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**COMHAIRLE CONTAE ÁTHA CLIATH THEAS
SOUTH DUBLIN COUNTY COUNCIL**



**MEETING OF SOUTH DUBLIN COUNTY COUNCIL**

**Tuesday 2nd May, 2017**

**MOTION NO.15**

**MOTION: Councillor M. Duff**

That this Council calls on the Chief Executive to grant priority to those tenants who are housed under the RAS Scheme and have laid down their roots within the Community in which they live, who are under threat of eviction because their Landlord will not renew the lease, to ensure that they will be rehoused within the local Community and also to consider their case for rehousing from the commencement of the Notice to terminate the Lease rather than wait until they are almost homeless.

**REPORT:**

The Rental Accommodation Scheme (RAS) was introduced to cater for the accommodation needs of persons who are in receipt of Rent Supplement, normally for more than 18 months, and who have a long-term housing need.

In the Rental Accommodation Scheme, local authorities enter into contractual arrangements with property owners/landlords to secure the medium to long-term availability of private rented accommodation for RAS.

While different contract types may be entered into they will have in common the following main features:

* the local authority will pay the full rent to the landlord on behalf of the tenant;
* the Residential Tenancies Act 2004, will govern the tenancy between the landlord and the tenant;
* the landlord must be tax compliant;
* the landlord must provide a Building Energy Rating (BER) Certificate
* the property must meet the minimum standards for private rental accommodation as determined by the Housing (Standards for Rented Houses) Regulations 2008 (as amended) and also meet additional requirements for RAS;
* The landlord must register the tenancy with the Residential Tenancies Board (RTB).
* Payment of Local Property Tax

There are two standard template contracts for RAS used by South Dublin County Council.

(A) Availability Arrangements. In South Dublin County Council this is generally a 10 year agreement between landlords and South Dublin County Council.  Generally this agreement is only entered into in areas where there is a high demand for RAS property and where the property is of a very high standard. If a tenant leaves during the 10 year period South Dublin County Council will make every effort to source a new tenant for the remainder of the term of the contract.

(B) Tenancy by Tenancy Arrangements.  This is the more widely used contract in South Dublin County Council. It is used where the landlord is happy with the existing tenant and where the landlord wants control over who will reside in the property.  When the tenant leaves the contract ends.

Currently there are 1,480 properties on the RAS Scheme. It has,  been the trend however over the last few years of landlords exiting the scheme on the basis of (a) selling the property (b) requiring the property for a family member or (c) period of agreement has ended. In 2015 88 landlords left the scheme while a further 93 left in 2016.

Where an existing RAS tenant of the Council is served with a "Notice to Quit” the Council endeavours to identify suitable alternative accommodation for the tenant prior to the expiry of the notice period. However the Council deals with numerous such cases each year and while every attempt is made to locate a property in a nearby area, this is not always possible.

Due to a combination of (a) the shortage of housing and (b) the many demands from various priority categories of housing need, e.g. homeless, medical etc., it is not always possible to locate a house for a RAS tenant in the immediate area or in fact to locate any type of house in time before the expiration of the " Notice to Quit"

We do advise tenants as soon as they are served with an NTQ that they have the option to source alternative accommodation in the private rental market where the landlord is willing to participate in the RAS or other similar scheme.

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