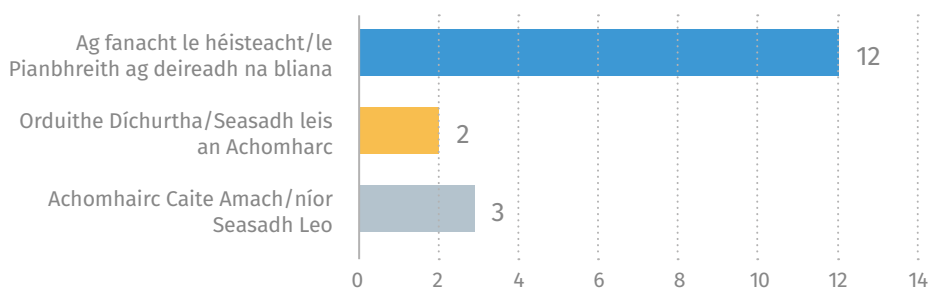
### DÁILEADH NA nGAIRMEACHA A EISÍODH IN 2014 RÉIR CONTAE

Achoimre ar Chiontuíthe (Contae ina bhfuil cónaí ar an TT)	Líon na dTiarnaí Talún	Líon na gCiontuíthe	Fíneálacha	Costais
Cill Dara	1	1	€3,000.00	€3,075.00
Loch Garman	1	1	€3,000.00	€3,075.00
Baile Átha Cliath	1	1	€3,000.00	€3,075.00
Baile Átha Cliath	1	2	€4,000.00	€6,150.00
Baile Átha Cliath	1	1		€2,420.00
Luimneach	1	1	€3,000.00	€3,075.00
Cill Chainnigh	1	10	€25,000.00	€30,750.00
Fo-lomlán & Iomlán	7			€51,620.00
<b>Caite Amach</b>				
Ciarraí	1			€3,075.00
Ros Comáin	1			€3,075.00
Fo-lomlán & Iomlán				€6,150.00
<b>Tarraingthe Siar</b>				
Muineachán	1			
Fo-lomlán & Iomlán				
<b>Iomlán</b>	<b>7</b>	<b>17</b>	<b>€41,000.00</b>	<b>€57,770.00</b>

In 2014, bhí costas iomlán de €85,620 ar thiarnaí talún de bharr ionchúiseamh, san áireamh anseo tá costais/fíneálacha a laghdaíodh ar achomharc.

Fuarthas 17 n-achomharc in 2014, léiríonn an tábla thíos stádas/torthaí na n-achomharc seo ar deireadh na bliana 2014.

### IMEACHTAÍ DLÍTHIÚLA AG LEIBHÉAL NA CÚIRTE CUARDA IN 2014



Tugann an tábla thíos forbhreathnú ar imeachtaí dlíthiúla le dhá bhliain anuas.

### FORBHREATHNÚ AR IMEACHTAÍ I GCOINNE TIARNAÍ TALÚN NEAMHCHLÁRAITHE 2013/2014

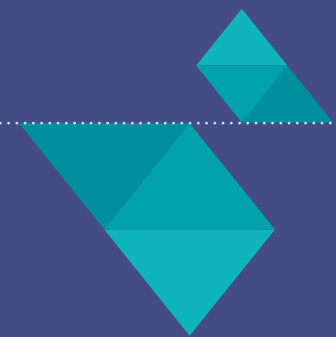
Torthaí Cásanna/Stádas	2013	2014	Carnach 2013/2014
Gairm eisithe	50	21	71
Tugtha ar aghaidh i gcomhair éisteachta ón mbliain roimhe sin	0	2	
Tugtha ar aghaidh i gcomhair pianbhreithe ón mbliain roimhe sin	0	11	
Tarraingthe siar roimh an éisteacht	0	1	1
Cásanna i gcomhair éisteachta/pianbhreithe (Gan achomhairc san áireamh)	50	33	
Curtha san Áireamh	6	9	15
Caite Amach	4	2	6
Ciontuith	27	17	44
Ag fanacht le héisteacht / pianbhreith	13	5	
<b>Achomhairc</b>			
Achomhairc tugtha ar aghaidh i gcomhair éisteachta ón mbliain roimhe sin	0	0	
Achomhairc a fuarthas	10	17	27
Achomhairc i gcomhair éisteachta/pianbhreithe	10	17	
Orduithe Díchurtha/Seasadh leis an Achomharc	6	2	8
Achomhairc Caite Amach/Níor seasadh leo	4	3	7
Achomhairc ag fanacht le héisteacht / pianbhreith	0	12	
<b>Costs to Landlords</b>			
An líon Tiarnaí Talún a Ciontaíodh	17	7	24
Líon Contaetha na dTiarnaí Talún a Ciontaíodh	9	5	
Costais a Dámhadh	€74,150.00	€57,770.00	€131,920.00
An Méid a Laghdaíodh Costais ar Achomharc	€13,300.00	€6,150.00	€19,450.00
Síntiúis chuig Carthanas	€3,850.00	0	€3,850.00
Fíneálacha a gearradh	€58,000.00	€41,000.00	€99,000.00
An Méid a Laghdaíodh Fíneálacha ar Achomharc	€10,700.00	€7,000.00	€17,700.00
Costas Iomlán ar Thiarnaí Talún	€112,000.00	€85,620.00	€197,620.00



CUID 2

[ GNÍOMHAÍOCHTAÍ  
RÉITITHE  
DÍOSPÓIDE ]

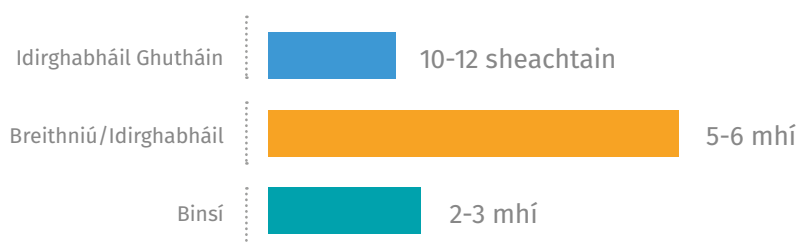
TUARASCÁIL BHLIANTÚIL AGUS CUNTAIS 2014



# [01] SEIRBHÍSÍ BREITHNITHE & IDIRGHABHÁLA

Seirbhísí Réitithe Díospóide an BTCP 2014	Líon na nIarratas	Líon na gCúiseanna leis an Díospóid
Seirbhís Réitithe Díospóide an BTCP	3,374	6,071
Iarratais ar Bhinsí	447	492 laistigh den 249 Binse a tionóladh
An líon ceisteanna gutháin i leith Díospóidí a freagraíodh	22,713	
An líon ceisteanna ríomhphoist i leith Díospóidí a freagraíodh	17,407	

## AMLÍNTE DO DHÍOSPÓIDÍ IN 2014



% na nIarratas dúnta / próiseáilte	Amlínte
33%	1-2 mhí
17%	4 mhí
30%	5-6 mhí
13%	7-8 mhí
7%	9-10 mhí

FUAIR AN BTCP 3,374 IARRATAS AR RÉITEACH DÍOSPÓIDE IN 2014.

Fuair an BTCP 3,374 iarratas ar Réiteach Díospóide in 2014. Rinneadh gach iarratas ar dhíospóid agus gach éisteacht a phróiseáil tríd an gCóras Bainistíochta Tionóntachta (CBT). Cuireann an teicneolaíocht chomhtháite seo ar chumas an BTCP anailís iomlán a dhéanamh ar na catagóirí díospóide agus ar na cúiseanna a ndéanann páirtithe iarratas chuig an mBord le haghaidh réiteach díospóide. As na hiarratais a fuarthas, bhí 6,071 cúis ann le díospóid, faoi mar a thug páirtithe an iarratasóra le fios, agus níor mhór gach ceann a láimhseáil tríd an bpróiseas réitithe díospóide. Mar thoradh ar idirghabháil ó fhoireann an BTCP, tharraing 1,458 iarratasóir siar a gcuid cásanna in 2014. Is dócha gur mar thoradh ar chomhaontuithe idir na páirtithe a tharla sin nó go ndearna páirtithe athmhachnamh ar a gcuid iarratas bunaithe ar eolas a fuair siad ón BTCP maidir le cearta agus dualgais páirtithe agus an cruthúnas fianaiseach a bheadh de dhíth.

## ROCHTAIN A FHÁIL AR AN tSEIRBHÍS RÉITITHE DÍOSPÓIDE

Tagann an BTCP in ionad na gCúirteanna i gcás thromlach mór na ndíospóidí idir tiarnaí talún agus tionóntaí. Ar tháille €25 nó €15 (má sheoltar isteach ar líne é), féadfaidh tionónta, tríú páirtí nó tiarna talún *cláraithe* iarratas a dhéanamh chuig an mBord ar sheirbhísí breithnithe nó idirghabhála. Bíonn Breithnithe agus Idirghabhálacha ar bun i seacht láthair réigiúnacha ar fud na tíre.

Déantar Ordú Cinnidh den BTCP a bheidh ina cheanglas de bhreithniú nó d'idirghabháil nach ndéantar a achomharc chuig Binse laistigh de 21 lá. Féadfaidh páirtithe forfheidhmiú an Ordaithe seo a iarraidh trí na Cúirteanna, i gcásanna neamhchomhlíonta. Tá sé mar bheartas ag

an BTCP torthaí Orduithe Cinnidh gach cáis a fhoilsiú; ach is eisceacht ón riail seo an idirghabháil, mar gheall go bhfuil toradh na hidirghabhála faoi rún.

## IDIRGHABHÁIL GHUTHÁIN

Go déanach in 2013 thug an BTCP seirbhís nua idirghabhála gutháin isteach ar feadh tréimhse shínte 12 mhí. Bhí rath ar an tseirbhís seo. Tá an próiseas idirghabhála gutháin i bhfad níos tapúla ná an próiseas breithnithe. In 2014 bhí 577 idirghabháil gutháin agus is é 10-12 sheachtain an t-amlíne i gcomparáid le 5-6 mhí i gcomhair breithnithe. Nuair a bhíonn an dá pháirtí toilteanach tabhairt faoi idirghabháil gutháin, éascóidh an t-idirghabhálaí na páirtithe, trí shraith de ghlaonna, chun teacht ar réiteach comhaontaithe laistigh d'achar gearr ama. Déantar teagmháil leis an dá pháirtí ina n-aonar agus mar sin ní bhíonn siad i dteagmháil dhíreach lena chéile. Chomh maith le bheith ina seirbhís éifeachtach, tá sí áisiúil don dá pháirtí mar nach bhfuil orthu freastal ar éisteacht agus gur próiseas neamhsháraíochta atá ann. Nuair nach féidir teacht ar réiteach sásúil, is féidir le ceachtar den dá pháirtí achomharc a dhéanamh chuig Binse Tionóntachta.

## SEIRBHÍSÍ DÍOSPÓIDE A SHEACHFHOINSIÚ IN 2014

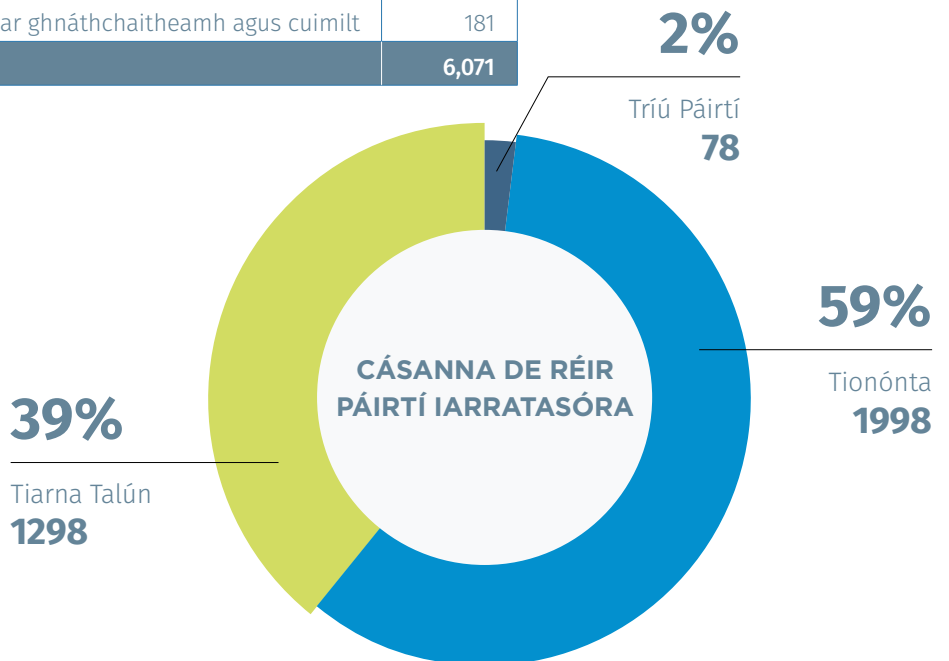
Rinneadh seachfhoinsiú ar chuid den phróiseas réitithe díospóide in 2014 maidir le hiarratais ar réiteach díospóide a mheas agus tuarascálacha agus orduithe cinnidh a eisiúint. Mar sin féin, ba chóir a thabhairt faoi deara go bhfanfaidh príomhghníomhaíochtaí an BTCP in oifigí an BTCP agus go ndéanfaidh foireann an BTCP iad a chur i gcrích.

## NA PRÍOMHCHATAGÓIRÍ DÍOSPÓIDE IN 2014

Faoi mar a luadh roimhe seo, fuarthas 3,374 iarratas ar réiteach díospóide in 2014, ina raibh 6,071 catagóir de dhíospóid ó pháirtithe iarratasóra. Ba iad Riaráistí Cíos agus Rósheilbh ag 1,134 cás (34%)

na príomhchatagóirí Díospóide agus ina ndiaidh aniar bhí Fógra Neamhbhailí Foirceanta ag 830 (25%) agus Coinneáil Éarlaise ag 801 (24%). Leagann an tábla thíos amach na catagóirí díospóide ar fad lena mbaineann na cásanna a fuarthas.

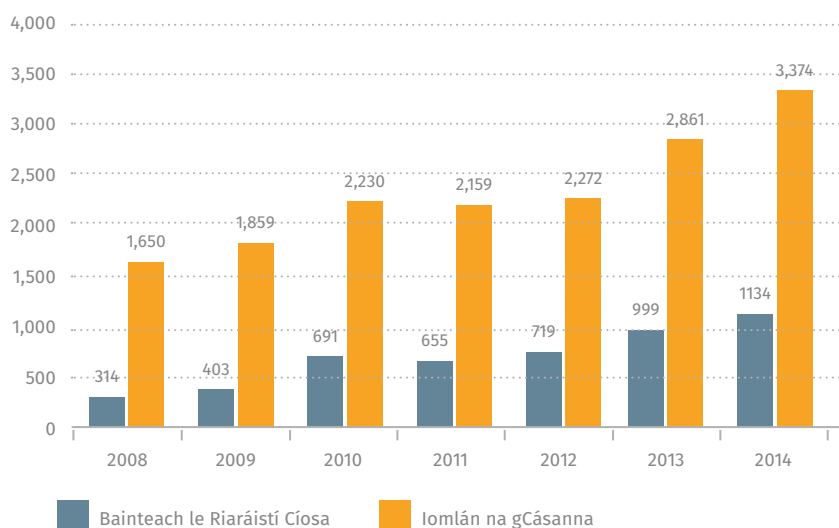
Cineál Díospóide (Gach cás)	Líon
Fógra Neamhbhailí Foirceanta	830
Riaráistí Cíos	819
Coinneáil Éarlaise	801
Sárú ar Dhualgais Tiarna Talún	581
Rósheilbh	458
Sárú ar Dhualgais Tionónta	435
Caighdeán agus Cothabháil an Áitribh	433
Riaráistí Cíos agus Rósheilbh	315
Eile	359
Foirceannadh neamhdhleathach tionóntachta (Díshealbhú Neamhdhleathach)	263
Iompar Frithshóisialta	215
Sárú ar léas téarma sheasta	196
An cíos níos airde ná ráta an mhargaidh	185
Damáiste sa bhreis ar ghnáthchaitheamh agus cuimilt	181
	<b>6,071</b>



RINNE TIARNAÍ TALÚN 1,298 IARRATAS (38%) AR SHEIRBHÍSÍ RÉITITHE DÍOSPÓIDE AN BTCP IN 2014, AGUS GHLAC TIONÓNTAÍ 1,998 CÁS (59%) AGUS GHLAC TRÍÚ PÁIRTITHE 78 CÁS (3%).

## INIÚCHADH AR NA PRÍOMHCINEÁLACHA DÍOSPÓIDE IN 2014

### RIARÁISTÍ CÍOSA 2014



Is Díospóidí faoi riaráistí cíosa an chatagóir ba choitianta de dhíospóid a atreoraíodh chuig an BTCP in 2014. Is ionann é seo agus ardú 400% ar chásanna den sórt sin ó 2008. Sonraítear san Acht nach mór do thionóntaí leanúint de chíos a íoc ina iomláine agus in am tráth, fiú má tá díospóid leanúnach acu leis an Tiarna Talún. Nuair a theipeann ar thionónta a chuid/cuid cíosa a íoc i ndiaidh na rabhaidh riachtanacha a fháil is féidir le

tiarna talún fógra foirceanta a sheirbheáil orthu. Atreoraíodh 1134 iarratas a bhain le riaráistí cíosa in 2014 agus b'ionann sin agus 34% den líon foriomlán iarratas díospóide a fuair an Bord. De bhrí go raibh riaráistí móra morgáiste ar 40,000 réadmhaíon a Ceannach le Ligean ag deireadh na bliana 2014, cúis mhór imní is ea ceist na Riaráistí Morgáiste agus an cheist sin ag dul i méid.

## FÓGRA FOIRCEANTA

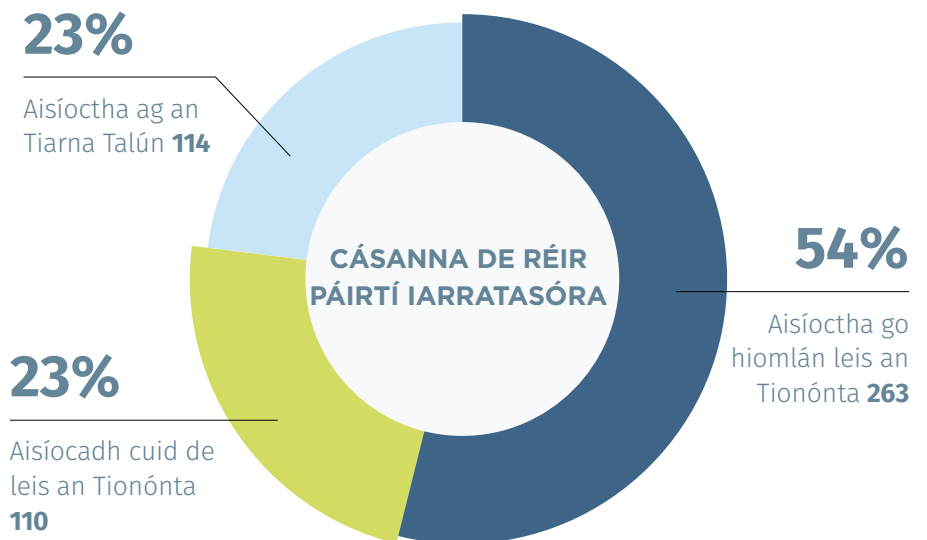
Chun tionóntacht a fhoirceannadh go bailí ní mór do thiarna talún nó dó thionónta Fógra Foirceanta bailí a sheirbheáil ar an tionónta nó ar an tiarna talún. Tá prionsabail ar leith nach mór cloí leo. Áirítear leo seo nach mór na nithe seo a leanas a bheith san fhógra;

1. A bheith i scríbhinn (ní ar théacs nó ó bhéal)
2. A bheith sínithe ag an tiarna talún nó ag a ghníomhaire údaraithe nó ag an tionónta faoi mar is cuí
3. An dáta seirbheála a bheith sonraithe
4. An dáta foirceanta a bheith sonraithe. Is é an dáta a shonraítear mar dháta foirceanta an dáta deiridh de thréimhse an fhógra. Tosaíonn tréimhse an fhógra ar an lá i ndiaidh an fógra foirceanta a sheirbheáil Féach tréimhsí Fógra in Alt 66 den Acht.
5. I gcás tiarna talún, má tá an tionóntacht níos faide ná sé mhí sonraigh an chúis atá in Alt 34 den Acht.

6. Nuair atá tiarna talún ag tabhairt fógra, sonraigh go bhfuil iomlán de 24 uair ag an tionónta chun seilbh a dhíchur.
7. Sonraigh gur féidir aon cheist faoi bhailíocht an fhógra a atreorú chuig an BTCP laistigh de 28 lá ón bhfógra a fháil.

Beag beann ar chúinsí an cháis, ní féidir le Breithneoir an BTCP ná le Binse ach treoir a thabhairt do thionónta áitreabh ar cíos a fhágáil nuair a bhíonn fógra foirceanta bailí, atá ag cloí go hiomlán leis an Acht um Thionóntachtaí Cónaithe 2004, imithe in éag. Sa chás go seirbheálann tiarnaí talún agus nó a gcuid gníomhairí fógra neamhbhailí, tá toirmeasc de réir dlí ar an BTCP seilbh ghlan a threorú. Sa chás sin, ní mór fógra foirceanta bailí nua a sheirbheáil agus dá réir sin cuirfear moill ar aisghabháil na réadmhaoine. Tá liosta iomlán de na céimeanna chun fógra a sheirbheáil go bailí agus sampla díobh ar ár láithreán gréasáin [www.prtb.ie](http://www.prtb.ie)

## ÉARLAISÍ A CHOINNEÁIL 2014

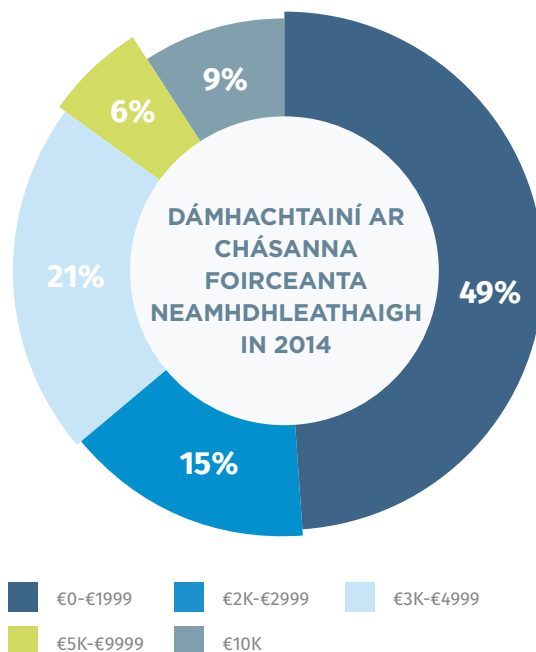


Léiríonn an chart thuas an toradh a bhí ar na cásanna i leith coinneáil éarlaisí a éisteadh in 2014. Fuair an BTCP 801 iarratas a bhain le hÉarlaisí a choinneáil. Is ionann é seo agus 24% de na hiarratais fhoriomlána a fuarthas (3374). Déantar éarlais a shainmhíniú go soiléir san Acht um Thionóntachtaí Cónaithe 2004 mar mhaoin an tionónta agus is féidir í a choinneáil (páirt de nó go hiomlán) nuair a bhíonn riaráistí cíosa ar thionónta nó nuair a bhíonn fónais le híoc, nuair a rinne an tionónta damáiste lasmuigh de ghnáthchaitheamh agus cuimilt agus nó nár thug sé nó sí dóthain fógra agus go bhfuil an Tiarna Talún thíos leis dá bharr. Ní mór do Thiarnaí Talún a gcuid cailteanas a mhaolú. I 77% de na cásanna chinn an BTCP go raibh an Tionónta i dteideal an Éarlais iomlán nó cuid de a fháil ar ais. Ó tharla gurb iad na hÉarlaisí an t-aon choigilteas a bhíonn ag mórán Tionóntaí leochaileacha go minic, cuireann coinneáil éarlaisí sna cúinsí sin as go mór dóibh.

### FOIRCEANNADH NEAMHDHLEATHACH TIONÓNTACHTA

Meastar go bhfuil foirceannadh neamhdhleathach tionóntachta, nó díshealbhú neamhdhleathach, tar éis tarlú nuair a chuireann tiarna talún, trí fhórsa, imeaglú nó ar bhealach eile, cosc ar thionónta ó rochtain a fháil ar an áitreabh atá ar cíos, nó má thógann an tiarna talún a g(h)iuirléidí ó áitreabh. In 2014, fuair an BTCP 263 gearán maidir le díshealbhú neamhdhleathach líomhnaithe. Íocadh

dámhachtainí idir €1,000 agus €10,000 i leith foirceannadh neamhdhleathach in 2014.



### ÍOCAÍOCHTAÍ LE BREITHNEOIRÍ/IDIRGHABHÁLAI THE IN 2014

Ceapadh an painéal reatha breithneoirí agus idirghabhálaithe in 2011 trí iomaíocht ghéar oscailte a reáchtáil an tSeirbhís um Cheapacháin Phoiblí don BTCP agus ceaptar iad ar feadh tréimhse beagán de bhreis ar thrí bliana. Íoctar buntáille €616 sa lá le breithneoirí do thrí éisteacht. Bítear ag súil go gcuirfidh Breithneoirí agus Idirghabhálaithe isteach a gcuid tuarascálacha laistigh de dheich lá ón éisteacht maidir le cásanna neamhthosaíochta agus laistigh de sheacht lá maidir le cásanna tosaíochta.

IN 2014, FUAIR AN BTCP 263 GEARÁN MAIDIR LE DÍSHEALBHÚ NEAMHDHLEATHACH LÍOMHNAITHE.

**ÍOCAÍOCHTAÍ LE BREITHNEOIRÍ/IDIRGHABHÁLAITHE IN  
2014 (TÁILLÍ AR CHÁSANNA DÍOSPÓIDE + OILIÚINT)**

COMHALTA PAINÉIL	ÉISTEACHTAÍ	OILIÚINT	IOMLÁN
Aisling Fair	19,712.00	196.00	19,908.00
Angela Becker	16,632.00	980.00	17,612.00
Brian Whelan	35,728.00	980.00	36,708.00
Catherine McGuigan	14,784.00	784.00	15,568.00
Ciaran Smith	5,544.00		5,544.00
Colm Keating	2,464.00		2,464.00
Cynthia Lennon	14,784.00	980.00	15,764.00
Dairine Mac Fadden	8,008.00		8,008.00
Daniela Bills Everett	2,508.00		2,508.00
David Duncan	51,744.00	1,372.00	53,116.00
Deirdre Bignell	38,148.00	588.00	38,736.00
Eoin Byrne	19,712.00	588.00	20,300.00
Frank Brady	31,416.00	784.00	32,200.00
Gerard Murphy	12,936.00	196.00	13,132.00
Healy Hynes	8,008.00		8,008.00
Helen Connaughton	2,464.00		2,464.00
Helen-Claire O'Hanlon	17,864.00	196.00	18,060.00
Jack Nicholas	12,980.00		12,980.00
James Egan	18,480.00	588.00	19,068.00
John Conran	8,624.00		8,624.00
John Keane	14,784.00	196.00	14,980.00
John Keaney	8,624.00		8,624.00
Kevin Baneham	21,560.00	588.00	22,148.00
Marissa O'Keeffe	5,544.00	196.00	5,740.00
Mervyn Hickey	12,320.00		12,320.00
Monica Brennan	3,080.00		3,080.00
Roderick Maguire	4,312.00	196.00	4,508.00
Sarah Brophy	28,952.00	784.00	29,736.00
Suzy Quirke	3,696.00		3,696.00
Corona Grennan	6,776.00		6,776.00



COMHALTA PAINÉIL	ÉISTEACHTAÍ	OILIÚINT	IOMLÁN
Tracey McGee	1,232.00		1,232.00
Deirdre McGowan	9,240.00	392.00	9,632.00
Caitriona O'Connor	11,088.00	392.00	11,480.00
Laura Farrell	11,088.00	392.00	11,480.00
Denis Kelliher	12,320.00	392.00	12,712.00
Linda Brophy	14,784.00	392.00	15,176.00
Eithne Corry	11,704.00	392.00	12,096.00
Steven Dixon	10,472.00	392.00	10,864.00
Susan Fay	3,080.00	392.00	3,472.00
Ciara Fitzgerald	8,008.00	392.00	8,400.00
Simon Brady	9,240.00	392.00	9,632.00
Sheila Young	4,312.00	392.00	4,704.00
Louise Beirne	4,928.00	392.00	5,320.00
Chris McDermott	6,160.00	392.00	6,552.00
Shaun Smyth	9,240.00	392.00	9,632.00
Thomas Dowling	7,392.00	392.00	7,784.00
Dermot Sheehan	9,240.00	392.00	9,632.00
Mema Byrne	9,240.00	392.00	9,632.00
Lauren Tennyson	9,856.00	392.00	10,248.00
Stephen Brady	9,856.00	392.00	10,248.00
Mark Kane	11,088.00	392.00	11,480.00
Emma Synnott	7,392.00	392.00	7,784.00
Barry McCormack	660.00		660.00
Órla Ryan	4,312.00	392.00	4,704.00
<b>Iomlán Mhór</b>	<b>648,120.00</b>	<b>18,816.00</b>	<b>666,936.00</b>

*Cuimsíonn an oiliúint ionductú agus oiliúint maidir le hidirghabháil ghutháin.*

## [02] ACHOMHAIRC CHUIG BINSE

Is féidir le páirtithe i ndíospóid cinneadh Breithneora/Idirghabhálaí a achomharc chuig Binse Tionóntachta laistigh de 21 lá ón dáta a fhaightear an cinneadh. Bíonn Binsí á n-éisteacht ag painéal de thriúr comhaltaí de Choiste Réitithe Díospóide an Bhoird. Bíonn binsí níos foirmiúla ná na héisteachtaí breithnithe/idirghabhála. Is éisteachtaí poiblí iad. Tá ar na páirtithe dul faoi mhionn nó dearbhú, agus bíonn luathscríobáí i láthair chun an fhianaise a thugtar a chur i gcuntas. Chomh maith leis sin, bíonn torthaí éisteachtaí Binse poiblí. Foilsítear tuarascáil agus cinneadh Binse ar láithreán gréasáin an BTCP ([www.prtb.ie](http://www.prtb.ie)).

Fuair an BTCP 447 achomharc a ndearna an Bord breithniú orthu in 2013, as a ndearnadh 358 díobh a cheadú agus rinneadh 88 díobh a dhiúltú nó a aistarraingt. Dhiúltaigh an Bord d'achomhairc mar gheall go raibh siad ródhéanach nó nár seoladh an táille riachtanach ar aghaidh.

Tionóladh 249 Binse in 2013. Cuireadh 40 Binse sa bhreis air sin ar ceal roimh an éisteacht mar gheall gur aistarraing na hachomharcóirí a n-achomharc.

### AMANNA PRÓISEÁLA BINSE

Rinneadh 221 Ordú Cinnidh, ar an iomlán, in 2014 maidir le héisteachtaí Binse. B'ionann an meánam próiseála do na Binsí seo, ón dáta a bhfuarthas an t-iarratas tosaigh ar dhíospóid go dtí eisiúint an Ordaithe Cinnidh, agus 8-9 mí. Is ionann é sin agus 5-6 mhí ag céim an Bhreithnithe agus 2-3 mhí ag céim an Bhinse.

### MIONDEALÚ AR CHÁSANNA BINSE IN 2014 DE RÉIR PHÁIRTÍ AN ACHOMHARCÓRA AGUS LÁITHREACH

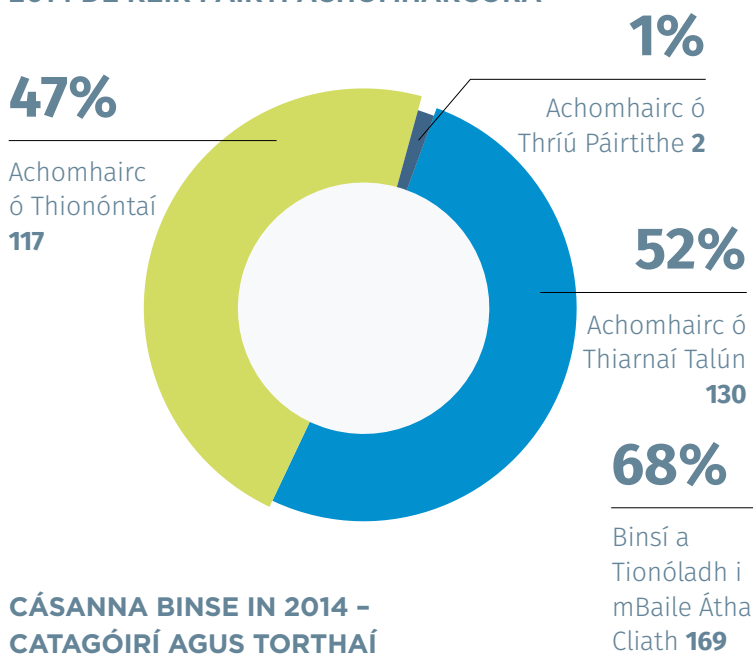
Bhí 249 éisteacht Bhinse in 2014. Bhí 52% (130 cás) de na hachomhairc a chuaigh os comhair Binse Tionóntachta in 2014 ó thiarnaí talún, bhí 47% (117 cás) ó thionóntaí, agus bhí 1% (2 chás) ó thrú páirtí.

Tionóladh 68% de na Binsí i gceantar Bhaile Átha Cliath, agus baineann 32% leis an gcuid eile den tír.

FUAIR AN BTCP 447 ACHOMHARC A NDEARNA AN BORD BREITHNIÚ ORTHU IN 2013, AS A NDEARNADH 358 DÍOBH A CHEADÚ AGUS RINNEADH 88 DÍOBH A DHIÚLTÚ NÓ A AISTARRAINGT.

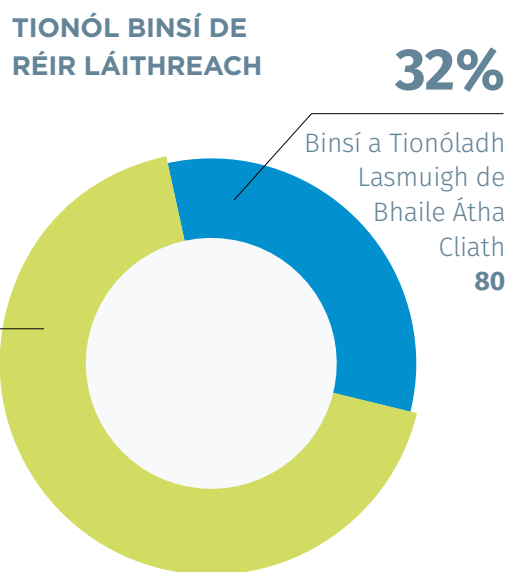


**MIONDEALÚ AR CHÁSANNA BINSE A ÉISTEADH IN 2014 DE RÉIR PÁIRTÍ ACHOMHARCÓRA**

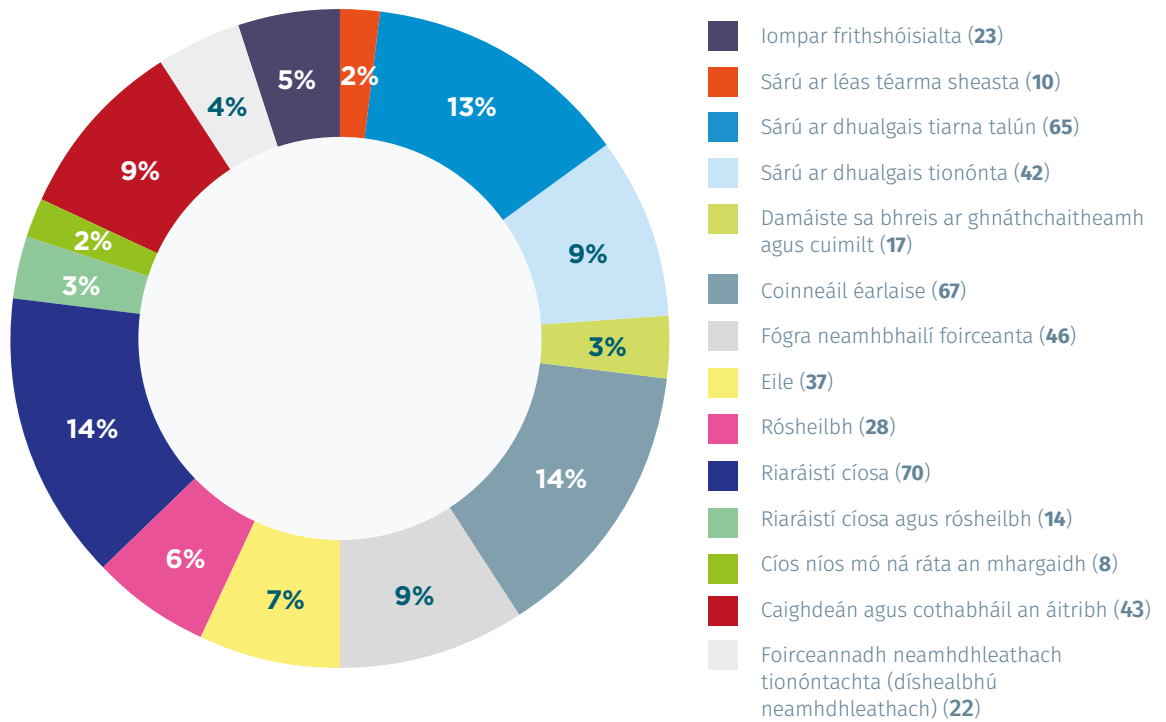


**CÁSANNA BINSE IN 2014 - CATAGÓIRÍ AGUS TORTHAÍ**

Léiríonn an chart thíos an miondealú ar Bhinsí a tionóladh de réir chineál na díospóide. As an 249 Binse a tionóladh in 2014, luadh 492 cineál éagsúil díospóide mar chúis leis an achomharc.



**CINEÁLACHA DÍOSPÓIDE A NDEARNADH CINNEADH ORTHU AG ÉISTEACHT BINSE IN 2014**



**CÁSANA RIARÁISTÍ CÍOSA A NDEARNADH IAD A ACHOMHARC CHUIG BINSE**

Tá sé soiléir ón gcairt thuas gurb iad riaráistí cíosa agus coinneáil éarlaise na príomhchineálacha díospóide a ndéanann Binse tionóntachta cinneadh ina leith.

Tá sé d’oibleagáid ar Thionónta cíosa a íoc leis an tiarna talún ar an dáta a bhfuil sé dlite. Ní mór den tionónta leanúint ag íoc an chíosa ina iomláine go dtí go gcríochnaíonn an tionóntacht agus é a íoc fad agus atá aon díospóid BTCP fós ar siúl. D’fhéadfadh sé go gcruthódh cásanna Riaráistí Cíosa deacrachtaí tromchúiseacha airgid do thiarna talún, dá bhrí sin, déanann an BTCP gach iarracht tosaíocht a thabhairt do chásanna den chineál seo. Tá sé tábhachtach go dtuigfeadh Tiarnaí Talún

go gcaithfidh Tiarna Talún fógra foirceanta bailí a sheirbheáil ar an tionónta sa chineál seo díospóide chun tionóntacht a fhoirceannadh go bailí. Beag beann ar chúinsí an cháis, ní féidir le Binse ach treoir a thabhairt do thionónta áitreabh ar cíosa a fhágáil nuair a bhíonn fógra foirceanta bailí, atá ag cloí go hiomlán leis an Acht um Thionóntachtaí Cónaithe 2014, imithe in éag. Sa chás go seirbheálann Tiarnaí Talún agus/nó a gcuid gníomhairí fógra neamhbhailí, tá toirmeasc de réir dlí ar an BTCP seilbh ghlan a threorú. Sa chás sin, ní mór fógra foirceanta bailí nua a sheirbheáil agus dá réir moill shuntasach a chur ar aisghabháil na réadmhaoine.

Tá díospóidí a bhaineann le coinneáil éarlaise fós ar cheann de na catagóirí achomhairc is mó roimh Bhinse



tionóntachta. Maidir le 14% de na cásanna luadh coinneáil éarlaise mar chúis leis an díospóid. I gcás 67% de na Binsí cinneadh go n-aisíocfadh tiarnaí talún cuid den éarlais nó an éarlais ar fad lena gcuid tionóntaí. Maidir le 33% de na cásanna a bhain le coinneáil éarlaise a d'éist an Binse, cinneadh go gcoinneodh an tiarna talún an éarlais ina hiomláine. Is minic a theastaíonn ó thionóntaí go dtabharfaí éarlaisí ar ais go pras chun tionóntacht eile a fháil agus mura dtugtar éarlais ar ais gan mhoill d'fhéadfadh sin cur isteach ar thionónta agus deacrachtaí airgid a chothú dó nó di. Ceadáíonn Alt 115 den Acht do chomhaltaí Binse damáistí a dhámh in aghaidh Tiarna Talún a choinníonn éarlais nuair nach féidir sin a chosaint.

### DAMÁISTÍ I LEITH COINNEÁIL ÉARLAISE AGUS SÁRÚ AR DHUALGAIS TIARNAÍ TALÚN

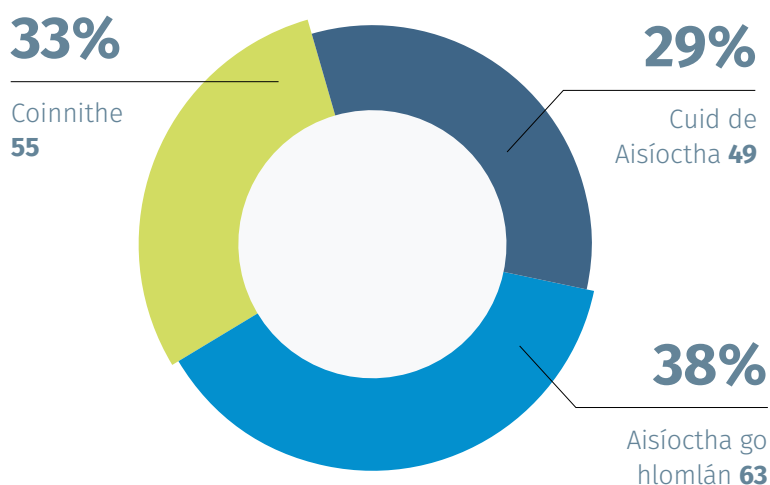
As na cinntí a rinneadh ag Binsí a éisteadh le linn 2014, áit ar dámhadh damáistí, bhain 42% le díospóidí a bhain le coinneáil éarlaise nó riaráistí cíosa. Bhí sárú ar

dhualgais tiarnaí talún ar an gcéad chatagóir eile ab airde ag 15%.

### AN COISTE RÉITITHE DÍOSPÓIDE

Tugann Alt 159 den Acht um Thionóntachtaí Cónaithe 2004 cumhacht do Bhord an BTCP coiste réitithe díospóide a bhunú agus feidhmeanna a tharmligean chuig an gcoiste sin chomh maith le comhaltaí a cheapadh air. Is é Coiste Réitithe Díospóide (CRD) an BTCP an painéal óna dtógtar comhaltaí na mBinsí Tionóntachta a bhfuil triúr orthu. Ós rud é nach féidir cinntí Binse a achomharc chuig an Ard-Chúirt ach amháin ar phointe dlí, bíonn feidhm thábhachtach gar-bhreithiúnach ag comhaltaí an CRD. Ar chríochnú éisteachta, déanann an Binse cinneadh agus cuireann siad an Bord ar an eolas faoin gcinneadh, de bhun Alt 108(1) den Acht. Ina dhiaidh sin, déanann an Bord, de réir Alt 121 den Acht, Ordú Cinnidh a bhfuil ceanglas dlíthiúil ag baint leis, agus eisítear é sin, chomh maith le tuarascáil an Bhinse, chuig na páirtithe atá i gceist; tionóladh 249 Binse dá leithéid le linn 2014.

### TORTHAÍ AR MHÍREANNA A BHAIN LE DÍOSPÓIDÍ FAOI CHOINNEÁIL ÉARLAISE I MBINSÍ 2014



## ÍOCAÍOCHTAÍ BINSÍ 2014

Comhalta CRD	Cath.	Comhalta den Phainéal	Suim (€)
Aidan Brennan	9	42	15,996.00
Anne Colley*	0	3	1,714.00
Anne Leech*	3	4	6,560.00
Bairbre Redmond*	1	3	2,713.00
Catriona Walsh	5	2	3,562.00
Charles Corcoran*	2	0	2,586.00
Ciara Doyle*	0	1	877.00
Claire Millrine*	0	1	877.00
Dervla Quinn*	2	0	2,586.00
Eoin O'Sullivan*	1	0	1,020.00
Finian Matthews	20	47	33,336.00
Fintan McNamara*	1	1	1,889.00
Gareth Robinson	21	14	20,912.00
Gene Feighery	18	99	46,232.00
Henry Murdoch*	2	1	2,896.00
John FitzGerald	38	16	33,502.00
John Lynch*	1	1	1,566.00
John Tiernan	14	62	34,016.00
Kathleen McKillion **	0	3	1,187.00
Kieran Buckley*	1	2	2,907.00
Liam Nolan*	3	3	5,299.00
Louise Moloney*	2	1	2,940.00
Mary Doyle*	1	0	1,461.00
Mary Heaslip*	1	3	3,092.00
Mary Morris*	1	0	1,901.00
Michael Irvine*	0	1	702.00
Nesta Kelly*	2	3	4,601.00
Noel Conroy	0	2	681.00

Noel Merrick*	2	0	2,550.00
Orla Coyne	8	47	24,008.00
Patricia Sheehy Skeffington	46	15	44,578.00
Thomas Reilly	15	76	41,252.00
Tim Ryan	42	12	36,072.00
Tom Dunne*	0	1	506.00
Vincent P. Martin	14	63	33,525.00
<b>IOMLÁN</b>			<b>420,102.00</b>

\*Níor shuigh na comhaltaí sin ar Bhinsí in 2014 ach fuair siad íocaíochtaí i leith Binsí a tionóladh go déanach in 2013

\*\* Íoctar táillí Kathleen McKillion, Uasal, le Comhairle um Thithíocht Shóisialta na hÉireann.

Cuirtear asbhaintí cánach i bhfeidhm roimh ré.

## [03]

## III. FORFHEIDHMIÚ ORDUITHE CINNIDH AN BTCP (MURA GCLOÍTEAR LEO)

Forálann an tAcht um Thionóntachtaí Cónaithe 2004 cumhacht do pháirtithe i ndíospóid nó don Bhord imeachtaí sibhialta agus nó ionchúisimh choiriúla a thionscnamh tríd an gCúirt Chuarda i gcás imeachtaí sibhialta agus tríd an gCúirt Dúiche i gcás ionchúiseamh coiriúil nuair a theipeann ar pháirtithe cloí le hOrdú Cinnidh. Is féidir leis an mBord ar iarratas imeachtaí sibhialta a thionscnamh ar son páirtí nuair atá Ordú faighte ag an bpáirtí sin agus nár cloíodh leis.

Tá na forálacha Forfheidhmithe leagtha síos in Alt 124 (sibhialta) agus Alt 126 (coiriúil) den Acht um Thionóntachtaí Cónaithe.

→ Is féidir leis an BTCP mar iarratasóir, nuair atá iarratas ar fhorfheidhmiú déanta agus ceadaithe ag an mBord, nó leis na páirtithe féin a bhfuil baint ag an Ordú Cinnidh leo, Imeachtaí Sibhialta de bhun Alt 124 den Acht um Thionóntachtaí Cónaithe 2004 (“Acht 2004”) a thionscnamh. Déantar na himeachtaí a thionscnamh le Fógra Foriarratais bunaithe ar Mhionscríbhinn atá in-aischurtha chuig an gCúirt Chuarda ábhartha. Ba iad imeachtaí

sibhialta de bhun Alt 124 d’Acht 2004 an modh forfheidhmithe ar baineadh feidhm as sna cásanna ar fad a atreoraíodh chuig an BTCP i gcomhair forfheidhmithe in 2014. i gcás fhormhór na gcásanna a thionscain an BTCP, dámhadh a gcuid costas, ar luach €4000 a raibh cáin le gearradh ina leith in éagmais comhaontaithe, don BTCP. Cláraíonn an BTCP breithiúnais in aghaidh freagróirí a dteipeann orthu cloí le hOrduithe Cúirte a rinneadh ina gcoinne.

→ Is féidir leis an BTCP nó le páirtí atá ag lorg comhlíonadh le hordú cinnidh a rinneadh ina fhabhar nó ina fabhar lonchúisimh Choiriúla a thionscnamh de bhun Alt 126 ar an gcaoi chéanna le himeachtaí sibhialta. Déantar imeachtaí den sórt sin a thionscnamh sa Chúirt Dúiche. Cé nach ndéantar foráil in imeachtaí coiriúla d’fhaoiseamh maidir le téarmaí an orduithe cinnidh nár cloíodh leis, baineann iarmhairtí tromchúiseacha le bheith ciontaithe go coiriúil - d’fhéadfadh sé go gcuimseodh pionóis fineáil suas le €4,000 agus / nó tréimhse phríosúnachta suas le sé mhí.





## IARRATAIS AR FHORFHEIDHMIÚ LE SEACHT MBLIANA ANUAS

Iarratais a Fuarthas ó Pháirtithe ag lorg Orduithe Cinnidh a Fhorfheidhmiú						
2008	2009	2010	2011	2012	2013	2014
100	307	577	589	346	405	535

Mar atá le feiceáil ón tábla thuas, tá fás leanúnach ag teacht ar líon na n-iarratas chuig an BTCP maidir le forfheidhmiú. Cé go léiríonn sé seo an méadú ar líon na n-iarratas díospóide a fuarthas le blianta beaga anuas, is léiriú freisin é ar an staid eacnamaíoch níos deacra ina bhfuil páirtithe. Léiríonn an tábla thuas méadú 17% ó 2012 go dtí 2013 agus tá an treocht sin ag leanúint ar aghaidh agus méadú 32% tagtha ó 2013 go dtí 2014.

Ós rud é go bhfuil líon ard iarratas á fháil fós ag an BTCP gach bliain, níl sé inbhuanaithe i gcás an BTCP mar ghníomhaireacht fhéinmhaoinitheach, forfheidhmiú a lorg ar son a chuid cliant ar fad. Faoin Acht, cumhacht lánroghnach de chuid an BTCP is ea forfheidhmiú agus níl aon oibleagáid dhlíthiúil ar an BTCP a chuid orduithe a fhorfheidhmiú. Déantar cinntí maidir le tabhairt faoi fhorfheidhmiú dlíthiúil nó gan tabhairt faoi cás ar chás agus tá roinnt critéar forbartha ag an mBord a chuirtear san áireamh nuair a bhíonn iarratas a rinneadh á cheadú nó á dhiúltú.

Déanann an Bord iarracht i dtús báire forfheidhmiú a chur i gcrích ar bhealaí neamhdhlíthiúla. Chuige sin, scríobhann siad chuig an bpáirtí neamhchomhlíontach chun téarmaí an Ordaithe a mheabhrú dóibh chomh maith leis na hiarmhairtí is dóchúla má leanann siad de bheith

neamhchomhlíontach agus ag éileamh go ndéanfaidís socrúithe chun a bheith comhlíontach. Mura n-éiríonn leis an gcur chuige seo, is iad na critéir seo a leanas na critéir a dtabharfaidh an Bord aird orthu agus cinneadh á dhéanamh pé acu an rachaidh siad ar aghaidh le himeachtaí dlíthiúla ar son páirtí nó nach rachaidh:

- An cineál díospóide
- Stair chomhlíonadh na reachtaíochta a bhaineann le tiarna talún/tionónta
- Treise theicniúil an cháis
- Cén teagmháil atá déanta/cad iad na céimeanna ag glactha ag an duine a bhfuil comhlíonadh á lorg aige/aici leis an bpáirtí neamhchomhlíontach chun comhlíonadh an Ordaithe a bhaint amach,
- Cén teagmháil, más ann dá leithéid, a bhí ag an BTCP leis an bpáirtí neamhchomhlíontach maidir le forfheidhmiú agus aon eolas ábhartha a fuarthas,
- Leathadh tíreolaíoch
- Cúinsí sainiúla an cháis.

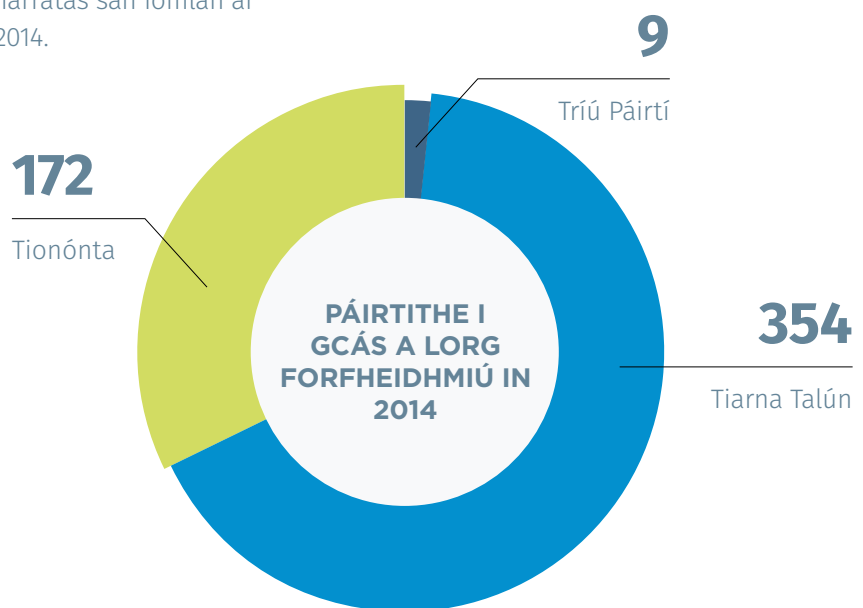
Mar gheall ar an gcostas a bhainfeadh le gach iarratas a thabhairt chun na Cúirte, chaithfí cistiú suntasach a lorg ón Státchiste nó na táillí a mhéadú. Ní roghanna inmharthana iad ceachtar den dá rogha sin. Mar sin féin, féachann an BTCP ar neamhchomhlíonadh Orduithe

Cinnidh mar cheist an-tromchúiseach agus le linn 2014 amháin d'atreoraigh an BTCP 402 cás chuig a gComhairleoirí DLí, Eversheds, i gcomhair imeachtaí forfheidhmithe.

Cé go raibh an BTCP thar a bheith rathúil maidir le horduithe breithiúnais a fháil ina gcuid imeachtaí, ní mór a chur san áireamh nach aon urrús é Ordú Cúirte a fháil ann féin go n-íocfar an t-airgead atá dlite. Sna cúinsí sin, cláraíonn an Bord an breithiúnas agus dá bharr sin foilsítear an breithiúnas; foilsíonn tréimhseacháin trádála éagsúla, lena n-áirítear an Iris Dócmhainneachta agus láithreáin gréasáin, sonraí breithiúnas atá cláraithe. Is féidir le breithiúnas cláraithe cur isteach go mór ar chumas an fhéichiúnaí iasacht airgid a fháil. Clárófar an breithiúnas a fhaightear mar fhiachas i gcoinne an pháirtí, agus beidh tionchar diúltach aige sin ar rátáil chreidmheasa an duine.

#### IARRATAIS NUA AR FHORFHEIDHMIÚ A FUARTHAS IN 2014

Fuair an BTCP 535 iarratas san iomlán ar fhorfheidhmiú in 2014.



TÁ AN LÍON IARRATAS A FUARTHAS Ó THIARNA TALÚN, 354 NÓ 66%, CUID MHAITH NÍOS AIRDE I GCÓNAÍ NÁ AN 172 NÓ 32% A FUARTHAS Ó THIONÓNTAÍ. FUARTHAS 9 GCINN D'IARRATAIS NÓ 2% DE NA HIARRATAIS FHORIOMLÁNA Ó IARRATASÓIRÍ TRÍÚ PÁIRTÍ.

### OBAIR FORFHEIDHMITHE IN 2014

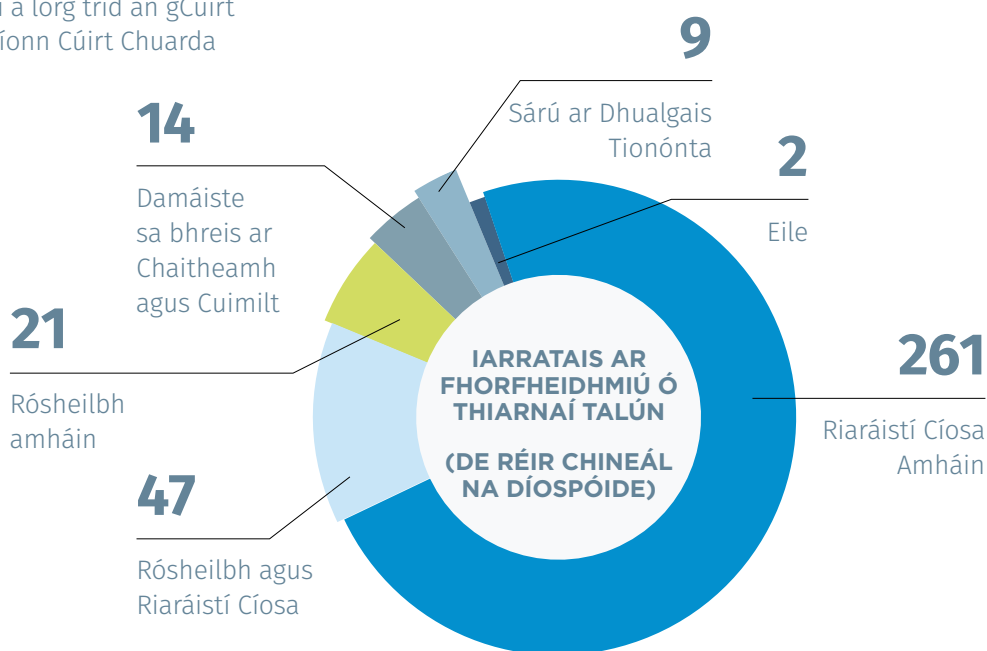
Anuas ar an 535 iarratas nua ar fhorfheidhmiú a fuarthas in 2014, thug Aonad Forfheidhmithe an BTCP faoi obair, chomh maith, ar thart ar 450 cás a bhí fós ar siúl ag deireadh 2013. Lean an Bord ag tabhairt tosaíochta do chásanna ar measadh iad a bheith práinneach cosúil leo siúd a bhain le rósheilbh & riaráistí cíosa nó foirceannadh neamhdhleathach tionóntachta.

Nuair a chuirtear iarratas ar théarmaí Ordaithe a fhorfheidhmiú faoi bhráid an Bhoird, eisítear litir rabhaidh agus cuirtear an oibleagáid atá orthu cloí le téarmaí an ordaithe a rinneadh ina gcoinne i gcuimhne do na páirtithe neamhchomhlíontacha. Déantar an t-ábhar a atreorú chuig an mBord chun cinneadh a fháil maidir le cead an Bhoird forfheidhmiú a lorg ar son na bpáirtithe. Chomh luath agus a chinntear forfheidhmiú a dhéanamh, tugtar mionteagasc d'Abhcóide agus déantar imeachtaí a thionscnamh. Cé go bhféadfadh sé 3.5 mhí ar a laghad a thógáil Ordú Cúirte a fháil i gcás tosaíochta, tógfaidh cásanna neamhthosaíochta níos faide. Ní mór a chur san áireamh go ndéantar forfheidhmiú a lorg tríd an gCúirt Chuarda agus cé go suíonn Cúirt Chuarda

Bhaile Átha Cliath go seachtainiúil, ar an drochuair, ní mar sin atá ar fud na tíre.

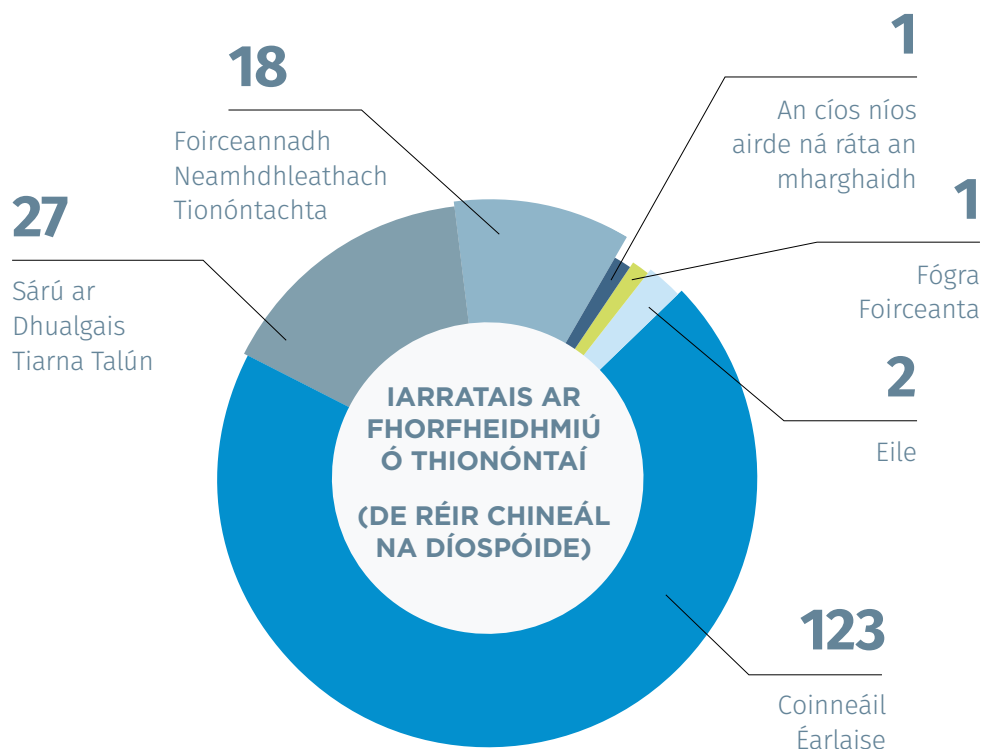
Atreoraíodh 402 comhad chuig Eversheds, ár gComhairleoirí Dlí. Baineadh comhlíonadh nó socraíocht amach, gan gá le hatreorú i gcomhair imeachtaí dlí, in 156 cás tar éis d'Aonad Forfheidhmithe an BTCP idirghabháil tosaigh a dhéanamh. Tugadh 329 iarratas ar aghaidh chuig 2015 (B'iarratais a fuarthas in 2014 75% de na hiarratais a bhí ar feitheamh i gcomhair próiseála nó a raibh obair á déanamh orthu ag deireadh na bliana).

Lean Aonad Forfheidhmithe an BTCP de bheith ag soláthar cabhrach do pháirtithe i gcás a bhí ag iarraidh cloí le hOrduithe Cinnidh an BTCP sula mbeadh gá le caingean dlí. I mbeagnach 400 cás d'éascaigh an tAonad an tseirbhís seo trí íocaíochtaí socraíochta agus moltaí socraíochta a sheoladh idir na páirtithe sa díospóid, sa chás, mar shampla, nach mbeadh sonraí teagmhála reatha ar fáil do na páirtithe féin. Bhí sé seo mar bhreis ar an 245 cás ar éascaigh an BTCP agus foireann Eversheds socraíocht ina leith i ndiaidh Forfheidhmiú a bheith iarrtha ach sula ndeachthas chun cúirte.



Fuair an BTCP 354 iarratas ó Thiarnaí Talún chun téarmaí a chuid orduithe cinnidh a fhorfheidhmiú. Bhí iarratais maidir le cásanna a bhain le riaráistí cíosa sa chatagóir ab airde ina raibh comhlíonadh á lorg agus b'ionann iad agus 74% de na hiarratais fhoriomlána ó Thiarnaí Talún. Is í seo an dara bliain ina raibh riaráistí cíosa sa chineál catagóire ba mhó ar iarradh ar an mBord forfheidhmiú ina leith.

Bhain 93% de na hiarratais ó Thiarnaí Talún le cásanna a atreoraíodh mar gheall ar riaráistí cíosa, rósheilbh nó an dá chineál díospóide in éineacht. Ar na ceisteanna eile ar iarradh forfheidhmiú ina leith bhí siad siúd a bhain le damáiste sa bhreis ar chaitheamh agus cuimilt nó sárú ar dhualgais tionónta.



Atreoraíodh 172 comhad chuig Aonad Forfheidhmithe an BTCP mar thoradh ar iarratais ar fhorfheidhmiú a fuarthas ó Thionóntaí. Tá ceisteanna a bhaineann le coinneáil éarlaise fós ar an gcatagóir Orduithe is airde a n-iarrtar forfheidhmiú ina leith. Bhain 71% den líon foriomlán iarratas a fuarthas ó Thionóntaí le hiarratais maidir le dámhachtainí a rinneadh i leith éarlais an Tionónta.

Taobh thiar d'iarratais maidir le neamhchomhlíonadh a bhain le héalrais Tionónta a thabhairt ar ais bhí iarratais a rinneadh maidir le dámhachtainí airgid i leith dualgais Tiarna Talún a bheith á sárú agus foirceannadh neamhdhleathach tionóntachta. B'ionann an dá chatagóir éileamh agus 16% agus 10% faoi seach.



## TORTHAÍ CÚIRTE

### ORDUITHE CÚIRTE ALT 124 A FUARTHAS

Fuarthas 158 Ordú Cúirte Dúiche in 2014. I mbeagnach gach cás, dámhadh ordú i gcomhair costas, a raibh cáin le gearradh orthu in éagmais comhaontaithe.

Orduithe na Cúirte Cuarda a fuarthas i gcomhréir le hAlt 124 d'Acht 2004						
2008	2009	2010	2011	2012	2013	2014
5	13	13	42	91	140	158*

\*Baineann na hOrduithe Cúirte seo le cásanna 2014 agus cásanna roimh 2014 a bhí ag dul trí phróiseas na gCúirteanna cheana féin.

### CIÓNUITHE ALT 126

Níor thionscain an BTCP aon ionchúisimh choiriúla de bhun Alt 126 d'Acht 2004 in 2014. An phríomhchúis leis seo is ea nach n-éilíonn ionchúiseamh faoi Alt 126 go gcloífeadh an páirtí neamhchomhlíontach le fíorthearmaí an Ordaithe agus mar sin bheadh gá leis an dara himeacht dlí faoi Alt 124. Níl sé seo éifeachtúil ná cost-éifeachtúil. Sa bhreis air sin, is cosaint do pháirtí in ionchúiseamh a fhógairt go bhfuil siad toilteanach a bheith comhlíontach ach nach féidir leo a bheith comhlíontach mar nach bhfuil sé d'acmhainn acu sin a dhéanamh agus i gcúinsí mar sin is beag seans go gciontófaí an páirtí sa Chúirt.

### BREITHIÚNAIS A CHLÁRÚ

Is é beartas an BTCP i ngach cás nach ndéantar Breithiúnas Cúirte a chomhlíonadh, an breithiúnas sin a chlárú mar fhiachas. Más mian le páirtithe íocaíochtaí socraíochta a dhéanamh i ndiaidh na héisteachta Cúirte, ní chláróidh

an BTCP an breithiúnas chun soláthar a dhéanamh maidir le plean íocaíochta a chomhlánú agus íocaíochtaí a dhéanamh. Sa chás go dtagann deireadh leis na híocaíochtaí is féidir leis an BTCP an t-iarmhéid atá gan íoc a chlárú mar fhiachas breithiúnais.

### SOCRAÍOCHTAÍ A RINNEADH TAR ÉIS ATREORAITHE CHUIG COMHAIRLEOIRÍ DLÍ.

Chomh maith leis an 400 cás inar éascaigh an t-aonad Forfheidhmithe socraíocht sular atreoraíodh chuig Atur nae iad, baineadh amach comhlíonadh nó socraíocht in 245 cás eile nuair a atreoraíodh cásanna chuig comhairleoirí dlí an BTCP gan an riachtanas imeachtaí iomlána dlí a thionscnamh. Ag brath ar an staid ag a ndéanann an páirtí neamhchomhlíontach iarracht an cheist a shocrú d'fhéadfadh roinnt costas a bheith i gceist. Mar sin is chun leasa an pháirtí a bheith rannpháirteach ag an staid is luaithe is féidir.

### ACHOIMRE AR OBAIR FORFHEIDHMITHE A NDEACHTHAS INA BUN IN 2014

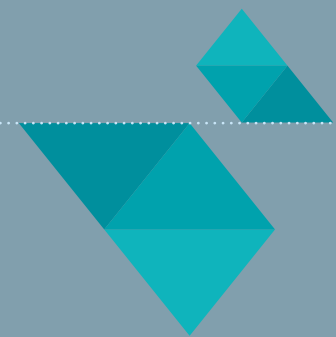
Cásanna Forfheidhmithe a tugadh ar aghaidh ó 2013	450
Iarratais ar Fhorfheidhmiú a fuarthas le linn 2014	535
Iarratais ar Fhorfheidhmiú ar dhiúltaigh an Bord dóibh	65
Comhaontuithe Socraíochta a bhain foireann an BTCP agus na Comhairleoirí Dlí amach roimh imeachtaí cúirte.	245*
Comhaid Forfheidhmithe a atreoraíodh chuig Comhairleoirí Dlí	402
Orduithe Cúirte a Fuarthas	158
Achomhairc Reachtúla de bhun Alt123	10 → 7 cosanta go rathúil → 2 aistarraingthe → 1 le héisteacht in 2015
Athbhreithniú Breithiúnach	1 → Cosanta go rathúil
Iarratais ar Fhorfheidhmiú ar láimh ag deireadh na bliana 2014	329

*\*Ina theannta sin, d'éascaigh an tAonad Forfheidhmithe comhlíonadh trí mholtaí socraíochta agus íocaíochtaí socraíochta a fuarthas de bhun Ordú Cinnidh a sheoladh ar aghaidh in 380 cás.*

CUID 3

FEIDHMEANNA  
TAIGHDE  
AN BTCP

TUARASCÁIL BHLIANTÚIL AGUS CUNTAIS 2014



[ 01 ] TAIGHDE AN BTCP AR  
THODHCHAÍ NA TITHÍOCHTA  
AR CÍOS SAN EARNÁIL  
PHRÍOBHÁIDEACH AGUS  
COBHSAÍOCHT CHÍOSA –  
ACHOIMRE Ó CAROLINE  
KELLEHER, COMHAIRLEOIRÍ  
EACNAMÁIOCHA DKM





Chun comóradh a dhéanamh ar bhunú an Bhoird um Thionóntachtaí Cónaithe Príobháideacha (BTCP) deich mbliana ó shin agus i bhfianaise roinnt de na saincheisteanna a gcaithfidh an earnáil aghaidh a thabhairt orthu agus na hathruithe atá tarlaithe sa tréimhse sin, choimisiúnaigh an Bord Comhairleoirí Eacnamaíochta DKM, ESRI, RED C agus Aturnaetha Ronan Daly Jermyn chun dhá thuarascáil a ullmhú ar staid reatha na hearnála agus an todhchaí a bhraitear atá i ndán di. Ba iad teideal na dtuarascálacha Cobhsaíocht Chíos a dTithíocht ar Cíos san Earnáil Phríobháideach, agus Todhchaí na Tithíochta ar Cíos san Earnáil Phríobháideach, agus reáchtáil an BTCP comhdháil speisialta ar thorthaí na dtuarascálacha sin i mí Dheireadh Fómhair 2014.

Breithníodh sa Tuarascáil Cobhsaíocht Chíos a dTithíocht ar Cíos san Earnáil Phríobháideach roghanna sa ghearrthéarma agus sa mheántéarma agus roghanna san fhadtéarma chun aghaidh a thabhairt ar chíosanna a bheith ag ardú. Scrúdaíodh ann raon saincheisteanna maidir le cobhsaíocht chíos; lena n-áirítear mar a chaitear faoi láthair ó thaobh cúrsaí cánach leis an earnáil chíos, an fhéidearthacht atá ann an Forlíonadh Cíos a innéacsú an fhéidearthacht don rialú cíos i gcomhthéacs na hÉireann, sa chás go ndéanfaí cinneadh polaitíochta a bheadh i bhfabhar go ndéanfaí rialú ar chíos.

Bhí na torthaí bunaithe ar athbhreithniú cuimsitheach ar rialú cíos i ndlínsí eile ina bhfuil tithíocht ar cíos san earnáil phríobháideach forbartha iontu, scrúdaíodh mar a riartar iad, na buntáistí agus na míbhuntáistí a bhaineann le cur chuigí éagsúla agus an tionchar a bhíonn acu.

Breithníodh leis an taighde nach raibh rialú cíos oiriúnach ag an tráth seo, le haird ar an mbaol go laghdódh sé seo an soláthar (i.e. beagnach 40,000 Réadmhaoin Ceannach le Ligean agus riaráistí tromchúiseacha morgáiste acu, bhí sé i gceist ag 29% de na Tiarnaí Talún i suirbhé RED C a réadmhaoin a dhíol chomh luath agus a bheadh ar a gcumas sin a dhéanamh). Ba é tatal na tuarascála gurb é an t-ábhar imní is mó atá i margadh na hÉireann gurb é an toradh a d'fhéadfadh a bheith ag aon chineál rialaithe ar chíos go laghdódh an soláthar agus cáilíocht na cóiríochta ar cíos agus ar an tslí sin go gcuirfí an margadh as riocht tuilleadh, i bhfianaise easpa dreasachtaí chun soláthar a spreagadh.

Agus moladh déanta gan dul le rialú cíos, leagtar amach leis an taighde roinnt roghanna beartas chun cobhsaíocht chíos a níos fearr agus cinnteacht i margadh na hÉireann a bhaint amach. Dhírigh na bearta eile sin ar na nithe seo a leanas:

→ Dreasachtaí cánach spriocdhírthe a sholáthar lena n-áirítear Léas Cinnteachta Cíos (léasanna ar feadh 5 bliana nó níos mó agus nach gceadófaí ach arduithe.

Ó THAOBH DAINGNEACHT TIONÓNACHTA, LUADH SA TUARASCÁIL GO BHFÉADFADH TIONÓNTACHTAÍ FADTÉARMACHA A BHEITH MAR BHUNTÁISTE DO THIARNAÍ TALÚN AGUS DO THIONÓNTAÍ ARAON TRÍ SHRUTH ÍONCAIM COBHSAÍ A THAIRISCINT.

ar chíos a bheadh nasctha leis an bPraghasinnéacs Tomhaltóirí (CPI) agus go mbeadh buntáistí cánach féideartha do Thiarnaí Talún) a thabhairt isteach.

- Eolas níos fearr a sholáthar lena chinntiú go mbeidh níos mó eolais ar fáil don earnáil féin,
- An cás a fheabhsú i ndáil le hathbhreithniú ar chíosanna lena n-áirítear rialáil níos láidre thart ar ardú ar chíosanna, lena n-áirítear fógra 3 mhí ar Ardú Cíos, oibleagáid ar Thiarnaí Talún seasamh le hardú trí thagairt do thrí réadmhaoín inchomparáide (mar a dhéantar sa Ghearmáin), lena n-áirítear Innéacs Cíos an BTCP.
- An reachtaíocht atá in áit faoin Acht um Thionóntachtaí Cónaithe, 2004 a fhorfheidhmiú.
- An stoc atá ann a chosaint.
- Cur leis an soláthar réadmhaoín ar cíos.

Scrúdaíodh saincheisteanna rialála agus dearcthaí i measc na bpríomhpháirtithe leasmhara sa tuarascáil Toghcháin na Tithíochta ar Cíos san Earnáil Phríobháideach – via suirbhéanna agus comhairliúcháin – chomh maith le hathbhreithniú a dhéanamh ar thaithí idirnáisiúnta maidir le rialáil agus bearta soláthair. Ba é cuspóir an athbhreithnithe sraith roghanna a thabhairt don BTCP maidir leis a gcaoi a bhféadfaidh tithíocht ar cíos san earnáil príobháideach a bheith inmharthana sa toghcháin chomh maith le ról tábhachtach a bheith acu chun freastal ar raon leathan líonta tí i gcóiríocht inacmhainne agus ar cháilíocht ard.

Léiríodh sa tuarascáil sin na hathruithe fíoscacha sa tréimhse idir 2007 agus 2014 agus go bhfuil ardú mór ar an ualach cánach ó thaobh na dtiarnaí talún de dá mbarr. Níl an réimeas cánach atá in áit do

thiarnaí talún a bhíonn ag infheistiú san earnáil infheistíochta cónaithe den chuid is mó chomh fabharach céanna agus atá d'infheisteoirí i réadmhaoín infheistíochta tráchtála. Meallann iasachtaí a mhaoíníonn infheistíocht san earnáil cíosa cónaithe 75% de liúntas úis i gcomparáid le 100% don earnáil cíosa tráchtála. Gan na torthaí infheistíochta do dhaoine aonair a ghíaráilann ceannacháin den sórt sin a chothromú le hinfeistíocht san earnáil réadmhaoine tráchtála, d'fhéadfadh bac a bheith ann d'iontráil chuig infheistíocht i dtithíocht ar cíos san earnáil phríobháideach.

Le haird ar chás an Státchiste, aithnítear go m'fhéidir go dtógfadh sé roinnt blianta go gcuirfí faoiseamh úis níos airde i bhfeidhm. I dtréimhse ama níos lú, aithnítear rogha ina dtabharfaí faoiseamh chánach 100% do Thiarnaí Talún a chuireann tithíocht ar fáil do Thionóntaí a fhaigheann Forlíonadh Cíos HAP nó RAS ar feadh 5 bliana ar a laghad. Moladh sa tuarascáil sin freisin go bhféadfaí faoiseamh cánach ar Chíos a thabhairt do Thionóntaí go dtí deireadh 2017.

Áirítear ar na roghanna eile sa tuarascáil ó thaobh soláthair de an gá atá ann infheistíocht a dhéanamh in REITanna. Aithníodh rogha freisin chun tionscnamh na Cathrach Beo a shíneadh chuig Tiarnaí Talún, agus tugadh le fios go bhfuil soláthar ann d'aonaid fhéideartha de chóiríocht chíosa i gceantair i lár cathracha a mbeadh buntáiste mór ann dóibh ó athghiniúint eacnamaíoch agus ardú ar an líon custaiméirí. Ba chóir fógraíocht a dhéanamh ar scéimeanna reatha mar Seomra ar Cíos agus iad a chur chun cinn.

Ar deireadh, ó thaobh soláthair de, tugadh ar aird sa tuarascáil go bhfuil an fhadhb le riaráistí morgáiste ar cheann de na dúshláin is mó atá fós ann ón



ngéarchéim airgeadais agus go bhfuil tionchar aige sin fós ar thionóntaí. Sin fadhb nach mór réiteach láithreach a fháil uirthi chun go bhfanfaidh an stoc reatha réadmhaoine laistigh den earnáil. Díriodh sa tuarascáil freisin ar an tionchar a bhíonn ag athshealbhú réadmhaoine Ceannach le Ligean ar Thionóntaí agus an gá atá le Cód Cleachtais maidir le hathshealbhú.

Ó thaobh daingneacht tionónachta, luadh sa tuarascáil go bhféadfadh tionóntachtaí fadtéarmacha a bheith mar bhuntáiste do thiarnaí talún agus do thionóntaí araon trí shruth ioncaim cobhsaí a thairiscint. Breithníodh go mbeadh sé sin an-tarraingteacht do thiarnaí talún, fad agus nach mbeadh tionchar aige ar a gcumas leibhéil cíosa a choigeartú, agus bheadh tionóntaí in ann sásamh a bhaint as cinnteacht d'áit chónaithe san fhadtéarma fad agus a bheadh siad in acmhainn na harduithe cíosa a íoc.

Maidir le ról na rialála agus an BTCP, fuarthas sa taighde go bhfuil easpa feasachta ann maidir le cearta agus freagrachtaí tiarnaí talún agus tionóntaí araon, agus go bhfuil téarmaí Acht 2004 casta agus deacair a thuiscint, go háirithe sna réimsí a bhaineann le foirceannadh dleathach ar thionóntachtaí, teidlíocht ar dhaingneacht tionónachta ar feadh suas le cheithre bliana, agus na himthosca ina bhféadfar an cíos a ardú.

Maidir leis an gceist a bhaineann le híoschaighdeáin a chur i bhfeidhm ó thaobh cóiríochta ar cíos, cuireadh rogha

chun cinn sa tuarascáil de dheimhniúchán neamhspleách tréimhsiúil, cosúil ar shlí leis an gcóras NCT, sula bhféadfaidh na Tiarnaí Talún a réadmhaoine a ligean ar cíos. Ar an tslí chéanna moltar nár chóir fógraíocht a dhéanamh ar aonaid gan mbíonn Rátáil Fuinnimh Foirgnimh (BER) acu. Ar deireadh, moltar rogha scrúdú ar líne a thabhairt isteach ar an Acht um Thionóntachtaí Cónaithe do Ghníomhairí Eastát ar mian leo seirbhísí cíosa / bainistíochta a thairiscint.

Ar deireadh, luadh sa tuarascáil freisin gurb é an príomhdhúshlán beartais atá ag teacht chun cinn soláthar dóthanach a chruthú de chóiríocht chíosa ar ardchaighdeán do dhaoine a bheadh ag iarraidh áit a ligean san fhadtéarma ag praghas inacmhainne, agus an leibhéal cuí rialála do na príomhsholáthróirí agus daingneacht tionóntachta níos fearr do thionóntaí reatha agus do thionóntaí ionchais. Luadh freisin chun íomhá níos fearr don earnáil a chinntiú go gcaithfí an tslí a mothaíonn daoine a athrú, gur tréimhse ama ar leith é áit a fháil ar cíos go dtí go gceannaíonn daoine a dteach cónaithe féin. De réir a chéile, ba chóir go mbeadh tithíocht ar cíos san earnáil phríobháideach rialaithe mar is cuí ag cur cóiríochta inacmhainne d'ardchaighdeán ar fáil agus sin a bheith neadaithe go maith le taobh cainéil eile de sholáthar tithíochta, go sonrath an earnáil dheonach neamhbhrabúis agus an earnáil phríobháideach úinéir-áitithe.

CHUN ÍOMHÁ NÍOS FEARR DON EARNÁIL A CHINNTIÚ GO gCAITHFÍ AN TSLÍ A MOTHAÍONN DAOINE A ATHRÚ, GUR TRÉIMHSE AMA AR LEITH É ÁIT A FHÁIL AR CÍOS GO DTÍ GO gCEANNAÍONN DAOINE A dTEACH CÓNAITHE FÉIN.

# [02] COMHDHÁIL BTCP AG COMÓRADH 10 MBLIANA A BHUNAITHE



Bhí an BTCP ar an bhfód le deich mbliana in 2014 agus chun ceiliúradh a dhéanamh air sin reáchtáladh Comhdháil speisialta i gCaisleán Bhaile Átha Cliath an 23 Deireadh Fómhair mar Chomóradh 10 mbliana faoi thodhchaí na tithíochta ar cíos san Earnáil Phríobháideach in Éirinn. Seoladh dhá thuarascáil mhóra ag an ócáid sin, Todhchaí na Tithíochta ar Cíos san Earnáil Phríobháideach agus Cobhsaíocht Chíos a dTithíocht ar Cíos san Earnáil Phríobháideach, arna tháirgeadh ag foireann ina raibh Comhairleoirí Eacnamaíoch DKM; Ronan, Daly Jermyn; an ESRI agus Red C páirteach. Ba é an tAire

Comhshaoil, Pobail agus Rialtais Áitiúil, Alan Kelly, T.D., a sheol na tuarascálacha agus ba í an craoltóir Olivia O’Leary a bhí i mbun na comhdhála. Seo a leanas na daoine a labhair ag an gcomhdháil agus cuid de na nithe a cuireadh i láthair:

- Próifíl na Tithíochta ar Cíos san Earnáil Phríobháideach, agus Ról an BTCP - Catriona Walsh, Cathaoirleach, BTCP
- Dearcthaí i leith na Tithíochta ar Cíos san Earnáil Phríobháideach – David Duffy, ESRI
- Leasú ar an mBille um Thionóntachtaí Cónaithe agus an Scéim Chosanta Taisc

- Damian Allen, Príomhoifigeach, An Roinn Comhshaoil, Oidhreacht agus Rialtais Áitiúil
- Dearnadh an Chumainn Tithíochta Neamhbhrabúis – Kathleen McKillion, Comhalta Boird BTCP agus Stiúrthóir Oibríochtaí, Comhairle um Thithíocht Shóisialta na hÉireann
- Peirspictíocht na dTionóntaí – Bob Jordan, Príomhfheidhmeannach, Threshold
- Peirspictíocht na dTiarnaí Talún – Kersten Mehl, Stiúrthóir, KMPM
- Réamhrá ar Thodhchaí na Tithíochta ar Cíos san Earnáil Phríobháideach – Anne Marie Caulfield, Stiúrthóir BTCP
- Athbhreithniú Idirnáisiúnta ar Mhargáí Cíosa – Caroline Kelleher, Eacnamaí Sinsearach, Comhairleoirí Eacnamaíoch DKM

“TÁ AMLÍNTE BREITHNEOIREACHTA LAGHDAITHE AGAINN Ó 18 MÍ IN 2008 GO DTÍ CÚIG MHÍ ANOIS. CHOMH MAITH LEIS SIN, MÁ BHÍONN AN DÁ PHÁIRTÍ AG IARRAIDH GNÍOMHÚ LENÁR SEIRBHÍSÍ IDIRGHABHÁLA GUTHÁIN NUA, IS FÉIDIR NA DÍOSPÓIDÍ A RÉITEACH ANOIS I NAOI SEACHTAINE. TÓGANN BINSÍ CEITHRE MHÍ, ACH TÁ AN RÁTA ACHOMHAIRC TITE GO MÓR”.

Cathaoirleach an BTCP,  
Catriona Walsh Uasal

“TÁ LEASÚ AR AN MBILLE UM THIONÓNTACHTAÍ CÓNAITHE (UIMH.2) 2012 OS COMHAIR AN OIREACHTAIS FAOI LÁTHAIR, TÓGTAR ANN AR A BHFUIL BAINTE AMACH CHEANA FÉIN AG AN ACHT UM THIONÓNTACHTAÍ CÓNAITHE AGUS GO HÁIRITHE AG AN BTCP. IS PÍOSA REACHTAÍOCHTA AN-TÁBHACHTACH ATÁ ANSEO A DHÉANFAIDH SOLÁTHAR D’FHORBAIRT BHREISE AGUS DO RIALÁIL NA HEARNÁLA CÍOSA AGUS IS COMHCHUID THÁBHACHTACH É CHUN BEARTAS TITHÍOCHTA AN RIALTAIS A SHEACHADADH”.

An tAire Comhshaoil, Pobail agus Rialtais Áitiúil, An tUasal Alan Kelly, T.D.

# [03] INNÉACS CÍOSA AN BTCP

Ar cheann de na ról atá ag an BTCP tá faisnéis a bhailiú agus a sholáthar a bhaineann le tithíocht ar cíos san earnáil phríobháideach, lena n-áirítear faisnéis a bhaineann le leibhéil reatha cíosa.

Tá an tInnéacs Cíosa ar an tuarascáil chíosa is cruinne agus is údarásaí dá leithéid ar an earnáil phríobháideach chóiríochta in Éirinn mar go léirítear ann na cíosanna féin atá á n-íoc, de réir thaifid an BTCP, seachas an cíos a iarradh nó a fógraíodh, atá mar bhonn le tuarascálacha cíosa eile. Tá an tInnéacs Cíosa bunaithe ar shonraí a luaitear gan ainm a sholáthair an BTCP don ESRI. Táirgtear é trí mhodheolaíocht chúlaithe saintréithe ar modh í chun éileamh nó praghsanna a mheas, i.e. déanann sé an t-earra a bhfuil taighde á dhéanamh air a dhianscaoileadh isteach ina shaintréithe (e.g. méid na háite cónaithe, saghas na réadmhaoine, láthair etc.) agus faightear meastacháin ar an luach atá ar gach saintréith. Cuimsítear faisnéis san innéacs cíosa a bhaineann le naoi gcatagóir éagsúla, i.e. náisiúnta, Baile Átha Cliath, lasmuigh de Bhaile Átha Cliath, agus déantar miondealú breise air de réir shaghas an tí agus an árasáin. Cabhraíonn an t-innéacs le réimse cuspóirí Rialtais, lena n-áirítear beartas tithíochta go ginearálta agus faisnéis a sholáthar do scéim Forlónadh Cíosa na Roinne Coimirce Sóisialaí. Anuas air sin, is cáipéis thábhachtach tagartha í i ndíospóidí tiarna talún/ tionónta ar chíos.

Tá fáil ar fhaisnéis níos mionsonraithe sa tacar sonraí ar mheánchíos. Cuireann sé ar chumas daoine seiceáil a dhéanamh ar an meánchíos atá á íoc ag tréimhsí áirithe ama i gcás cúig chatagóir éagsúla ama de shaghsanna áiteanna cónaithe in 446 láthair ar fud na tíre, i gceantair uirbeacha agus thuaithe araon. Tá roghnú na láithreach bunaithe ar dhaonra agus ar mhéid an tacair sonraí. Cuireann seo ar chumas daoine a sheiceáil céard é an cíos cruinn atá á íoc, cuirimid i gcás, do theach leathscoite nó d'árasán dhá sheomra leapa ina gcomharsanacht, agus i gcodanna eile den tír.

## **INNÉACS CÍOSA AN BTCP - FORBHREATHNÚ AR 2014 LE DAVID DUFFY, ESRI**

Léiríonn Innéacs Cíosa an BTCP faoin ceathrú ráithe de 2014, go náisiúnta, go raibh cíosanna 5.8% níos airde ná mar a bhí i ráithe 4 in 2013. Ag an leibhéal náisiúnta, bhí cíosanna do thithe 4.8% níos airde, agus bhí cíosanna d'árasáin 6.4% níos airde ná mar a bhí sa ráithe chéanna in 2013. Bhí an fás bliantúil i margadh Bhaile Átha Cliath níos láidre, ardú 9.6%, agus bhí cíosanna ar thithe i mBaile Átha Cliath ardaíthe 7% agus bhí cíosanna d'árasáin i mBaile Átha Cliath 10.9% níos airde. Mar chodarsnacht, ní raibh an fás bliantúil ar chíosanna don mhargadh lasmuigh de Bhaile

Átha Cliath chomh hard sin, ardú 3.9% i gcomparáid leis an gceathrú ráithe de 2013. Arís bhí difríochtaí i gceist bunaithe ar na cineálacha áiteanna cónaithe a bhí i gceist. D'ardaigh an cíós do thithe lasmuigh de Bhaile Átha Cliath 4.4%, agus d'ardaigh an cíós d'árasáin lasmuigh de Bhaile Átha Cliath 2.9%.

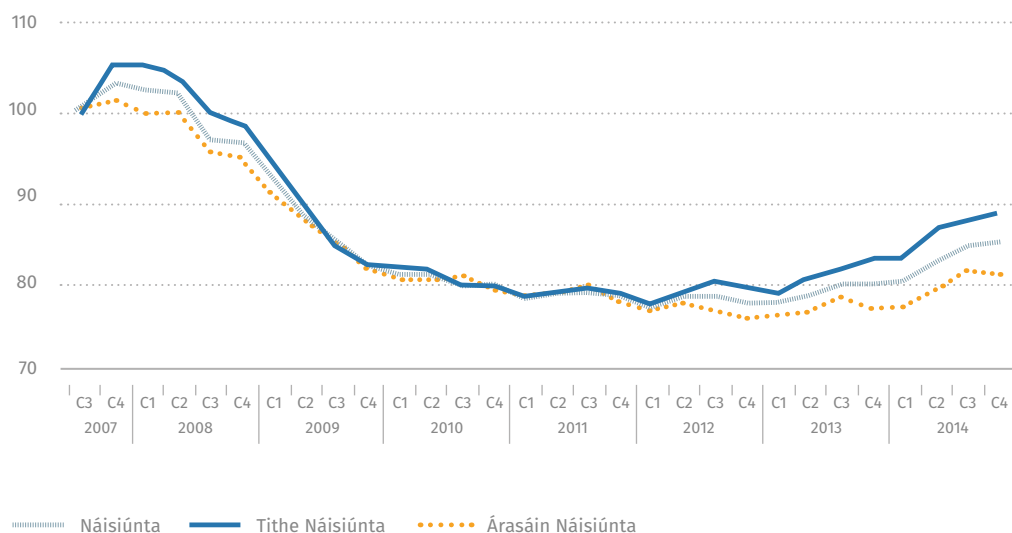
Léiríonn an tInnéacs Cíosa, go náisiúnta, gur bhain cíosanna buaicphointe amach sa cheathrú ráithe in 2007 sular tháinig meath 26% orthu chuig na figiúirí ab ísle sa chéad ráithe in 2012. Faoi Ráithe 4, 2014 bhí cíosanna go náisiúnta 17.8% níos ísle ná mar a bhí ag a mbuaicphointe. Bhí cíosanna in 2014 5.6% níos airde i Ráithe 4 i gcomparáid leis an gcéad ráithe den bhliain. Tharla an fás ab airde i margadh Bhaile Átha Cliath, agus bhí cíosanna ar árasáin ardaithe 10.5% idir Ráithe

1 agus Ráithe 4, 2014, agus d'ardaigh cíosanna tí i mBaile Átha Cliath 6.5% thar an tréimhse chéanna. Cé go raibh an buaic-ísealphointe i margadh Bhaile Átha Cliath cosúil leis sin a tugadh faoi deara go náisiúnta, mar gheall ar threise an téarnaimh i mBaile Átha Cliath, tá cíosanna 9% níos ísle ná mar a bhí siad ag an bpointe ab airde. I gcodarsnacht leis sin, bhí smacht ní ba mhó ar an margadh lasmuigh de Bhaile Átha Cliath, agus cíosanna ag ardú 3.4% sa bhliain.

Tá árasáin fós ar fhormhór na gclárúcháin in 2014 agus beagnach 43% acu cláraithe, agus ar an dara cineál réadmhaoine is mó a bhí cláraithe bhí tithe leathscoite ag 24.6%. Tá cathair agus contae Bhaile Átha Cliath ar an margadh is mó a bhfuil árasáin ar cíós ann, agus 53% den líon iomlán árasán ann.

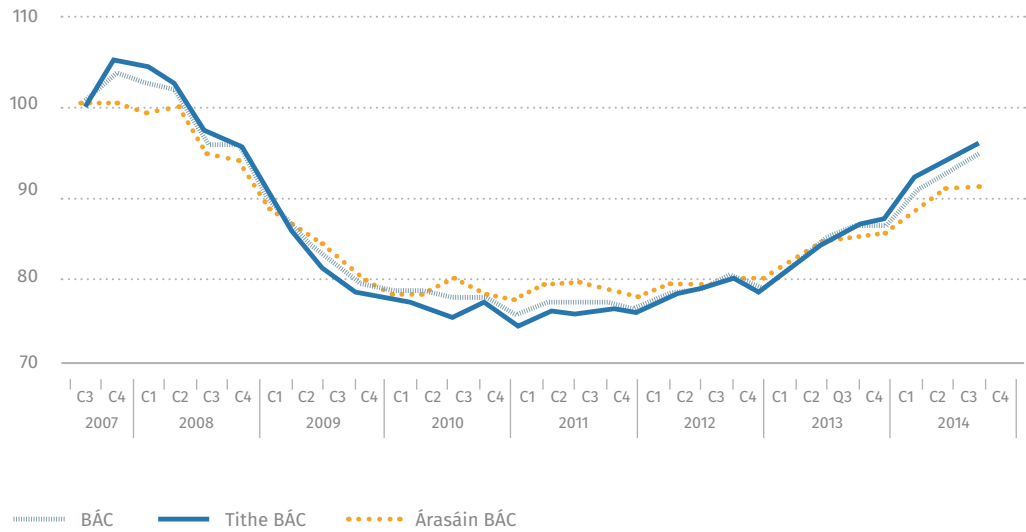
## INNÉACS CÍOSA AN BTCP - NÁISIÚNTA

C3 2007=100



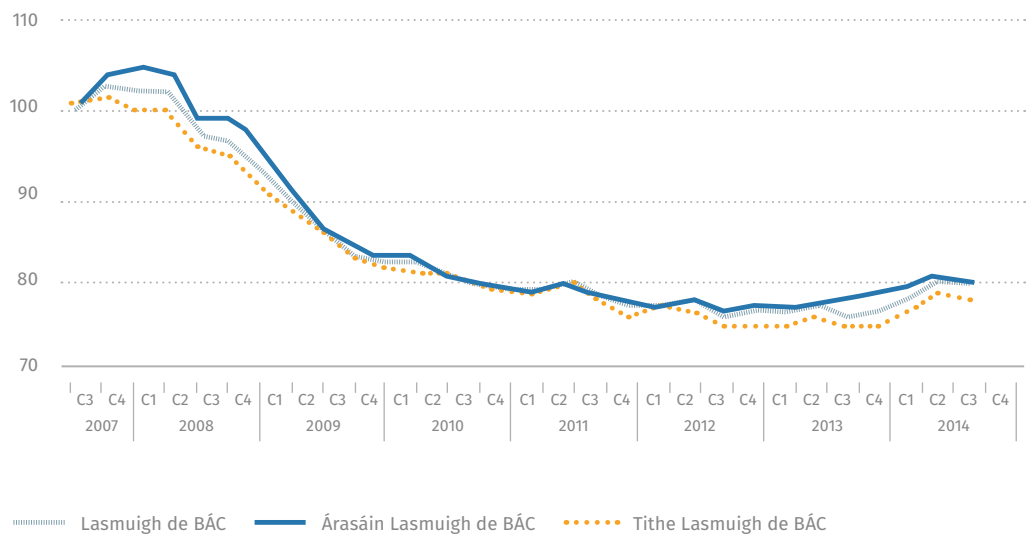
## INNÉACS CÍOSA AN BTCP – BAILE ÁTHA CLIATH

C3 2007=100



## INNÉACS CÍOSA AN BTCP – LASMUGH DE BHAILE ÁTHA CLIATH

C3 2007=100



## CONAS AN TINNÉACS CÍOSA A SHEICEÁIL?

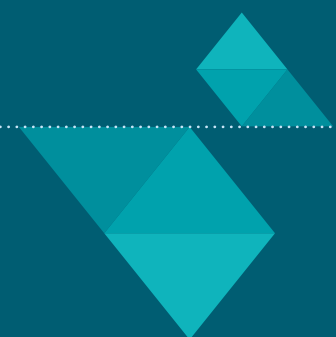
Chun an tInnéacs Cíosa agus an tacar sonraí ar mheánchíos a sheiceáil, logáil ar láithreán gréasáin an BTCP ag [www.prtb.ie](http://www.prtb.ie).  
Clliceáil ar an ícón “Innéacs Cíosa”.



CUID 4

[ RIALACHAS  
AN BTCP ]

PRTB ANNUAL REPORT 2014



# [01] AN BORD

## COMHALTAÍ AN BHOIRD



**Catriona Walsh**

Atur nae (Cathaoirleach)



**Noel Conroy**

Iar-Choimisinéir na nGardaí



**Rhonda Donaghey**

Oifigeach Ceardchumainn



**John Fitzgerald**

Oibrí Gairmiúil Réadmhaoine, Comhalta den Institiúid Ceantálaithe Réadmhaoine agus Luachálaithe (I.P.A.V)



**Paul Flood**

Bainisteoir Eastát, Feidhmeannacht na Seirbhíse Sláinte, Baile Átha Cliath Thuaidh



**Kathleen McKillion**

Stiúrthóir Oibríochtaí, Comhairle um Thithíocht Shóisialta na hÉireann



**Joseph Meehan**

Státseirbhíseach, An Roinn Coimirce Sóisialaí



**Noel Merrick**

Oibrí Gairmiúil Réadmhaoine, Comhalta den Institiúid Ceantálaithe Réadmhaoine agus Luachálaithe (I.P.A.V)



**Tim Ryan**

agus Comhairleoir Caidrimh Phoiblí agus Gnóthaí Poiblí



**Gareth Robinson**

Abhcóide



**Tricia Sheehy Skeffington**

Abhcóide



**Jimmy Leahy**

Teicneoir IT

D'éirigh Paula O'Reilly – as in 2014. Athcheapadh Joe Meehan – in 2014. Ceapadh Jimmy Leahy – in 2014.

## COMHALTAÍ AN BHOIRD

Is é an tAire a cheapann Comhaltaí an Bhoird mar dhaoine a bhfuil taithí acu sa réimse saineolais a bhaineann le feidhmeanna an Bhoird (Alt 153 den Acht). Tá Bord BTCP tiomanta do na caighdeáin rialachais chorparáidigh is fearr a choimeád de réir an Chóid Chleachtais um Rialachas Comhlachtaí Stáit. D'ullmhaigh agus ghlac an Bord le cóid iompair ghnó dá gcomhaltaí Boird, Stiúrthóir, foireann, agus dá mbreithneoirí agus idirghabhálaithe. D'ullmhaigh siad straitéis chorparáide trí bliana agus pleananna gnó bliantúla freisin.

Tháinig an Bord le chéile ar 59 ócáid i rith 2014 chun déileáil le nithe a bhaineann

le beartas agus díospóidí araon. Anuas air sin, reáchtáladh 51 cruinniú de choistí an Bhoird. In 2014, íocadh táillí iomlána €297,667 le comhaltaí Boird, ar bhain €151,298 de le freastal ar chruinnithe an Bhoird (beartas, díospóidí, coistí, oiliúint agus Coistí Cíosa), agus €146,369 le hobair a bhain le Binsí. Gheofar miondealú ar na híocaíochtaí uile a rinneadh le comhaltaí Boird in 2014 ar leathanach 93 den Tuarascáil Bhliantúil seo.

Anuas air sin íocadh amach €18,214.77 le Comhaltaí Boird, freisin, as taisteal agus cothabháil a bhain leis an bhfreastal a rinne siad ar chruinnithe agus ar Bhinsí agus íocadh iad seo de réir threoirlínte na Roinne Airgeadais.

## MAR SEO A LEANAS A BHÍ NA TÁILLÍ A BHÍ INÍOCTHA IN 2014 MAIDIR LE DUALGAIS AN BHOIRD:

Gníomhaíocht	Fees
Cruinnithe Boird/Cruinnithe Coiste/Oiliúint	€196
Cruinnithe Boird/Cruinnithe Coiste - Cathaoirleach	€217
Cruinnithe Díospóide	€329
Cruinnithe Díospóide - Cathaoirleach	€509
Binsí	€506*
Binsí - Cathaoirleach	€1,020*

\* Áirítear táille tuarascála sa tsuim seo.

THÁINIG AN BORD LE CHÉILE AR 59 ÓCÁID I RITH 2014 CHUN DÉILEÁIL LE NITHE A BHAINNEANN LE BEARTAS AGUS DÍOSPÓIDÍ ARAON. ANUAS AIR SIN, REÁCHTÁLADH 51 CRUINNIÚ DE CHOISTÍ AN BHOIRD.

## FREASTAL NA GCOMHALTAÍ BOIRD 2014

Leagtar amach thíos freastal na gcomhaltaí Boird ar chruinnithe, agus rannpháirtíocht in obair eile an Bhoird i rith na bliana, don tréimhse an 1 Eanáir go dtí an 31 Nollaig 2014.

An Líon Cruinnithe ar Freastalaíodh orthu in 2014				
Comhalta Boird	Dáta an Cheapacháin	Beartas an Bhoird	Díospóidí an Bhoird	Coistí/Oiliúint /Cruinnithe an Chathaoirligh* /Eile**
Catriona Walsh	16/04/2013	11	28	20
Joe Meehan	01/12/2010	6	1	1
Tim Ryan	17/02/2012	9	19	17
Tricia Sheehy Skeffington	17/02/2012	13	17	18
John FitzGerald	01/04/2013	11	44	12
Paul Flood	01/04/2013	9	4	4
Noel Merrick	01/04/2013	13	42	24
Rhonda Donaghey	16/04/2013	10	14	0
Gareth Robinson	02/10/2013	12	37	12
Noel Conroy	02/10/2013	12	46	12
Kathleen McKillion	02/10/2013	9	5	12
Jimmy Leahy	10/06/2014	7	28	11
<b>Iar-Chomhaltaí Boird – Téarma in éag/éirithe as in 2014</b>		<b>Beartas an Bhoird</b>	<b>Díospóidí an Bhoird</b>	<b>Coistí &amp; Oiliúint</b>
Paula O'Reilly		4	8	0
<b>Líon iomlán na gcruinnithe</b>		<b>13</b>	<b>46</b>	<b>59</b>

\* Baineann seo leis an gCathaoirleach agus sin amháin.

\*\*Comhdháil BTCP ag Comóradh 10 mBliana a Bhunaithe, Deireadh Fómhair 2014.

# [02] STRUCHTÚIR RIALACHAIS AN BTCP

## GNÍOMHAÍOCHT & COMHALTAS NA gCOISTÍ

De réir Alt 157 den Acht um Thionóntachtaí Cónaithe, 2004, bhunaigh an Bord roinnt coistí chun cabhrú le comhlíonadh a bhfreagrachtaí.

### 1. AN COISTE RÉITITHE DÍOSPÓIDE

**Catriona Walsh**

**Aidan Brennan**

**Finian Matthews**

**Gareth Robinson**

**Gene Feighery**

**John FitzGerald**

**John Tiernan**

**Kathleen McKillion**

**Noel Conroy**

**Orla Coyne**

**Patricia Sheehy Skeffington**

**Thomas Reilly**

**Tim Ryan**

**Vincent P. Martin**

**Noel Merrick**

Bronnann Alt 159 den Acht um Thionóntachtaí Cónaithe, 2004 cumhachtaí ar Bhord an BTCP chun Coiste Réitithe Díospóide a bhunú, agus chun feidhmeanna a tharmligean agus chun comhaltaí a cheapadh ar an gcoiste sin. Is iad Coiste Réitithe Díospóide (CRD) an BTCP an painéal óna dtarraingítear comhaltaí na mBinsí Tionóntachta ar a mbíonn triúr. Ós rud é nach féidir cinntí

Binse a achomharc ach ar pointe dlí leis an Ard-Chúirt, tugann comhaltaí an CRD faoi fheidhm thábhachtach gharbhreithiúnach. Déanann na Binsí, ar chur i gcrích éisteachta, cinneadh agus cuireann siad an Bord ar an eolas faoin gcinneadh, de bhun Alt 108(1) den Acht. Ina dhiaidh sin, déanann an Bord, de réir Alt 121 den Acht, Ordú Cinnidh atá ina cheanglas, agus eisítear é sin, mar aon le tuarascáil an Bhinse, chuig na páirtithe atá i gceist; tionóladh 249 Binse den sórt sin i rith 2014.

### 2. AN COISTE TAIGHDE, OIDEACHAIS AGUS FEASACHTA & CAIDRIMH PHOIBLÍ

**Tim Ryan**, Cathaoirleach agus Comhalta Boird

**John Fitzgerald**, Comhalta Boird

**Noel Conroy**, Comhalta Boird

**Noel Merrick**, Comhalta Boird

**Patricia Sheehy Skeffington**, Comhalta Boird

**Bob Jordan**, Threshold

**Caren Gallagher**, Comhairle na hÉireann maidir le Tithíocht Shóisialta

**John Leahy**, [irishlandlord.com](http://irishlandlord.com)

**Kersten Mehl**, Oibrí Gairmiúil Réadmhaoine

**Thomas Reilly**, Oibrí Gairmiúil Réadmhaoine

**Eoin O'Sullivan**, Ollamh le Beartas Sóisialta, Coláiste na Tríonóide, Baile Átha Cliath

In 2014, nasc an Coiste Taighde, Oideachais agus Feasachta leis an gCoiste Caidrimh Phoiblí (REA/PR). Bhí trí chruinniú ag an gCoiste i rith na bliana. In 2014, rinne an Coiste tairiscint ar thaighde do thodhchaí tithíochta ar cíos san earnáil phríobháideach, lena n-áirítear bearta a bhreithniú chun leibhéal níos airde de chobhsaíocht chíosa a chinntiú. Bunaíodh fochoiste chun maoirseacht a dhéanamh ar an taighde, chun oibriú i gcomhar leo siúd ar éirigh leo an tairiscint a fháil agus chun tuairisciú ar ais chuig an gCoiste REA/PR.

Bronnadh an conradh ar chuibhreannas páirtithe faoi stiúir Chomhairleoirí Eacnamaíoch DKM, agus áiríodh orthu an ESRI, Taighde agus Margaíocht Red C, agus an gnólacht dlí Ronan, Daly Jermyn.

Tá teacht i gCuid 3 ar achoimre ar an gCobhsaíocht Chíosa agus Todhchaí na hEarnála Chíosa Príobháidí de chuid Caroline Kelleher ó Chomhairleoirí DKM.

Bhí an Coiste REA/PR i mbun Chomhdháil Chomóradh 10 mbliana an BTCP freisin a

bhí ar siúl an 23 Deireadh Fómhair agus ag ar seoladh na tuarascálacha Cobhsaíocht Chíosa agus Todhchaí na Tithíochta ar Cíos san Earnáil Phríobháideach araon. Tá mionsonraí faoin gComhdháil le fáil i gCuid a 3.

Bhí an Coiste ina n-óstaigh ar chruinniú le príomhpháirtithe leasmhara, ar nós an IPOA, an IPAV, Cumann na Suirbhéirí Cairte in Éirinn, IrishLandlord.com, Focus Ireland, Theshold an SCSÍ, Pobal Shíomóin, IrishLandlord.com, Focus Ireland, KMPM, Threshold, Aontas na Mac Léinn in Éirinn (USI) agus Naomh Uinseann de Pól. Ar na hábhair a bhreithnigh an grúpa Páirtithe Leasmhara bhí Íoschaighdeáin, comhlachtaí Tithíochta Ceadaithe, An Clár Cuidithe Tithíochta agus Innéacs Chíosa an BTCP, i measc nithe eile.

Rinne an BTCP urraíocht ar leabhar chíosa do mhic léinn i gcomhar leis an USI, a seoladh ag tús na bliana acadúla nua i Meán Fómhair 2014 agus bhíodar rannpháirteach in imeachtaí éagsúla sna meáin agus é sin á sheoladh.



**3. AN COISTE INIÚCHTA**

**Joe Meade**, Cathaoirleach, Iar-Ombudsman um Sheirbhísí Airgeadais

**Dermot Byrne**, An Roinn Caiteachais Phoiblí agus Athchóirithe

**Paul Flood**, Comhalta Boird

**Damian Allen**, An Rannóg Rialála Tithíochta, An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil

**Gareth Robinson**, Comhalta Boird

**4. AN COISTE AIRGEADAIS**

**Catriona Walsh**, Cathaoirleach, Cathaoirleach an Bhoird

**Tim Ryan**, Comhalta Boird

**John FitzGerald**, Comhalta Boird

**Noel Merrick**, Comhalta Boird

**Kathleen McKillion**, Comhalta Boird\*

**Jimmy Leahy**, Comhalta Boird\*

**Joe Meehan**, Comhalta Boird\*

**Paula O'Reilly**, Comhalta Boird\*

Tá an Coiste Iniúchta comhdhéanta de chúigear comhaltaí, is comhaltaí Boird beirt díobh agus is comhaltaí seachtracha leis an BTCP an tríúr eile. Tá Joseph Meade, Iar-Ombudsman um Sheirbhísí Airgeadais, mar chathaoirleach ar an gcoiste, agus tionóladh an coiste ceithre huaire in 2014.

Athbhreithníodh an Plean Iniúchta Inmheánach 2013 – 2015 ag gach cruinniú agus as sin, chuathas i mbun Iniúchtaí ar Fhorfheidhmiú Clárúchán, Aisghabháil Tubaiste, Athbhreithniú ar Sheirbhísí Ionad Conartha Seachfhoinsithe, Deimhniúchán ar Thuarastail Bhainistíochta Sinsearaí an BTCP agus Athbhreithniú ar Rialú Airgeadais Inmheánaigh, sin nó tugadh chun críche iad in 2014. Chuaigh an coiste i mbun Oilíuint Athnuachana Iniúchta in 2014 agus breithníodh gur chóir dul ina bhun sin go bliantúil.

\*D'éag téarma an Uasail Joseph Meehan (Státseirbhíseach, An Roinn Coimirce Sóisialaí agus Comhalta Boird) ar an gcoiste an 16/03/2014 agus d'éirigh Paula O'Reilly Uasal (Státseirbhíseach, DoECLG agus Comhalta Boird) as an 30/05/2014. Tháinig an tUasal Jimmy Leahy agus Kathleen McKillion Uasal ina n-áit an 27/06/2014.

Bhí deich gcruinniú ag an gCoiste Airgeadais in 2014. Déantar breithniú mionsonraithe ar airgeadas agus ar bheartais an Bhoird; déantar athbhreithniú ar bhuiséid agus ar thuarascálacha airgeadais; tugann siad comhairle agus déanann siad moltaí leis an mBord, leis an Stiúrthóir agus leis an mbainistíocht shinsearach. Anuas air sin, déanann siad scrúdú ar chuntais bhliantúla an Bhoird. Sholáthair an BTCP a maoiniú féin go hiomlán ó 2009 i leith.

## 5. AN COISTE REACHTAÍOCHTA, CLEACHTAIS & NÓS IMEACHTA

**Finian Matthews**, Cathaoirleach,  
Státseirbhíseach Scortha

**Catriona Walsh**, Cathaoirleach Bhord an  
BTCP

**Anne Colley**, Aturnae

**William B. Devine\***, Aturnae

**Tricia Sheehy Skeffington**, Comhalta Boird

**Tim Ryan**, Comhalta Boird\*

**Noel Merrick**, Comhalta Boird

**Kathleen McKillion**, Comhalta Boird\*

**Noel Conroy**, Comhalta Boird\*

**Karen Murphy\***, Comhairle na hÉireann  
maidir le Tithíocht Shóisialta

**John Fitzgerald**, Comhalta Boird\*

\*D'éag téarma an Uasail William B. Devine ar an gcoiste an 19/10/2014, d'éirigh an tUasal Tim Ryan agus Kathleen McKillion Uasal as an 26/03/2014 agus 27/06/2014 faoi seach. Tháinig an tUasal Noel Conroy (ceaptha an 27/06/2014), Karen Murphy Uasal (ceaptha an 27/06/2014) agus an tUasal John Fitzgerald (ceaptha an 29/08/2014) ina n-áit.

Fochoiste den Bhord is ea an Coiste Reachtaíochta, Cleachtais agus Nós Imeachta, a bunaíodh faoi fhorálacha Alt 157 den ATC. Is iad príomhfheidhmeanna an Choiste cúnaimh agus comhairle a thabhairt d'fheidhm reachtúil an Bhoird trí chomhairle a thabhairt don Aire ar nithe beartais, lena n-áirítear oibriú an Achta um Thionóntachtaí Cónaithe Príobháideacha, arna leasú agus na leasuithe atá molta ar an reachtaíocht sin.

Bhí dhá chruinniú déag ag an gCoiste sin in 2014, cuireadh cruinniú míosúil mhí Eanáir ar athló go dtí dáta ar leithligh mar gheall ar an líon míreanna a bhí ar an gclár oibre.

Chuaigh an Coiste i ngleic leis na bearta chun leasú a dhéanamh ar an RTA i rith na bliana agus díriodh go háirithe ar an scéim chosanta taiscí atá beartaithe chomh maith le hathruithe ar na socruithe do chlárú tionóntachtaí. Ar threoir ón mBord chas an Coiste leis an Roinn roinnt babhtáí chun aghaidh a thabhairt ar shaincheisteanna ar dóigh go mbeadh tionchar acu ar fheidhmeanna agus ar fhreagrachtaí an BTCP. Ba léir an gá a bhí leis an idirghníomhú sin i lár na bliana nuair a fógraíodh an cinneadh go mbeadh an BTCP ag riaradh na scéime taisce go hiomlán, seachas cuideachta nó cuideachtaí príobháideacha a bheith ina bhun. Áirítear ar na saincheisteanna a d'ardaigh an Coiste i gcomhthéacs na moltaí athbhreithnithe, socruithe d'íocaíocht taiscí, na himpleachtaí mar go bhfuil an scéim aisebhreathnaitheach, nósanna imeachtaí éifeachtúla agus tráthúla chun taiscí a thabhairt ar ais, an fhéidearthacht taiscí a aistriú ó thionóntacht amháin go dtí tionóntacht eile, maoiniú na scéime agus feidhmiú na scéime do na Comhlachtaí Tithíochta Ceadaithe, agus ní éilíonn formhór acu sin go n-íocfaí taiscí.

Áirítear ar na saincheisteanna eile ar thug an Coiste aghaidh orthu i rith na bliana, an tionchar atá ag ceapachán



Glacadóirí ar shócmhainní tiarnaí talún agus an tionchar sin ag fás agus na himpleachtaí dá réir ar na tionóntaí reatha; impleachtaí d'fheidhmeanna gar-bhreithiúncha réitithe díospóide na moltaí an reachtaíocht Saoráil Faisnéise a shíneadh chuig an BTCP; an Scéim Cuidithe Cíos; nósanna imeachta chun go mbeidh an Bord in ann tuarascálacha réitithe díospóide a phróiseáil agus orduithe cinnidh a dhéanamh; cumhachtaí breithneoirí agus Binsí chun cigireacht a dhéanamh; saincheisteanna a bhaineann le foirceannadh tionóntachtaí Cuid a 4; agus na ceanglais ar bhreithneoirí agus ar Bhinsí nithe a thuairisciú a thabharfaí ar aird dóibh le linn éisteachta chuig na húdarais ábhartha, go háirithe i ndáil le sábháilteacht agus cosaint leanaí; rianú tapa ar chásanna Riaráistí Cíos agus Forfheidhmiú Orduithe Cinnidh trí Chlárlanna Cúirte.

neamhdhleathaigh). Bhí ceithre chruinniú ag an gCoiste in 2014. Lorg Coiste Alt 189 faoiseamh ar chás amháin agus bhronn an chúirt sin ina dhiaidh sin. Chomhaontaigh an Coiste gan cúiteamh a lorg faoin alt seo ar na trí ócáid eile.

### **AN tACHT UM NOCHTADH COSANTA 2014.**

De bhun a gcuid oibleagáidí faoin Acht Seo, deimhníonn an BTCP nach ndearnadh aon nochtadh in 2014.

## **6. COISTE ALT 189**

**Catriona Walsh**, Cathaoirleach,  
Cathaoirleach an Bhoird

**Tricia Sheehy Skeffington**, Comhalta Boird

**Gareth Robinson**, Comhalta Boird

**Tim Ryan**, Comhalta Boird

**Noel Conroy**, Comhalta Boird

Déanann Alt 189 den Acht um Thionóntachtaí Cónaithe, 2004, foráil don Bhord chun iarratas a dhéanamh ar an gCúirt Chuarda ar fhaoiseamh eatramhach nó idirbhreitheach sa chás go measann an Bord gur cúí amhlaidh a dhéanamh (mar shampla, i gcásanna díshealbhaithé

# [03] TFC SA BTCP

## COISTE STIÚRTHA TFC

**Gareth Robinson**, Cathaoirleach, Comhalta Boird\*

**Denis Carthy**, Iar-Bhord Seirbhísí Ríomhaireachta an Rialtais Áitiúil

**Aidan Sullivan**, An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil

**Paul Dowling**, Oifig na gCoimisinéirí Ioncaim

**Dera McLoughlin**, Mazars\*

**Jimmy Leahy**, Comhalta Boird\*

**Ken Jordan**, NTMA\*

\*Ceapadh an tUasal Gareth Robinson agus an tUasal Jimmy Leahy chuig Coiste Stiúrtha TFC an 24/07/2014 chun cloí leis an riachtanas go mbeadh beirt comhaltaí boird ar an gcoiste. D'éirigh Dera McLoughlin Uasal as an gcoiste an 04/12/2014 mar gheall ar thiomantais sheachtracha. D'éirigh an tUasal Ken Jordan as an gCoiste an 24/06/2014.

Is éard atá sa Choiste Stiúrtha TFC comhaltaí na feidhmeannachta agus na comhaltaí seachtracha a liostaítear thuas. Gníomhaíonn an Coiste i gcáil chomhairleach agus tugadh treoir i rith 2014 ar rialachas TFC, maoirsiú ar an mbuiséad TFC agus ar fheidhmiú an Tionscadail Forbartha Straitéise TFC (Arna cheadú ag Bord an BTCP, 14 Márta 2014). Tháinig an Coiste le chéile deich n-uaire le linn 2014.

## STRAITÉIS TFC 3 BLIANA

Forbraíodh straitéis TFC in 2014 le cúnamh ó Mazars, inar leagadh amach treoircáipéis trí bliana, a bhí cuimsitheach agus cómhtháite d'fhorbairt na teicneolaíochta faisnéise agus cumarsáide laistigh den BTCP. Mhairsigh agus cheadaigh an Coiste Stiúrtha TFC an obair sin agus cheadaigh an Bord an straitéis ina dhiaidh sin. Tá an Straitéis anois ar an bpríomhcháipéis oibre chun cinntí teicniúla, foirne agus airgeadais a threorú maidir le forbairt, úsáid agus tacú córais TFC, bonneagair agus saoráidí an BTCP agus beidh sin mar bhunús d'éabhlóid theicneolaíoch na faisnéise san eagraíocht sna trí bliana atá amach romhainn go dtí deireadh 2016.

Tá an Straitéis comhdhéanta de chorpas oibre mór atá dúshlánach d'eagraíocht atá chomh beag leis an BTCP agus meastar gur tréimhse mhór athraitheach agus forbartha a bheidh romhainn. Díritear ann ar fhreastal ar riachtanais gnó nua, seachadadh seirbhíse a fheabhsú, cur le cumas agus seachadadh a shíneadh. Ullmhaíodh an straitéis mar chlár oibre ina bhfuil deich slí nó tionscadal éagsúla atá spleách ar a chéile. Seo a leanas na príomhathruithe atá molta: socruithe rialachais TFC níos fearr; gníomhaíochtaí oibríochta a sheachfhoinisú chuig soláthróir Seirbhíse Bainistithe; athdhírú ar an bhFoireann TFC inmheánach chun tionscadail a sheachadadh; leagan nua den Chóras Bainistithe Tionóntachtaí

(“TMS 2”) a fhorbairt a thacóidh le hathruithe reachtúla agus eile; agus córas bainistithe airgeadais nua a thabhairt isteach.

Beidh forbairt TMS 2, ar an bhforbairt is tábhachtaí ó thaobh gnó de mar go samhlaítear i rith 2015 agus 2016 go mbeidh gá – ar bhonn céimnithe – seachadadh athruithe reachtúla a éascú de réir an Bhille Tionóntachtaí Cónaithe (Leasú) (Uimh. 2) 2012, lena n-áirítear an scéim coinneála taiscí atá beartaithe a éascú, chomh maith le soláthar a dhéanamh d’fheabhsúcháin eile feidhmíochta agus inúsáidteachta. Cuidíonn na nithe eile go léir le forbairt agus le feidhmiú TMS 2, sin nó tá siad nasctha go dlúth leis ó thaobh seachadadh seirbhíse de agus an méid buntáistí agus is féidir a bhaint as.

Tá an straitéis bunaithe ar ardáin teicneolaíochta fóna (go háirithe Córas Bainistithe Tionóntachtaí, “TMS”) atá curtha in áit ag an BTCP le roinnt blianta anuas, agus freagraítear do Phlean um Athchóiriú na Seirbhíse Poiblí de chuid Rialtas na hÉireann ina n-aithnítear go mbíonn saoránaigh agus gnólachtaí ag súil go ndéanfaí seirbhísí poiblí a sheachadadh níos tapúla, níos fearr agus níos éifeachtúla ná mar a rinneadh roimhe seo.

## **EIRCODES’ A SHEACHADADH**

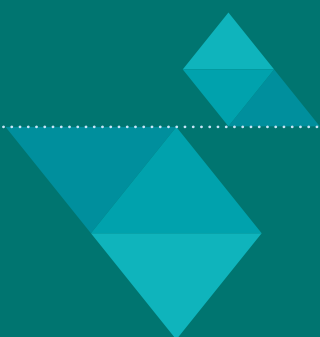
Tá an BTCP ag leanúint de bheith ar thús cadhnaíochta maidir le glacadh leis an gcóras postchóid náisiúnta nua agus tá an BTCP rannpháirteach go gníomhach san obair ullmhúcháin chun an tionscnamh tábhachtach sin a sheachadadh. Tarlaíonn sé go mbíonn iontrálacha curtha isteach faoi dhó inár mbunachar sonraí clárúcháin agus sin mar gheall ar easpa cóid uathúla do thithe, is amhlaidh an cás do go leor comhlachtaí eile san earnáil phoiblí agus san earnáil phríobháideach. Tá sé beartaithe go rachaidh an córas postchóid náisiúnta nua i bhfeidhm i lár 2015.



CUID 5

[ AIRGEADAS  
AN BTCP ]

TUARASCÁIL BHLIANTÚIL AGUS CUNTAIS 2014



# AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

**TUARASCÁIL AGUS RÁITIS AIRGEADAIS  
DON BHLIAIN DAR CRÍOCH AN 31 NOLLAIG 2014**



**Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste**

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**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA  
TUARASCÁIL AGUS RÁITIS AIRGEADAIS**

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## Faoi réir Iniúchadh an Ard- Reachtair Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

### FAISNÉIS

#### COMHALTAÍ AN BHOIRD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

**Catriona Walsh**, Aturnae (Cathaoirleach)

**Paula O'Reilly**, Státseirbhíseach, An Roinn Comhshaoil, Pobail agus Rialtais Áitiúil

**An tUasal Joseph Meehan**, Státseirbhíseach, An Roinn Coimirce Sóisialaí

**An tUasal Tim Ryan**, Comhairleoir Caidrimh Phoiblí

**Tricia Sheehy Skeffington**, Abhcóide

**Rhonda Donaghy**, Oifigeach Ceardchumainn

**An tUasal John FitzGerald**, Oibrí Gairmiúil Réadmhaoine

**An tUasal Noel Merrick**, Oibrí Gairmiúil Réadmhaoine

**An tUasal Paul Flood**, Bainisteoir Eastát, Feidhmeannacht na Seirbhíse Sláinte

**An tUasal Gareth Robinson**, Abhcóide

**An tUasal Noel Conroy**, Iar-Choimisinéir na nGardaí

**Kathleen McKillion**, Stiúrthóir Oibríochtaí, Comhairle um Thithíocht Shóisialta na hÉireann

**An tUasal Jimmy Leahy**, Teicneoir IT

#### Baill a d'fhág an Bord in 2014

D'éirigh Paula O'Reilly Uasal (Státseirbhíseach, DoECLG) as an mBord an 30ú Bealtaine 2014.

#### Baill a Ceapadh ar an mBord in 2014

Ceapadh an tUasal Jimmy Leahy chuig an mBord an 10 Meitheamh 2014.

## Faoi réir Iniúchadh an Ard- Reachtaire Cuntas agus Ciste



**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**

TUARASCÁIL AN ARD-REACHTAIRE  
CUNTAS AGUS CISTE

**Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste**

**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**

TUARASCÁIL AN ARD-REACHTAIRE  
CUNTAS AGUS CISTE



**Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste**

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## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

# RÁITEAS FREAGRACHTAÍ AN BHOIRD

Ceanglaíonn Alt 178 den Acht um Thionóntachtaí Cónaithe 2004, ar an Stiúrthóir na Ráitis Airgeadais a ullmhú i cibé foirm a shonraíonn an tAire Comhshaoil, Pobail agus Rialtais Áitiúil agus de réir na bprionsabal cuntasáochta a bhfuil glactha go ginearálta leo. Ní mór don Bhord na Ráitis Airgeadais a fhaomhadh.

Agus na ráitis airgeadais sin á n-ullmhú, éilítear na nithe seo a leanas ar an Stiúrthóir agus ar an mBord:

- Beartais chuntasáochta oiriúnacha a roghnú agus iad a fheidhmiú go comhsheasmhach;
- Breithiúnais agus meastacháin a dhéanamh a bhíonn réasúnta agus stuama;
- A lua cibé acu ar leanadh nó nár leanadh caighdeáin chuntasáochta infheidhme, faoi réir aon imeachtaí ábhartha a nochtar agus a mhínítear 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 réir treoir 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.

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### Stiúrthóir

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### Cathaoirleach

## Faoi réir Iniúchadh an Ard- Reachtair Cuntas agus Ciste

**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**AN RÁITEAS AR RIALÚ  
AIRGEADAIS INMHEÁNAIGH**FREAGRACHT AS AN GCÓRAS RIALAITHE AIRGEADAIS INMHEÁNAIGH**

Thar ceann bhail an Bhoird um Thionóntachtaí Cónaithe Príobháideacha, admháim go bhfuilimid freagrach as a chinntiú go gcoimeádtar agus go n-oibrítear córas éifeachtach um rialú airgeadais inmheánaigh.

Ní féidir leis an gcóras ach dearbhú réasúnach, agus ní dearbhú iomlán, a thabhairt go ndéantar na sócmhainní a chosaint, go ndéantar idirbhearta a údarú agus a thaifeadh 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 airgeadais inmheánaigh.

**Príomhnósanna imeachta rialaithe**

Tá céimeanna glactha ag an mBord um Thionóntachtaí Cónaithe Príobháideacha chun timpeallacht rialaithe cuí 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 dliteanais an Bhoird;
- cúraimí bainistíochta a shainmhíniú go soiléir;
- nósanna imeachta foirmiúla a bhunú chun teipeanna móra maidir le rialú a thuairisciú agus gníomh ceartúcháin chuí a chinntiú;
- fochoistí oiriúnacha den Bhord a bhunú chun díriú níos mó ar réimsí sonracha.

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



**Faoi réir Iniúchadh an Ard-  
Reachtaire Cuntas agus Ciste**

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

# AN RÁITEAS AR RIALÚ AIRGEADAIS INMHEÁNAIGH

Tá an córas rialaithe airgeadais inmheánaigh 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 dheighilt), agus córas tarmligin agus cuntasachta. Áirítear na nithe seo a leanas leis go háirithe:

- córas cuimsitheach buiséadta 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 airgeadais tréimhsiúla agus bliantúla ina sonraítear feidhmíocht airgeadais de réir spriocanna;
- treoirlínte soiléire ar sholáthar, ar thairiscint agus ar infheistíocht chaipitil.

Faigheann monatóireacht agus athbhreithniú an Bhoird ar an gcóras um rialú inmheánach airgeadais treoir ón gCoiste Iniúchta, an fhoireann Bhainistíochta Feidhmiúcháin, atá freagrach as an gcreat rialaithe airgeadais a fhorbairt agus a choimeád, agus ráitis a dhéanann an tArd-Reachtaire Cuntas agus Ciste ina litir bhainistíochta nó i dtuarascálacha eile.

Tá an Bord tar éis leanúint lena chuid oibre chun fairsinge agus dóchúlacht riosca gnó in 2014 a fháil amach, agus leanfar leis an obair sin in 2015.

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**Cathaoirleach**

## Faoi réir Iniúchadh an Ard- Reachtaire Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

# RÁITEAS BEARTAIS CHUNTASAÍOCHTA

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

### 1. GINEARÁLTA

Is iad seo a leanas feidhmeanna ginearálta an Bhoird:

- córas clárúcháin náisiúnta a fheidhmiú do gach tionóntacht cónaithe príobháideach a thagann faoi shainchuspóir an Achta um Thionóntachtaí Cónaithe, 2004;
- seirbhís um réiteach díospóide a fheidhmiú, agus;
- faisnéis a sholáthar, taighde a dhéanamh agus comhairle beartais a thabhairt don Aire maidir le tithíocht ar cíos san earnáil phríobháideach;

### 2. BONN NA CUNTASAÍOCHTA

Ullmhaíodh na ráitis airgeadais faoin mbonn fabhruithe cuntasáíochta de réir na bprionsabal cuntasáíochta 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.

### 3. IONCAM

#### *Táillí Clárúcháin & Díospóide*

Aithnítear táillí i dtaobh clárúcháin agus díospóidí nuair a fhaightear iarratas agus déantar soláthar d'aisíocaíochtaí féideartha ó iarratais neamhiomlána.

#### *Ioncam Eile*

Is ionann ioncam eile agus ús a fhabhraítear ó thaiscí agus a choimeádtar le hinstitiúidí airgeadais eile, agus aon chostais dlí a gnóthaíodh i gcaitheamh na bliana.

#### *Maoiniú Stáit*

Tá an PRTB ag feidhmiú ar bhonn féinmhaoinithe ón 1 Eanáir 2010.

## Faoi réir Iniúchadh an Ard- Reachtaire Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

# RÁITEAS BEARTAIS CHUNTASAÍOCHTA

### 4. SÓCMHAINNÍ SEASTA INLÁIMHSITHE

Luaitear sócmhainní seasta inlámhsithe ar chostas lúide dímheas carnach.

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

Feabhsúcháin Léasachta	<b>5%</b>	Líne Dhíreach
Troscán & feistis	<b>10%</b>	Líne Dhíreach
Trealamh Oifige	<b>20%</b>	Líne Dhíreach
Trealamh ríomhaireachta agus forbairt bogearraí	<b>20%</b>	Líne Dhíreach

### 5. AIRGEADRA COIGRÍCHE

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

### 6. CUNTAS CAIPITIL

Léiríonn an cuntas caipitil luach an ioncaim gan amúchadh a úsáideadh chun sócmhainní seasta a mhaoiniú.

## Faoi réir Iniúchadh an Ard- Reachtaire Cuntas agus Ciste

**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**RÁITEAS BEARTAIS  
CHUNTASAÍOCHTA**7. PINSIN FOIRNE**

Oibríonn an Bord um Thionóntachtaí Cónaithe Príobháideacha (BTCP) scéim pinsean sochair shainithe a mhaoinítear go bliantúil ar bhonn íoctar mar a úsáidtear ó airgead a bhíonn ar fáil dó. Thug Ionstraim Reachtúil (I.R. Uimh. 625 de 2011) éifeacht do Scéim Aoisliúntais an BTCP agus cheadaigh 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 léirítear iad glan ó ranníocaíochtaí pinsean foirne a láimhseáiltear mar chinn iníochta leis an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil. Aithnítear suim atá comhfhreagrach don táille pinsean mar ioncam chomh fada is atá sé in-aisghabhála, agus go ndéantar é a fhritháireamh nuair is gá, le deontais a fhaightear sa bhliain chun íocaíochtaí pinsean a chomhlíonadh.

Léirítear gnóthachain agus cailteanais achtúireacha a eascraíonn as dliteanais scéime i Ráiteas na nGnóthachan agus na gCailteanas Aitheanta Iomlán agus aithnítear coigeartú comhfhreagrach sa mhéid atá sin in-aisghabhála ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil.

Léiríonn dliteanais phinsin luach reatha na n-íocaíochtaí pinsin amach anseo a thuill an fhoireann go dtí seo. Léiríonn maoiniú pinsin iarchurtha an tsócmhainn chomhfhreagrach a bheidh le gnóthú i dtréimhsí amach anseo ón Roinn Comhshaoil, Pobail agus Rialtais Áitiúil.



**Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste**



## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

AN CUNTAIS IONCAIM AGUS CAITEACHAIS  
DON BHLIAIN DAR CRÍOCH AN 31  
NOLLAIG 2014

	Nótaí	An bhliain dár críoch 31 Nollaig 2014	An bhliain dár críoch 31 Nollaig 2013
		€	€
<b>Ioncam</b>			
Maoiniú pinsin iarchurtha	10c	230,000	220,000
Táillí Clárúcháin	1	12,073,140	10,715,676
Méideanna dlite d'Údaráis Áitiúla	6	(2,414,629)	(2,143,175)
Táillí Díospóide		95,235	111,494
Ioncam eile	2	109,419	118,070
Aistriú ó chuntas caipitil	7	383,754	220,850
		10,476,919	9,242,915
<b>Caiteachas</b>			
Costais foirne	3a	(2,054,121)	(2,120,685)
Costais riaracháin	3b	(7,521,240)	(5,968,975)
Dímheas	4	(440,976)	(425,021)
		(10,016,337)	(8,514,681)
Barrachas don bhliain	8	460,582	728,234

Tá an Ráiteas ar Bheartais Chuntasaíochta agus Nótaí 1 go dtí 15 mar chuid de na Ráitis Airgeadais seo.

Baineann an t-ioncam agus an caiteachas uile don bhliain dar críoch an 31 Nollaig 2014 le gníomhaíochtaí leantacha.

**Faoi réir Iniúchadh an Ard-  
Stiúrthóir Cathaoirleach  
Reachtair Cuntas agus Ciste**

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

RÁITEAS GNÓTHACHAIN & CAILLTEANAIS  
AITHEANTA IOMLÁNA DON BHLIAIN DAR  
CRÍOCH AN 31 NOLLAIG 2014

	Nótaí	An bhliain dár críoch 31 Nollaig 2014 €	An bhliain dár críoch 31 Nollaig 2013 €
Barrachas don bhliain	8	460,582	728,234
Gnóthachan / (caillteanas) ó thaithí ar dhliteanais na scéime pinsin	10d	80,000	70,000
Athruithe ar thoimhdí faoi luach reatha Dhliteanais na scéime pinsin	10e	–	–
Gnóthachan / (caillteanas) achtúireach aitheanta	10b	80,000	70,000
Coigeartú an mhaoinithe pinsin iarchurtha		(80,000)	(70,000)
Gnóthachan iomlán aitheanta don bhliain		460,582	728,234

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Stiúrthóir-----  
Cathairleach


Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

AN CLÁR COMHARDAITHE  
AMHAIL AN 31 NOLLAIG 2014

	Nótaí	31 Nollaig 2014 €	31 Nollaig 2013 2013 €
<b>SÓCMHAINNÍ SEASTA</b>			
Sócmhainní Inláimhsithe	4	2,364,748	2,748,502
<b>SÓCMHAINNÍ REATHA</b>			
Féichiúnaithe	5	187,223	98,899
Airgead sa bhanc		8,836,984	9,216,217
		<u>9,024,207</u>	<u>9,315,116</u>
<b>CREIDIÚNAITHE</b>			
Méideanna dlite laistigh de bhliain amháin	6	(5,164,946)	(5,916,437)
Glansócmhainní reatha		<u>3,859,261</u>	<u>3,398,679</u>
<b>SÓCMHAINNÍ IOMLÁNA LÚIDE DLITEANAIS REATHA ROIMH PHINSIN</b>			
		6,224,009	6,147,181
Maoiniú pinsin iarchurtha	10c	1,400,000	1,250,000
Dlíteanaís na scéime pinsin	10b	(1,400,000)	(1,250,000)
		<u>6,224,009</u>	<u>6,147,181</u>
<b>SÓCMHAINNÍ IOMLÁNA LÚIDE DLITEANAIS REATHA</b>			
		<u>6,224,009</u>	<u>6,147,181</u>
<b>MAOINITHE AG</b>			
Barrachas carnach	8	3,859,261	3,398,679
Cuntas caipitil	7	2,364,748	2,748,502
		<u>6,224,009</u>	<u>6,147,181</u>

Tá an Ráiteas ar Bheartais Chuntasaíochta agus Nótaí 1 go dtí 15 mar chuid de na Ráitis Airgeadais seo.

Faoi réir Iniúchadh an Ard-  
Stiúrthóir Cathaoirleach  
Reachtair Cuntas agus Ciste

## AN RÁITEAS AR SHREABHADH AIRGID

DON BHLIAIN DAR CRÍOCH  
AN 31 NOLLAIG 2014

	Nótaí	31 Nollaig 2014 €	31 Nollaig 2013 €
<b>Réiteach an bharrachais oibríúcháin go dtí glansuim Insreabhadh airgid ó ghníomhaíochtaí oibríúcháin</b>			
Barrachas Oibríúcháin don bhliain	8	460,582	728,234
Dímheas	4	440,977	425,021
Ús a tuilleadh	2	(55,083)	(78,012)
Brabús ar dhiúscairt sócmhainní seasta		-	-
Aistriú chuig an gcuntas caipitil	7	(383,754)	(220,850)
(Ardú) / Laghdú ar fhéichiúnaithe	5	(88,324)	(45,466)
Ardú / (Laghdú) ar chreidiúnaithe	6	(751,491)	1,937,072
Glan-insreabhadh airgid ó ghníomhaíochtaí oibríúcháin		<u>(377,093)</u>	<u>2,745,999</u>
<b>An Ráiteas ar Shreabhadh Airgid</b>			
Glan-insreabhadh airgid ó ghníomhaíochtaí oibríúcháin		(377,093)	2,745,999
<b>Torthaí ar infheistíocht agus ar sheirbhísiú airgeadais</b>			
Ús a fuarthas	2	55,083	78,012
<b>Glanchaiteachas caipitil</b>			
Íocaíochtaí chun sócmhainní seasta inláimhsithe a fháil	7	(57,223)	(204,171)
Fáltais ó dhiúscairt sócmhainní seasta	7	-	-
<b>Laghdú ar airgead tirim</b>		<u>(379,233)</u>	<u>2,619,840</u>
<b>Réiteach an ghlanreafa airgid chuig gluaiseacht i nglanchistí</b>			
Glanchistí amhail an 1 Eanáir		9,216,217	6,596,377
Glanchistí amhail an 31 Nollaig		8,836,984	9,216,217
<b>Ardú ar airgead tirim</b>		<u>(379,233)</u>	<u>2,619,840</u>
Tá an Ráiteas ar Bheartais Chuntasaíochta agus Nótaí 1 go dtí 15 mar chuid de na Ráitis Airgeadais seo.			

**Faoi réir Iniúchadh an Ard-  
Barrchaithe Cuntas agus Ciste**  
Stiúrthóir Cathaoirleach

**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA****NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)****1. IONCAM Ó THÁILLÍ CLÁRÚCHÁIN**

B'ionann na táillí a fuarthas ó thiarnaí talún mar íocaíocht as clárú a dtionóntachtaí agus €12,073,140 (2013: €10,715,676).

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

Chuig Údaráis Áitiúla:

→ 20% sa bhliain agus b'ionann sin agus €2,414,628

Coimeáda ag an PRTB i dtreo chostais riaracháin:

→ 80% sa bhliain agus b'ionann sin agus €9,658,512

**2. IONCAM EILE**

	<b>31 Nollaig 2014 2014</b>	<b>31 Nollaig 2014 2013</b>
	<b>€</b>	<b>€</b>
Ioncam ó ús	55,266	78,012
Costais dlí a aisghabhadh	54,153	40,058
	<u>109,419</u>	<u>118,070</u>

## Faoi réir Iniúchadh an Ard- Reachtair Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

## 3A. COSTAIS FOIRNE

	An bhliain dár críoch 31 Nollaig 2014	An bhliain dár críoch 31 Nollaig 2013
	€	€
Foireann ar iasacht & foireann an BTCP	1,532,184	1,604,687
Foireann áisíneachta	–	2,345
Costais pinsin	329,430	376,509
Oiliúint ar fhoireann agus ar shealbhóirí oifige	49,718	27,132
Costais leasa shóisialaigh	79,992	90,010
Costais foirne eile	62,797	20,002
	<u>2,054,121</u>	<u>2,120,685</u>

**An líon foirne:**

B'ionann an líon foirne a bhí fostaithe ag a mBord sa bhliain agus 21 (2013: 21). Thug an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil 9 gcomhalta foirne eile ar iasacht don Bhord (2013: 10, tháinig beirt ó Chomhairle Cathrach Bhaile Átha Cliath (2013: 2), agus duine amháin ón Roinn Iompair, Turasóireachta agus Spóirt (2013: 1).

**An Tobhach Pinsin:**

Asbhaineadh tobhach pinsin €42,369 agus íocadh é leis an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil (2012: €46,694).



**Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste**

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

## 3B. CAITEACHAS RIARACHÁIN

	An bhliain dár críoch 31 Nollaig 2014	An bhliain dár críoch 31 Nollaig 2013
	€	€
Táillí chomhaltaí boird	170,404	145,642
Táillí chomhaltaí binse	449,418	461,227
Táillí breithneoirí agus idirghabhálaithe	667,393	603,583
An Binse Cíosa (Nóta *)	5,331	7,069
Taisteal & cothabháil	57,157	42,725
Costais seachfhoinsithe	1,099,067	1,073,117
Táillí dlí & gairmithe	2,146,943	1,931,215
Táillí iniúchta	35,239	8,554
Cuntasaíocht	58,264	50,687
Costais luathscríbhneoireachta	102,882	70,102
Costais chruinnithe	6,904	7,258
Soláthairtí oifige	137,013	127,525
Costais phostais & leithdháilte	571,768	342,950
Costais chló & aistriúcháin	48,687	75,620
Costais ghutháin	39,687	43,743
Eolas poiblí & oideachas	58,299	31,327
Costais & cothabháil ríomhairí	1,037,878	462,987
Costais bhunaíochta	594,209	383,835
Seirbhísí glantacháin	22,218	23,197
Staidéar taighde	178,704	51,587
Íocaíocht dhéanach in Idirbheartaíochtaí tráchtála	-	211
Eile	33,775	24,814
	<u>7,521,240</u>	<u>5,968,975</u>

Faoi réir Iniúchadh an Ard-Reachtair Cuntas agus Ciste  
 Nóta \*: Áirítear leo seo táillí agus costais taistil agus cothabhála do Chomhaltaí an Bhinse Cíosa.

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

## 4. SÓCMHAINNÍ SEASTA INLÁIMHSITHE

	Trealamh Riomhairí & Forbairt Bogearraí	Feabhsúcháin Léasachta	Troscán & Fearais	Trealamh Oifige	Iomlán
	€	€	€	€	€
<b>Costas</b>					
Iarmhéid Tosaigh	2,629,748	1,746,933	204,262	84,328	4,665,271
Breisiúcháin	57,223	-	-	-	57,223
Díúscairtí	-	-	-	-	-
Amhail an 31 Nollaig 2014	<u>2,686,971</u>	<u>1,746,933</u>	<u>204,262</u>	<u>84,328</u>	<u>4,722,494</u>
<b>Dímheas</b>					
Iarmhéid Tosaigh	1,196,323	517,825	118,788	83,834	1,916,770
Muirear don bhliain	333,205	87,348	19,929	494	440,976
Dímheas ar dhiúscairtí	-	-	-	-	-
Amhail an 31 Nollaig 2014	<u>1,529,528</u>	<u>605,173</u>	<u>138,717</u>	<u>84,328</u>	<u>2,357,746</u>
<b>Glanluach Leabhair</b>					
Amhail an 31 Nollaig 2014	<u>1,157,443</u>	<u>1,141,760</u>	<u>65,545</u>	<u>-</u>	<u>2,364,748</u>
Amhail an 31 Nollaig 2014	<u>1,433,423</u>	<u>1,229,111</u>	<u>85,474</u>	<u>494</u>	<u>2,748,502</u>

## 5. FÉICHIÚNAITHE

## Méideanna dlite laistigh de bhliain amháin

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Costais réamhíoctha	147,616	48,393
Costais fhabhráithe dlí a aisghabhadh	-	200
Ús infhaighte	28,082	31,794
Asbhaintí deonacha	6,038	7,621
Féichiúnaithe éagsúla	5,487	10,891
	<u>187,223</u>	<u>98,899</u>



**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

**6. CREIDIÚNAITHE****Méideanna dlite laistigh de bhliain amháin**

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Creidiúnaithe & Fabhruithe	1,588,783	2,074,769
Méideanna dlite d'Údaráis Áitiúla	3,576,163	3,841,668
	<u>5,164,946</u>	<u>5,916,437</u>

**Anailís ar mhéideanna dlite d'údaráis áitiúla:**

Leagtar amach sa tábla thíos na táillí a fuarthas sa bhliain ábhartha airgeadais agus na méideanna a íocadh leis na húdaráis áitiúla ar leith as feidhmiú a bhfeidhmeanna faoi na Rialacháin um Chaighdeáin Tithe agus Leabhair Chíosas;

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Iarmhéid Tosaigh	3,481,668	2,538,493
Táillí a leithdháileadh ar údaráis áitiúla sa bhliain	2,414,629	2,143,175
Táillí a íocadh amach sa bhliain	(2,320,134)	(1,200,000)
Méideanna atá le híoc le húdaráis Áitiúla	<u>3,576,163</u>	<u>3,481,668</u>

Beidh na méideanna atá dlite le híoc le húdaráis áitiúla ar leith de réir na gcritéar a leagtar amach agus ar threorú an Aire Comhshaoil, Pobail agus Rialtais Áitiúil.

## Faoi réir Iniúchadh an Ard- Reachtair Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

## 7. CUNTAS CAIPITIL

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Iarmhéid Tosaigh	2,748,502	2,969,352
Aistriú (chuig) / ón gCuntas Ioncaim agus Caiteachais		
Maoiniú chun Sócmhainní a fháil	57,223	204,171
Amúchadh chun teacht le dímheas sócmhainní	(440,977)	(425,021)
Scaoileadh diúscairt sócmhainní seasta	–	–
	<u>(383,754)</u>	<u>(220,850)</u>
Iarmhéid Deiridh amhail an 31 Nollaig	<u>2,364,748</u>	<u>2,748,502</u>

## 8. BARRACHAS / (EASNAMH) CARNACH

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Iarmhéid Tosaigh	3,398,679	2,670,445
(Easnamh) / Barrachas don bhliain	460,582	728,234
Iarmhéid Deiridh amhail an 31 Nollaig	<u>3,859,261</u>	<u>3,398,679</u>

## 9. CÓIRÍOCHT

I nDeireadh Fómhair 2007, shínigh an Bord um Thionóntachtaí Cónaithe Príobháideacha comhaontú léasachta 20 bliain maidir lena n-áitreabh ag Teach Dhroichead Uí Chonaill, Sráid D'Olier, Baile Átha Cliath 2. Cuimsítear clásal scoir sa léas ag deireadh bhliain 5 agus bhliain 10. B'ionann an ceangaltas bliantúil faoin léas seo ag deireadh na bliana agus €264,424.

## Faoi réir Iniúchadh an Ard-Reachtaire Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

## 10. AOISLIÚNTAS

## a) Anailís ar na costais iomlána pinsin a gearradh ar Chaiteachas

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Costas reatha seirbhíse	160,000	160,000
Ús ar dhliteanais na scéime pinsin	70,000	60,000
Ranníocaíochtaí fostaithe	(33,193)	(38,490)
	<u>196,807</u>	<u>181,510</u>
Aoisliúntas (foireann na Roinne)	<u>132,623</u>	<u>194,999</u>
	<u>329,430</u>	<u>376,509</u>

## b) Gluaiseacht ar ghlandlíteanas pinsin le linn na bliana airgeadais

	31 Nollaig 2014	31 Nollaig 2013
	€	€
Glandlíteanas pinsin amhail an 1 Eanáir	(1,250,000)	(1,100,000)
Costas reatha seirbhíse	(160,000)	(160,000)
Costais seirbhíse roimhe seo	-	-
Costais úis	(70,000)	(60,000)
Gnóthachan/ (caillteanas) achtúireach	<u>80,000</u>	<u>70,000</u>
Dímheas ag deireadh na bliana	<u>(1,400,000)</u>	<u>(1,250,000)</u>

Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

## 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 do phinsin 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. Áirítear leis na himeachtaí seo, an bonn reachtúil le bunú na scéimeanna aoisliúntais, agus an beartas agus an cleachtas atá i bhfeidhm faoi láthair i ndáil le pinsin seirbhíse poiblí a mhaoiniú, lena n-áirítear ranniocaíochtaí ag fostaithe agus más gá, an próiseas bliantúil meastachán.

Aithnítear an Glanmhaoiniú Iarchurtha do Phinsin sa Chuntas Ioncaim agus Caiteachais, a bhí mar seo a leanas:

	2014	2013
	€	€
Maoiniú atá in-aisghnóthaithe maidir le pinsean na bliana reatha	230,000	220,000
Deontas Stáit a úsáideadh chun pinsin a íoc	-	-
	230,000	220,000

B'ionann an tsócmhainn iarchurtha maoinithe do phinsin amhail an 31 Nollaig 2014 agus €1,400,000 (2013: €1,250,000).

## d) Stair na ndualgas sochair shainithe

	2014	2013
	€	€
Dualgais Sochair Shainithe	1,400,000	1,250,000
Gnóthachain ó thaithí		
ar Mhéid Dhilteanais na Scéime	80,000	70,000
Céatadán Dhilteanais na Scéime	(6%)	(6%)

Is íonann an caillteanas achtúireach carnach a aithnítear i Ráiteas na nGnóthachan agus na gCaillteanas Aitheanta Iomlán agus €243,000 (2013: €163,000).

**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**NÓTAÍ (MAR CHUID DE NA  
RÁITIS AIRGEADAIS)**e) Cur Síos Ginearálta ar an Scéim**

Tá feidhm ag scéim aoisliúntais shochair shainithe i gcás fhoireann an Bhoird um Thionóntachtaí Cónaithe Príobháideacha (BTCB). Maoinítear sochair ar bhunús “íoctar mar a úsáidtear” agus ní choimeádtar aon sócmhainní i ndáil le dliteanais phinsin fabhráithe fhoireann an BTCB. Íoctar teidlíochtaí aoisliúntais a thagann chun cinn faoi na scéimeanna amach as ioncam reatha agus gearrtar iad ar an gCuntas Ioncaim agus Caiteachais, glan ó ranníocaíochtaí aoisliúntais fostaithe, sa bhliain ina mbítear iníoctha.

Tá na torthaí atá leagtha amach thíos bunaithe ar luacháil achtúire ar dliteanais i ndáil leis an bhfoireann amhail an 31 Nollaig 2014. B’achtúire cáilithe neamhspleách a rinne an luacháil sin chun críche an chaighdeáin chuntasaíochta, Caighdeán Tuairiscithe Airgeadais Uimh. 17 – Sochair Scoir (FRS 17).

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

	<b>31 Nollaig 2014</b>	<b>31 Nollaig 2013</b>
Ráta lascaine	5.5%	5.5%
Toimhde faoi mhéadú ar thuarastal	4.0%	4.0%
Toimhde faoi mhéadú ar phinsean	4.0%	4.0%
Boilsciú praghais	2.0%	2.0%

**11. ÍOCAÍOCHTAÍ DÉANACHA IN IDIRBHEARTA TRÁCHTÁLA**

Tá an Bord ar an eolas maidir lena bhfreagrachtaí faoi na Rialacháin um Íocaíochtaí Déanacha in Idirbhearta Tráchtála, 2002 agus bhunaigh siad nósanna imeachta agus próisis ábhartha lena chinntiú go ndéantar íocaíochtaí de réir na Rialachán. Ríomh an Bord gurb ionann a ndlíteanas don bhliain dar críoch an 31 Nollaig 2014 agus náid (2013: €211.37).

**12. CÁSANNA NÁR RÉITÍODH**

Bhí 516 cás réitithe díospóide ar feitheamh éisteachta ag an mBord amhail an 31 Nollaig 2014. Toisc go mbíonn an costas as an bpróiseas réitithe díospóidíe éagsúil i ngach cás, níl aon soláthar le haghaidh na gcásanna neamhréitithe sin a cláraíodh roimh an 31 Nollaig 2014 san áireamh sna Ráitis Airgeadais. Ina theannta sin, tá thart ar 110 cás ag céimeanna éagsúla d’imeachtaí forfheidhmithe trí na cúirteanna, nach bhfuil eolas faoina gcostais ar fáil fós agus níl aon soláthar déanta dóibh sna Ráitis Airgeadais.

**AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA**NÓTAÍ (MAR CHUID DE NA  
RÁITIS AIRGEADAIS)**13. LEASANNA NA GCOMHALTAÍ BOIRD**

Ghlac an Bord le nósanna imeachta de réir na dtreoirínte a d'éisigh an Roinn Airgeadais i ndáil le nochtadh leasa ag Comhaltaí Boird agus cloíodh leis na nósanna imeachta siúd i rith na bliana. Níorbh ann d'aon idirbheartaíochtaí sa tréimhse i ndáil le gníomhaíochtaí an Bhoird ina raibh aon leas tairbhiúil ag Comhaltaí Boird.

**14. LUACH SAOTHAIR NA STIÚRTHÓIRÍ & NA GCOMHALTAÍ BOIRD****Luach Saothair na Stiúrthóirí**

Tuarastal na Stiúrthóirí €93,248

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 2014. Ní sháraíonn teidlíochtaí pinsin an Stiúrthóra na teidlíochtaí caighdeánacha a shonraítear sa scéim shamhlach aoisliúntais shochair shainithe de chuid na hearnála poiblí. Íocadh €1,036.31 leis an Stiúrthóir in 2014 i ndáil le Taisteal & Cothabháil.

Íoctar táillí le Comhaltaí Boird bunaithe ar a bhfreastal ar an mBord agus ar chruinnithe choistí an Bhoird. Socraíonn an Roinn Airgeadais agus an Roinn Comhshaoil, Pobail agus Rialtais Áitiúil rátaí na dtáillí.

Leagtar amach sa tábla thíos na táillí a íocadh in 2014. Tagraíonn na figiúirí d'íocaíochtaí iarbhír a rinneadh le Baill an Bhoird i rith 2014. Mar thoradh ar a gcineál, baineann cuid de na híocaíochtaí seo le cruinnithe ar ar freastalaíodh in 2014. Ríomhtar an figiúr a chuimsítear i Nóta 4b do Tháillí na gComhaltaí Boird ar bhunús fabhráithe do gach cruinniú ar ar freastalaíodh i rith 2014, is cuma cibé uair a ndearnadh na híocaíochtaí.

**Faoi réir Iniúchadh an Ard-  
Reachtair Cuntas agus Ciste**

## AN BORD UM THIONÓNTACHTAÍ CÓNAITHE PRÍOBHÁIDEACHA

## NÓTAÍ (MAR CHUID DE NA RÁITIS AIRGEADAIS)

ÍOCAÍOCHTAÍ LE COMHALTAÍ BOIRD AN BTCP IN 2014					
AINM	Cruinnithe Díospóide Tionóntachta	Binsí	Táillí Boird	Eile*	IOMLÁN
Patricia Sheehy Skeffington	6,133	44,578	5,096	854	56,661
Tim Ryan	6,282	36,072	5,418	196	47,968
Noel Merrick	15,016	2,550	7,273	196	25,035
John FitzGerald	14,687	33,502	4,942	196	53,327
Catriona Walsh	14,252	3,562	7,476	392	25,682
Noel Conroy	15,165	681	4,312	196	20,354
Gareth Robinson	12,714	20,912	4,550	0	38,176
James Leahy	9,063		3,528	196	12,787
Kathleen McKillion	1,825	1,187	4,312	196	7,520
Rhonda Donaghy	5,264	0	1,568	0	6,832
<b>IOMLÁN</b>	<b>100,401</b>	<b>143,044</b>	<b>48,475</b>	<b>2,422</b>	<b>294,342</b>

\*Áirítear le 'Eile' íocaíochtaí a rinneadh d'oiliúint (€588), Agallaimh (€658), Cruinniú Cinnbhliana an choiste réitithe díospóide (€980) agus do Chruinniú Cinnbhliana an bhinse cíosa (€196).

Íoctar táillí Rhonda Donaghy Uasal le Threshold agus íoctar táillí Kathleen McKillion le Comhairle um Thithíocht Shóisialta na hÉireann. Cuirtear asbhaintí cánachais i bhfeidhm sula ndéantar na híocaíochtaí sin. Tháinig an méid atá léirithe don Uasal Donaghy chun cinn go luath in 2015 tráth ar íocadh iad freisin.

Níor íocadh táillí boird leis na Comhaltaí Boird seo a leanas;

An tUasal Paul Flood

An tUasal Joseph Meehan

Paula O'Reilly Uasal

Íocadh Táillí Boird freisin leis na hiar-Chomhaltaí Boird An tOllamh Eoin O'Sullivan (€1,020) agus an tUasal John Tiernan (€2,305) le linn 2014 i ndáil lena dtéarmaí ar an mBord le linn 2013.

Íocadh amach €18,214.77 le Comhaltaí Boird, freisin, as taisteal agus cothabháil a bhain leis an bhfreastal a rinne siad ar chruinnithe agus ar Bhinsí. Íocadh iad seo de réir threoirínte na Roinne Airgeadais.

## 16. NA RÁITIS AIRGEADAIS A FHAOMHADH

### D'fhaomh an Bord na Ráitis Airgeadais an 27 Márta 2015.





CUID 6

[ AGUISÍNÍ ]

TUARASCÁIL BHLIANTÚIL AGUS CUNTAIS 2014

The page features decorative geometric shapes in the bottom corners. On the left, there is a cluster of overlapping triangles in shades of orange and yellow. On the right, there is a cluster of overlapping triangles in shades of teal and blue. A horizontal dotted line runs across the page, passing through the bottom of the right-side triangle cluster.

## I. SOLÁTHAR AGUS TAIRISCINTÍ A LORGAÍODH AGUS A BRONNADH

Deimhníonn an BTCB go gcomhlíontar nósanna imeachta soláthair i ndáil le tairiscint iomaíoch. Áirítear leis sin go gcloítear le treoirlínte náisiúnta agus na Treoracha AE ábhartha araon, lena mbaineann fórsa an dlí sa Stát seo. Tairiscint iomaíoch an gnáthnós imeachta a úsáideann an BTCB sa phróiseas soláthair. Thug gach tairiscint a eisíodh aird chuí ar na tairsí luacha agus rialacha soláthair á bhfeidhmiú.

Féadfaidh gach duine ar mian leo gníomhú leis an mBord mar shainchomhairleoir nó mar chomhairleoir dul i dteagmháil i scríbhinn leis an mBord, agus ba chóir go mbeadh sonraí faoi cháilíochtaí agus taithí an duine san áireamh san fhógra chuige sin. Cloíonn an BTCB le riachtanais soláthair poiblí agus tairiscintí nó meastacháin á lorg. Le linn 2013, cheadaigh an Bord nó an Stiúrthóir roinnt conarthaí mar a léirítear thíos, i ndiaidh próiseas tairisceana poiblí ábhartha:

- Seirbhísí Earcaíochta do cheapachán DRC – Sigmar Recruitment – Feabhra 2014
- Oiliúint do lucht Agallaimh agus do Dhaoine faoi agallamh - Baker Tilly Ryan Glennon - Iúil 2014
- Seirbhísí earcaíochta do chomórtas earcaíochta inmheánach – CPL - Lúnasa 2014
- Soláthar Seirbhísí Cuntasaíochta - Moore Stephens Nathans - Samhain 2014
- Oiliúint Rialachas Corparáideach do Bhord Stiúrthóirí an BTCP agus don Bhainistíocht Shinsearach – Scoil Smurfit UCD, Samhain 2014



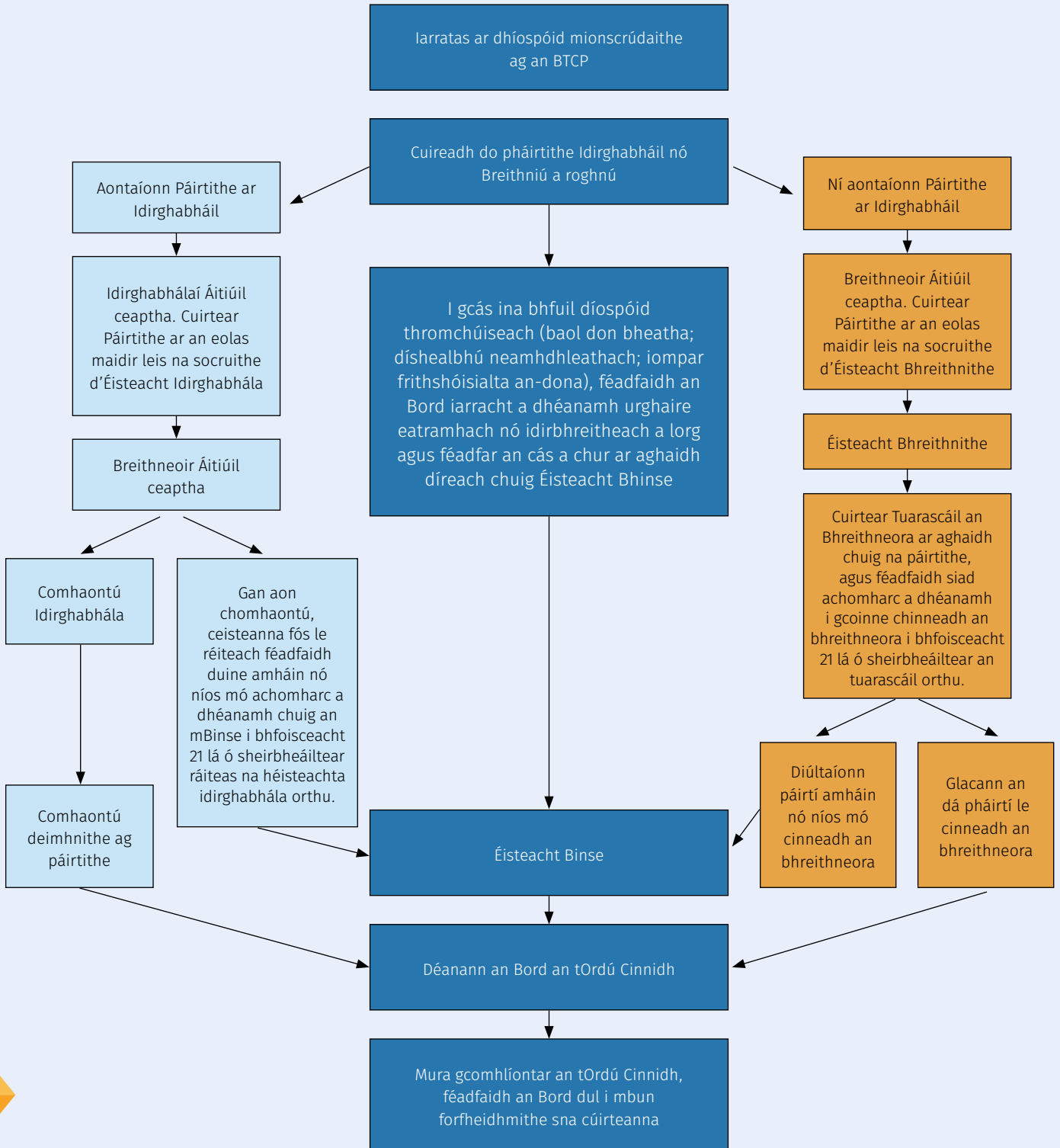
## **II. FORBHREATHNÚ AR ÚSÁID FUINNIMH AN BTCP IN 2014**

Tá an BTCP lonnaithe i dTeach Dhroichead Uí Chonaill, Sráid D'Olier, Baile Átha Cliath 2. Bímid ag baint úsáide as dhá urlár den deich n-urlár san fhoirgneamh sin (Ídiú 20%). Leictreachas an t-aon ídiú fuinnimh a bhíonn againn faoi láthair.

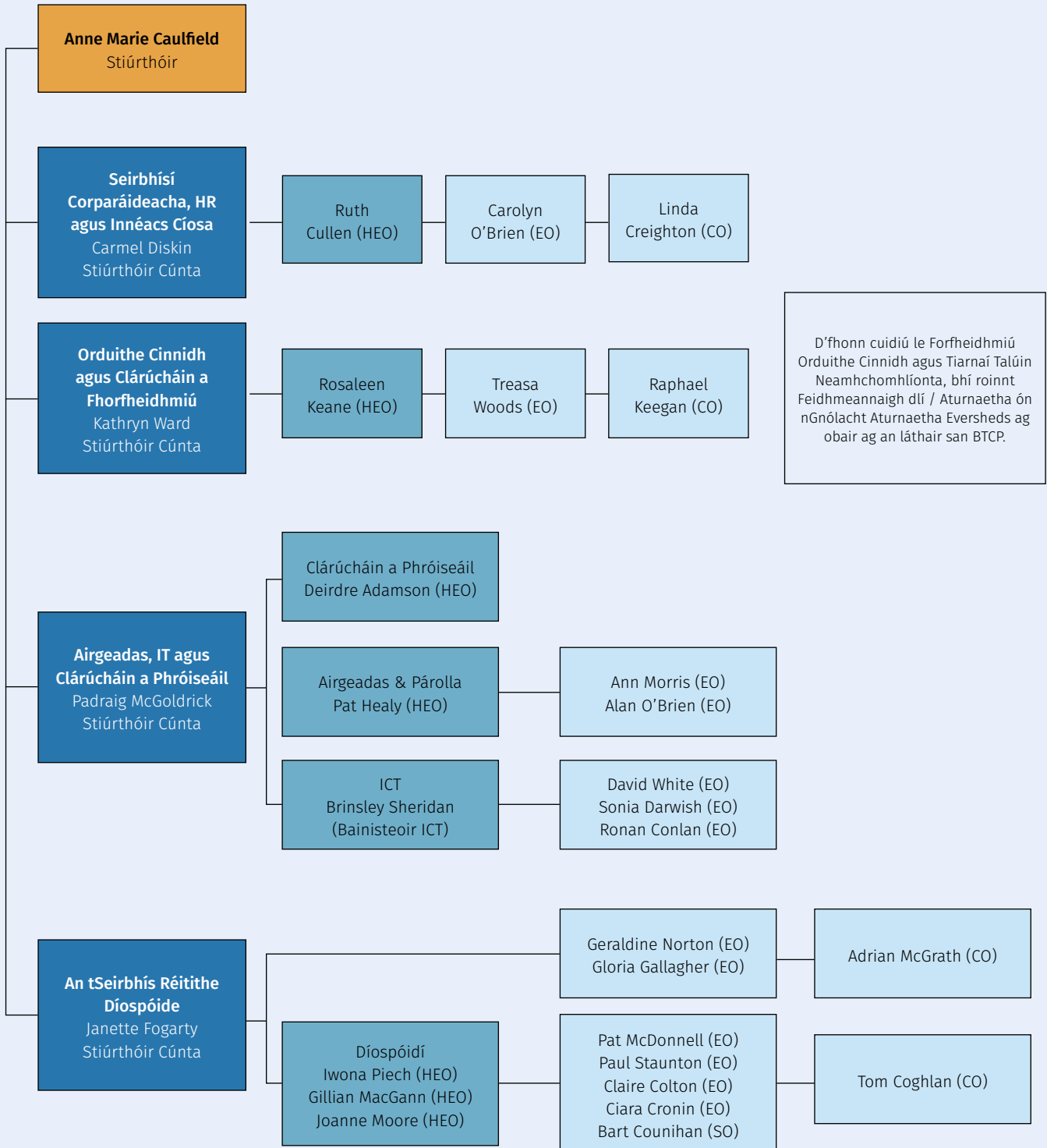
In 2014, d'ídigh an BTCP 51.919 KWh de leictreachas.

Is ionann sin agus 5.3% níos lú fuinnimh agus a ídiodh in 2013.

III. SEIRBHÍS RÉITITHE DÍOSPÓIDE AN BTCP



IV. CAIRT EAGRAÍOCHTA AN BTCP



D'fhonn cuidiú le Forfheidhmiú Orduithe Cinnidh agus Tiarnaí Talúin Neamhchomhlíonta, bhí roinnt Feidhmeannaigh dlí / Aturnaetha ón nGnólacht Aturnaetha Eversheds ag obair ag an láthair san BTCP.







An Bord um Thionóntachtaí Cónaithe  
Príobháideacha, Bosca Poist 47,  
Cloich na Coillte, Contae Chorcaí.