



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



30 September 2014

Circular: Housing 41/2014

To the Chief Executive of each housing authority
and each Director of Housing Services

Commencement of second stage of the statutory pilot for the new Housing Assistance Payment scheme

A Chara,

1. Introduction

I am directed by the Minister for the Environment, Community and Local Government to refer to Housing circular 40/2014 dated 12 September 2014 relating to commencement of the first stage of the statutory pilot for the new Housing Assistance Payment scheme and related matters, and to say that the second stage of the statutory pilot for the new Housing Assistance Payment (“HAP”) scheme involving the county councils of Kilkenny, Louth, Monaghan and South Dublin will come into operation on Wednesday, 1 October 2014.

Copies are attached of 3 No. statutory instruments recently made by the Minister to underpin the extension of the statutory HAP pilot, as follows:

- Housing Assistance Payment (Section 50) (No. 2) Regulations 2014 (S.I. No. 427 of 2014)
- Housing Assistance Payment (Amendment) Regulations 2014 (S.I. No. 428 of 2014)
- Housing (Miscellaneous Provisions) Act 2009 (Commencement of Section 32(5A)) Order 2014 (S.I. No. 429 of 2014).

Also attached is a Ministerial policy direction under section 4 of the Housing (Miscellaneous Provisions) Act 2009 (“2009 Act”) to the housing authorities taking part in the second stage of the statutory pilot for implementation of HAP.

Notes follow on each of these statutory instruments and on the policy direction.

2. Housing Assistance Payment (Section 50) (No. 2) Regulations 2014 (S.I. No. 427 of 2014)

These regulations have the effect of applying Part 4 of the Housing (Miscellaneous Provisions) Act 2014 (“2014 Act”) to Kilkenny County Council, Louth County Council, Monaghan County Council and South Dublin County Council in respect of all classes of qualified household from 1 October 2014.

3. Housing Assistance Payment (Amendment) Regulations 2014 (S.I. No. 428 of 2014)

These amending regulations substitute an expanded Table in Regulation 10 of the Housing Assistance Payment Regulations 2014 (S.I. No. 407 of 2014). The expanded Table repeats the maximum rent limits previously prescribed in relation to the first 3 housing authorities in the HAP pilot and also sets out the maximum rent limits that will apply in the administrative areas of the county councils of Kilkenny, Louth, Monaghan and South Dublin. As with the first 3 authorities, the rent limits for the 4 new authorities are identical to the corresponding prescribed limits for Rent Supplement.

5. Housing (Miscellaneous Provisions) Act 2009 (Commencement of Section 32(5A)) Order 2014 (S.I. No. 429 of 2014)

This order brought section 32(5A) of the 2009 Act into operation on 29 September 2014, the date the Minister signed the order. Subsection (5A) was inserted in section 32 by section 49(4)(c) of the 2014 Act and empowers the Minister to make regulations in respect of information, including additional information, that a qualified household seeking housing assistance must supply to a housing authority and the period within which such information must be supplied. This issue was referred to in the guidance on section 49 of the 2014 Act in Appendix 1 to Housing circular 40/2014. If a housing authority involved in the first stage of the statutory HAP pilot purported to exercise powers under Regulation 5 of S.I. No. 407 of 2014 prior to 29 September 2014, the authority should exercise those powers afresh in the case concerned.

6. Ministerial policy direction on HAP beneficiaries seeking transfers to other forms of social housing support

A Ministerial policy direction to the 3 No. housing authorities involved in the first stage of the statutory HAP pilot was attached to Housing circular 40/2014 concerning HAP beneficiaries seeking transfers to other forms of social housing support. The Minister has given a further direction in similar terms under section 4(1) of the 2009 Act to the 4 No. additional housing authorities that will operate HAP from 1 October 2014. This direction will ensure that HAP recipients can be afforded access to other forms of social housing support, via existing transfer lists, if that is their choice. A copy of the direction is attached: under section 4(4) of the 2009 Act, each of the 7 housing authorities to which a policy direction has been given is required to make a copy available for inspection by members of the public, without charge, on the Internet and at its offices and such other places as it considers appropriate, during normal working hours.

7. Guidance on implementation of HAP

General guidance on the operation of the HAP scheme will issue to housing authorities shortly.

8. Record of commencement of 2009 Act

A table is attached setting out the provisions of the 2009 Act in operation on 29 September 2014, together with references to related regulations.

9. Queries

Queries about the operation of the Housing Assistance Payment scheme should be directed to Deirdre Byrne (Deirdre.Byrne@environ.ie or 01 8882603) or Jim Baneham, Housing Agency (jim.baneham@housing.ie or 01 6564138) and queries relating to the statutory instruments should be directed to Gabriel O'Duffy (Gabriel.O'Duffy@environ.ie or 01 8882612) or Aisling Kerr (Aisling.Kerr@environ.ie or 01 8882471).

A copy of this Circular and guidance is available on the Sharepoint system (<http://circulars.lgcsb.ie/doecirculars>) under the category “Housing” and on the Housing Manual at www.housingmanual.ie.

Mise, le meas,

A handwritten signature in black ink, appearing to read 'Barry Quinlan', written in a cursive style.

Barry Quinlan
Principal
Social Housing Reform Section