

Ministerial Direction

The Minister for the Environment, Community and Local Government, in accordance with section 4(1) of the Housing (Miscellaneous Provisions) Act 2009 and having regard to the Housing Assistance Payment (Section 50) (No. 2) Regulations 2014 (S.I. No. 427 of 2014) and his recent direction under the said section 4 in respect of households in receipt of housing assistance, directs each of the county councils of Kilkenny, Louth, Monaghan and South Dublin to operate its allocation scheme in accordance with the directions below.

With the commencement of provisions in the Housing (Miscellaneous Provisions) Act 2014, housing assistance (HAP) is considered to be a social housing support and consequently households are not eligible to remain on the main housing waiting list. However, acknowledging that households on the waiting list who avail of HAP might have expectations that they would receive a more permanent form of social housing support, the following directions are being issued to ensure that, should they so choose, HAP recipients can avail of a move to other forms of social housing support through a transfer list.

Directions

1. In accordance with section 22(3) of the Housing (Miscellaneous Provisions) Act 2009, a housing authority is obliged to make an allocation scheme determining the order of priority to be accorded in the allocation to dwellings to –
 - a. households assessed under section 20 of that Act as being qualified for social housing support, and
 - b. households, in receipt of social housing support, that have applied to the housing authority to transfer to another dwelling or to purchase a dwelling under Part 3 of that Act.
2. In the context of the statutory requirement on housing authorities to maintain a transfer list, upon the introduction of HAP, authorities should ensure that this list should also have the capacity to deal with HAP recipients during the pilot phase, who wish to transfer to other forms of social housing support.
3. All HAP recipients who choose to do so may apply to be placed on this transfer list.
4. In applying to be placed on the transfer list, the housing authority shall not impose a minimum time in HAP accommodation as a criterion for access to the transfer list.

5. For those HAP recipients who come directly off the waiting list into HAP, and who subsequently apply to transfer to other forms of social housing support, the transfer list should reflect the specific priority that that household had on the main waiting list within the authority area in which they are resident. That is, they should retain the time they spent on the waiting list, once on the transfer list, and therefore be placed on the transfer list with no less favourable terms that if they had remained on the waiting list.
6. Each housing authority must set aside a proportion of their dwellings available for allocation to be allocated to households on the transfer list.