

# **Green Party Housing Policy**



**October 2018**

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## **1.0 Introduction**

The Green Party believes that a basic provision of housing is a human right and that the state must work to ensure that this right is upheld for everyone residing under their governance. Ireland's housing requirements have altered considerably over the last number of years and all legislative initiatives on housing will, by necessity, address the current crisis in housing provision while putting in place long term viable solutions for the future. In order to avoid the boom and bust mistakes of the past and capitalise on existing State resources, the Green Party believes in a fundamental rethinking of housing provision in Ireland; one that focuses on giving everyone the opportunity of living in a good home at a reasonable cost, in a healthy, secure and sustainable environment.

We see housing as a human and social right, interdependent with good planning, transport, infrastructural development and land management. In particular, we believe housing policy should promote good outcomes for children, young people and those most vulnerable in society such as the elderly and persons with disabilities.

The Green Party believes that the state must revert to playing a more active role in the housing sector in Ireland and that localism, as a core green belief for many decades, must require that the majority of decision making on housing and planning is vested at the lowest participatory level possible. We propose a housing sector that is predominantly serviced and regulated by fully funded and legislatively supported local authorities. We recognise the immense work undertaken by Approved Housing Bodies in responding to the current crisis and we believe that the regulation of such bodies is a matter for urgent action while county and city councils are in the process of increasing their input in the sector. We advocate that it is the role of the state and its regional representatives to provide decent living conditions in a given locality- only by exerting its influence through the provision of social housing and land management can it hope to keep the housing sector stable in the long term. The Green Party also believes that public policy should focus on housing for occupation, limiting the ability to use housing as a speculative asset.

## **1.1 Summary and Key Points**

Given Ireland's recent experience of fluctuating property prices and availability, we believe it is important that Ireland adopts short-term, medium-term and long-term measures that address our immediate needs and ultimately move our housing system towards a more sustainable model.

## **Short Term**

To Address the Housing Crisis

- an end to evictions for refurbishment that result in homelessness for a fixed period
- a clear definition of over-crowding in law that is meaningful and enforceable
- a requirement for planning permission for short-term rental apartments
- Increase in funding to local authorities to acquire encumbered buy-to-let properties for social housing, through purchase or lease.
- We propose to allow Local Authorities to borrow 10% of their annual budget for building housing

## **Medium Term**

To Lay the Foundations of Change

- We propose to provide a dedicated fund to each Local Authority nationwide based on relative housing needs to begin a comprehensive program of building delivering 36,000 homes per annum (30,000 net of obsolescence per annum) with a minimum requirement of 35% social housing, 35% affordable housing stock and with 12 % of the total designed to Universal Design building standards. We recognise affordable housing as defined in the Planning and Development Act 2000- housing or building land provided for those who need accommodation and who otherwise would have to pay over 35% of their net annual income on mortgage payments for the purchase of a suitable dwelling.
- The creation of a Localism Bill enabling Local Authorities to negotiate the transfer of powers and budgets on the issue of housing from Central Government
- The Green Party supports the development of a compulsory public register of all publically and privately-owned land and all options on land.
- The removal of sale as a reason for ending a lease. This may require a constitutional amendment and in the interim we propose that landlords evicting on this basis must compensate renters one months rent for every year of tenancy.

## **Long Term**

### Quality and Tenure into the Future

- Creation of four regional governance boards to scrutinise the implementation of the proposed National Plan by local authorities
- We will transform the Local Property Tax into a more progressive system of Site Value Tax that will disincentivise land hoarding and speculation.
- We propose that the state move away from the HAP housing model and aim to reduce the use of this payment to less than 5% of overall state funded rental properties
- We propose to move forward with a revised version of our 2009 Noise Bill.
- We propose a major programme of state acquisition of land and derelict properties as envisaged in the Kenny Report.
- We propose to restore the 80% rezoning windfall tax
- The creation of a number of locally implemented measures to protect urban communities from gentrification including the strengthening of rental controls and the protection of community economic and built heritage

## **2.0 Decision Making in the Housing Sector**

## 2.1 A National Plan for Housing

As stated time and time again by this party we believe that Ireland must set out a more ambitious National Plan for future development and that a central section of this must concern itself with planning and building housing stock for our population<sup>1</sup>. Previous spatial plans have not worked because they only came as an afterthought to decisions that had already been taken on critical infrastructure and because they were corrupted by bad planning at a local level and by the excessive centralisation of the Irish administrative system. We envisage the National Housing Plan be written as a collaborative document between the Department of the Taoiseach, the Department of Housing and the Dail.

While the National Housing Plan will operate on a country wide basis it will be put into action by local authorities and overseen by regional authorities as suggested in the findings of the Mahon Report.

### Policy Points

- The creation of a National Housing Plan as a key part of an overall National Plan
- Economic and decision making support for local authorities to enact the National Housing Plan. We propose the creation of a Localism Bill enabling Local Authorities to negotiate the transfer of powers and budgets from Central Government in areas such as Sustainable Transport, Social Housing, Renewable Energy, Waste Management, Health Promotion
- Creation of regional governance structure to scrutinise the implementation of the National Housing Plan by local authorities
- We propose to; mandate Semi State Pension Funds to invest in Affordable Housing; to enable Credit Unions to invest fund, currently invested abroad, in housing; seek more European Investment Bank for Affordable Housing

## 2.2 Support Local Authorities

As one of our most core and longstanding principles the Green Party believes in decision making led by stakeholders at the lowest possible level that empowers communities and local regions to envision a future that is tailored to their own specific needs. As part of this position we will introduce the direct election of a Mayor for the Greater Dublin area who will have overall responsibility for the coordination of transport and planning in the Dublin. We believe this would facilitate the timely and appropriate delivery of housing in regional areas. Directly elected mayors in Cork, Limerick, Galway and Waterford would have similar responsibility to reverse the hollowing out of our city centres that has occurred over the last fifty years. This strategy would be

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<sup>1</sup> <https://www.nova.ie/news/criticism-transport-plans-contained-national-framework-107193>

underpinned by a regional oversight and planning authority that is elected and comprised of a number of local and regional stakeholders.

Central to the plan should be an ambition to return life to the centre of our villages, towns and cities so that people have easy access to their local schools, places of employment and community centres. We need to restore greater powers to local government so that councils can deliver key aspects of the plan in a flexible manner which allows for variation in policies to suit local circumstances. We also need to resource a new community activism which sees local organisations managing poverty reduction and the protection and enhancement of the local environment. We advocate that the local community can take a lead in deciding how local services are provided and give them a key role in planning decisions, which are made in a more transparent, accountable and democratic way.

### **Policy Points**

- The creation of a directly elected mayor in major urban centres
- We propose to allow Local Authorities to borrow 10% of their annual budget for building housing
- The reinstatement of town councils where appropriate and where they have previously been in operation
- The creation of four regional authorities to support local authorities

### **2.3 Key National Goals and Sustainable Planning**

The Green Party's vision for housing in Ireland is for affordable homes and a social housing system based on a cost rental model as proposed by our bill on this issue in 2017. We want to build neighbourhoods that are people centred and include easy access to green spaces and community facilities. The Green Party believes in focusing on housing for occupation, limiting the ability to use housing as a speculative asset although the private sector of housing can play an important role in a healthy and progressive system of housing provision.

### **Policy Points**

- We propose to provide a dedicated fund to each Local Authority nationwide based on relative housing needs to begin a comprehensive program of building delivering 36,000 homes per annum (30,000 net of obsolescence per annum) with a minimum requirement of 35% social housing, 35% affordable housing stock and with 12 % of the total designed to Universal Design building standards. We recognise affordable housing as defined in the Planning and Development Act 2000- housing or building land provided for those who need

accommodation and who otherwise would have to pay over 35% of their net annual income on mortgage payments for the purchase of a suitable dwelling.

- Following on from an assessment of existing land owned by the State, the Green Party advocates that we engage in a major programme of state acquisition of land and derelict properties as envisaged in the Kenny Report. We also propose that the state take on a role in active land management and supply land with basic infrastructure to enable housing provision on a timely basis
- The Green Party supports the development of a compulsory public register of all publically and privately-owned land and all options on land. This will allow the state and the public to know who holds strategic land banks in Ireland.

## **2.4 The Cost of Housing**

We believe that the provision of social and affordable housing, as well as the servicing of a healthy private housing sector, is both a social good and a long term economic investment in the state. It is nation building of the most important kind. As a result financing our housing sector is a key component of our housing strategy. The most pressing challenge in this area is to broaden the ability of Local Authorities to access funds from a number of sources beyond simply that of the state as is the case in a number of other European countries.<sup>2</sup>

### **Policy Points**

- We propose to mandate semi-state pension funds to invest in affordable housing finance packages which will create an ongoing and reliable funding stream
- We propose to allow Credit Unions to invest in housing where their surplus funds are currently invested in overseas financing
- We propose to seek further European Investment Bank funding for affordable housing in a similar manner to other countries (e.g. Spain) who are accessing substantial low interest loans

## **3.0 The Right To Housing and Community**

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<sup>2</sup> [https://www.ucd.ie/t4cms/The\\_Future\\_Of\\_Council\\_Housing\\_\(Norris\\_Hayden\).pdf](https://www.ucd.ie/t4cms/The_Future_Of_Council_Housing_(Norris_Hayden).pdf)

### 3.1 Housing and as a Constitutional Right

The Green Party believes that access to housing is a basic human right which should be included within our written constitution. We call for a referendum on housing and property rights.<sup>3</sup>

We also propose that the Irish government recognise and implement the European Social Charter Article 31 (Revised) which provides a range of protections for housing and related rights. The European Social Charter is a Council of Europe treaty that guarantees fundamental social and economic rights. The original Charter was adopted in 1961. The Revised Charter was adopted in 1996. Ireland ratified the original Charter in 1964 and the Revised Charter in 2000.

The rights under the Revised Charter of relevance to housing are, in summary:

- the right to social security (Article 12)
- the right of persons with disabilities to independence, social integration and participation in the life of the community (Article 15)
- the right of the family to social, legal and economic protection to ensure its full development (Article 16)
- the right of elderly persons to social protection (Article 23)
- the right to protection against poverty and social exclusion (Article 30)
- the right to housing (Article 31).

Ireland has opted out of the most relevant of these articles, Article 31 on the right to housing.

Ireland, as a result, is not currently bound by this article.

### 3.2 Land Use and Tax

*Living Cities (Vacant Sites)*- The Green Party calls on the government to tackle the under-use and hoarding of derelict land by the state, semi-state and private sectors. In 2017 we moved the Living Cities Bill to amend the Derelict Sites Act 1990 to increase the levy placed on derelict sites; to ensure the register of derelict sites compiled by a local authority is made publicly available on the local authority's website; to ensure protection for the rights of homeowners who have moved into residential care and own a derelict site; to amend the Urban Regeneration and Housing Act 2015 to extend the definition of a "vacant site" to include sites below 0.05 hectares; to ensure the documents associated with the entry of a site onto the register of vacant sites are made publicly available on the local authority's website; to increase the vacant site levy in each subsequent year; to increase the scope of the levy to include properties in negative or low equity; and to provide for related matters. While we welcome the Budget 2018 announcement of an increase to the levy in line

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<sup>3</sup> [https://www.ohchr.org/Documents/Publications/FS21\\_rev\\_1\\_Housing\\_en.pdf](https://www.ohchr.org/Documents/Publications/FS21_rev_1_Housing_en.pdf)

with our recommendations further amendments should be introduced to optimise the state wide use of available land.

*Site Value Tax*- The Green Party proposes the introduction of a Site Value Tax (SVT), to replace the existing Local Property Tax (LPT) and local commercial rates regimes. SVT is a recurring annual tax on the basis of the rental value of a site excluding the value of any improvements or properties. The Green Party proposes a SVT designed to incentivise land and property improvement, unlike the existing Land Value Tax (LVT). The responsibility for ensuring effective and reliable valuations throughout the state will be given to Oifig Luachála (state Valuation Office). The Site Value Tax will be collected by the Revenue Commissioners who will have their standard statutory and legal powers in the collection of this tax.

Our vision for the implementation of SVT rates shall ultimately not gather less revenue, at both the national and local level, than the existing system of Local Property Tax, local council business rates and any other replaced tax regimes. We seek that the implementation of SVT is not tax deductible for land owners. The Green Party believes that the following zoning categories should be exempt from a Site Value Tax:

- Agriculture (P1)
- Aquaculture & Fishing (P3)
- All category S (Community Services/Facilities)
- All category G (Green/Recreation/Conservation)

### **Policy Points**

- The Green Party will amend the Urban Regeneration and Housing Act 2015 to extend the definition of a “vacant site” to include sites below 0.05 hectares
- We will transform the Local Property Tax into a more progressive system of Site Value Tax that will disincentivise land hoarding and speculation.
- We also propose to restore the 80% rezoning windfall tax
- We propose the introduction of a tax on the acquisition of interest in residential property located within the state by residents who are not state taxpayers and 'vulture' funds.
- We propose to reduce the time required to effect probate as Ireland has longer waiting periods comparative to European counterparts
- We propose that vacant properties may be peacefully occupied by those in urgent need of housing if empty for over a year
- We propose that local authorities would make available a percentage of land available for self build cooperative housing projects

### 3.3 Zoning and Spatial Planning

A core vision of the Green Party is the development of communities where families work, shop, socialize and attend school without having to commute long distances. To achieve such a vision we need to utilize land very efficiently, particularly in urban settings. This requires greater density in new housing developments, but also a more efficient utilisation of our current housing stock.

The Green Party prioritises the following in the development of new and existing communities:

- Collaborative working with stakeholders to ensure that energy plans are produced for all building areas and renewable energy supply is contractually prescribed
- Providing garden space and long-term storage space especially in large apartment developments
- Initiatives to facilitate working from home, including facilities such as community hot desk and shared business hubs, and clear legislation on the right to flexible working for employers and employees in the public and private sector
- Higher densities in terms of housing design, particularly along public transport corridors, diversity in the size of housing and apartment types and the provision of coherent streets, and open spaces with a sense of space.
- Allowing all residents in apartment complexes to have a say in the management companies' activities and introduce a simple, efficient and affordable mechanism for the resolution of disputes involving management committees. This would have to empower residents of apartment complexes and not just owners, which are often not living in the complex.
- The Green Party supports mandatory *green infrastructure* planning to be integrated into traditional planning and implemented in all urban and rural development
- We will discourage unsustainable "one-off housing" sprawl, favouring villages or other traditional housing clusters in rural areas in the Planning and Spatial Management of our proposed new National Plan. We will prioritise brownfields sites for new developments and preserve green field sites for recreational purposes and green infrastructure.

#### Policy Points

- We propose to move forward with a revised version of our 2009 Noise Bill. We believe this an essential component of harmonious urban living.
- We propose to extend the successful Extended Living Cities initiative to rental properties.
- We propose to promote higher urban densities in terms of housing design, particularly in public transport corridors, through a new National Spatial Plan

- In urban communities where high land prices result in 'unviable' development we propose a requirement of 60% social and affordable housing on all state land
- We propose a three year time cap on developer maintained shared areas in new housing estates where planned handover has not taken place to the local authority. Where developers have not completed works agreed in granted planning permission they will be liable for a cumulative levy to enable residents and local authorities to negotiate completion and recoup costs or decouple completed sections from continuing construction areas.

### **3.4 Community Decision Making**

Decisions about building and housing development ought to involve the meaningful participation of the local community. Community involvement can improve social cohesion, and often leads to more sustainable developments. We place a particular emphasis on communication and consultation with all stakeholders as part of the decision making process.

#### **Policy Points**

- The Green Party supports the development of community land trust in Ireland and would advocate for the promotion of them legislatively and financially. A community land trust is a non-profit legal entity that holds land in perpetuity in stewardship for the common good. In terms of housing, the community land trust model has mostly been used to promote a model of affordable homeownership
- We propose the creation of a reactive community consultation process for large scale new community developments and capital infrastructure over five million.

### **3.5 The Fight to Maintain Affordable Urban Communities (Addressing Gentrification)**

As the housing crisis deepens in our country not only are people struggling to afford rent but communities are struggling to maintain a cohesive identity as the rises costs of living see urban dwellers pushed further and further away from families and community bonds. Gentrification in urban areas ultimately damages the city as a whole as service workers and locally owned and run businesses are forced out into suburban areas. We also recognise that the commercial life of a community is similarly at risk in the process of gentrification and that local businesses can act as anchors and supports to a community. Therefore we assert that protecting the economic life of our neighbourhoods is part of maintaining communities that are affordable and livable.

#### **3.5.1 Rent Control**

A key component of our Affordable Urban Communities strategy is to introduce Cost Rental as the basis for major housing developments funded by the state into the future. See section 4.2.

We also support remedial action in the short term to alleviate the pressure on lower income families to move out of urban communities to areas where there is less rental pressure. See section 6.0.

### 3.5.2 **Communities in Danger.**

- We propose that the state identify key communities at risk of gentrification to ensure that direct supports and the available safeguards outlined in this section are fully in operation in those areas. The broad brush of Rental Pressure Zones have not been effective in this regard and we propose a further mapping of cities to highlight specific, smaller scale communities for support through an Affordable Neighbourhoods Scheme.
- We propose that in those communities in danger of becoming unaffordable for local populations the social housing requirement is increased to 60% for all new housing developments on state land and 35% for privately owned developments

### 3.5.3 **Economic Gentrification**

- We advocate for the implementation of our Cooperative Business Policy which focuses on community involvement and local employment as well as shared ownership in the long to medium term.
- In areas of Affordable Neighbourhoods we propose to disallow the removal of business tenants from properties to be redeveloped on the basis of the basis of renegotiated or stepped rent on return. Existing tenants must be offered the option of similar or equal rent levels with provision made by the developer for the continuation of business operation during works.

### 3.5.4 **The Gentrification of our Built Heritage**

- The Green Party recognises that conserving the visual fabric of a community is more complex than maintaining any buildings featuring on the national list of protected structures. Social significance, historic resonance, folklore, community usage and even plot size are all currently undervalued and under reported in current planning decisions. We propose that this aspect of planning is given increased significance in the new local authority housing and planning departments we propose. We propose that, where relevant structures exist and in particular in the case of housing, the retrofit of buildings is the standard base proposal for review before redevelopment is considered.

## **4.0 Delivering Housing**

#### **4.1 The Reform of Procurement Methods**

We believe that effective, fair and sustainable procurement is a key component in delivering high quality housing to the nation in a manner that is timely and promotes the growth of our economy and community solidarity. The current system of Construction Procurement has placed risk management rather than quality or sustainability at the heart of decision making process. This has not led to increased surety or more effective project completion but instead a race to the bottom and in some instances increased risk within contracts.

#### **Policy Points**

- We propose to set turnover and insurance requirements to proportionate levels to the scale of the contract being awarded to encourage the marketplace participation of small to medium enterprise
- We advocate a review and update to the guidance given to contracting authorities in setting appropriate criteria for tender packages
- Allow a provision for the division of tenders where geographical location or specialism would benefit from such an action and allow for some specialist works sub contracts to be tendered for directly
- Provide a knowledge transfer network to business to support cooperative tender bidding and upskill groups on new contract processes

#### **4.2 The Role of Local Authorities**

As stated in previous sections we propose to revert the majority of planning decisions and long term housing provision to local authorities across the state. We propose that central government will set out key national goals in a new National Plan that will include housing targets and that regional boards for Ulster, Connaught, Leinster and Munster will audit local authority implementation on an annual basis. We believe that resolving the current housing crisis is not only about increasing supply in the housing sector but also increasing availability of the right type of accommodation at the right price in the right areas. We believe that a key component of housing supply must be a sustainable model for social housing, otherwise we will be sowing the seeds for future social inequality and boom-bust cycles as happened after the 1980s<sup>4</sup>. To aid this process we propose:

- The identification of 'Housing' as a preferred role within the public and civil service, the provision of further education to upskill both technical and administrative workers and a policy of internal promotion in housing departments to maintain inhouse skills and knowledge

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<sup>4</sup> NESG: Housing Supply & Land, July 2015, pg 14

- We propose that all local authorities formulate a Housing Department that includes both long term planning, the implementation of construction and the long term management of their housing sector without division across the authority
- The reform of the amended Planning and Development Act 2000; increase penalties on public representatives who subvert the planning process for personal gain; the reintroduction of planning reviews at council level; a review of the Part 8 planning clause; the provision of the average industrial wage for all local city and county councillors.

### **4.3 Cost Rental as a Model for Social and Affordable Housing**

We believe that the current model for the provision of social housing is not working. Direct government borrowing to finance social housing is no longer feasible and reliance on the market to meet our housing needs has plainly failed. Up to 100,000 families are on the housing waiting list, and a growing number of people face the prospect of homelessness despite our expensive form of rent supplement to the private rented sector. The level of home ownership has fallen in the last ten years, but there is no clear plan to support further growth in the rented sector. Our full proposal on cost rental housing can be accessed here: <https://greenparty.ie/news/greens-propose-3000-rental-homes-at-cathal-brugha-barracks-and-broadstone-garage/>

#### **Policy Points**

- We propose to create a cost rental model for the provision of social housing across the state to produce a minimum of 3,000 housing units in the first phase
- We propose that the financing instruments for this scheme operate outwith the standard government borrowing statistics
- We propose that the cost-rental social housing model should be supported by the government through the provision of state owned lands for building

### **4.4 Building Regulations and the Quality of Our Homes**

The Green Party believes it is vital for the Government to play a role in setting standards and promoting sustainable building design and construction. This generation's contribution to our built heritage is the legacy we will pass on to future generations. As such, the Green Party believes that good design by fully qualified and registered professionals should be at the core of all housing projects. The architectural and engineering excellence seen in some of our housing and recognised internationally should become the norm, not the exception. Not only will good design ensure better value building, the lives of those that inhabit those buildings will become enriched.

The Green Party recognizes that great progress has been made in relation to the energy ratings of Ireland's housing stock and we support moves to capitalize on this with initiatives that incentivize the provision of urban farmland, grey-water recycling systems, and cultural spaces.

### **Policy Points**

- We propose changes to the current CIRI (see section 5.3) but where it continues to exist we propose that registration and the professional registration of architects should be fully independent of industry and all existing professional bodies.
- We propose to reverse the relaxation of spatial requirements undertaken by a previous government in 2015 and require larger, dual aspect new apartments as standard
- We propose that all new builds, private and public, be built to a passive standard or NZEB equivalent using an appropriately sized renewable energy system. A 'Passive building' standard is a science-based construction created to all but eliminate the need for heating systems in buildings, meaning miniscule heating bills while ensuring high comfort levels, indoor air quality and durability.
- A mandatory requirement for County and City Councils to use only timber product that is certified as being manufactured from forests that are sustainably managed
- We propose to remove our current system of self-certification and replace it with a system of local authority building control inspectors similar to Northern Ireland. Currently more than 50% of all new housing is non-compliant and all of these are signed off by registered assigned certifiers.

### **4.5 Community Access to Energy Resources.**

#### **Policy Points**

- Allow homeowners and businesses to sell surplus energy to energy providers, have appropriate access to the national grid and be supported to contribute to regional grids as these are established.
- Recognise and remunerate tenants who make a material improvement to the condition or energy efficiency of their rental property. This move will encourage the maintenance and upgrading of our housing stock by all that enjoy its benefits.
- We propose a review of the current subsidies and grants offered by SEAI and the degree to which they constitute a national and comprehensive plan for a move to a renewable energy future.
- We propose a requirement on all projects over 5 million to engage in energy-neutral construction, by both private individuals and organizations.

#### **4.6 Provision for Vulnerable Groups**

We recognise that various groups within our communities are more adversely affected by homelessness and the housing crisis. This includes, but is not limited to, single parents, migrants and the Travelling community. As result we believe provision should be made in housing policy to address the specific requirements of particular groups while retaining a broadness and generosity in implementation that will allow local authorities to meet the needs of those seeking homes in their particular regions.

#### **Policy Points**

- We support the ITM (Irish Traveller Movement) in its call to repeal Section 24 of the Housing (Miscellaneous Provisions) Act 2002 which prohibits nomadism.
- We propose the creation of a network of officers within each local council to specifically service the housing needs of travellers and migrants and who hold an inter departmental brief and that maintains a knowledge transfer network between local authorities to ensure and integrated strategy.
- We advocate to protect larger single parent or blended families by increasing housing income disregard from maintenance payments and to assess based on number of children and not as a flat rate as it is currently.
- We propose that all local authorities are tasked to provide a percentage of halting sites as their social housing provision and that the maintenance of such sites (whether on private or public land) is subject to an annual health and safety review, including a fire safety check

#### **5.0 Local, Livable and Affordable Homes**

##### **5.1 Rent Models for Social Housing**

The State's exposure to this housing crisis is now evident in several ways: the number of mortgages in distress, long waiting lists for housing, rising homelessness, and rapidly rising rents, particularly in Dublin. The Green Party believes that we need to solve this crisis in a sustainable manner that will end the cyclical boom-bust dynamic that unfortunately seems to be integral to housing in Ireland. We recognise that the current crisis requires an immediate intervention in rental rates and though we believe it has been flawed in it's implementation (see section 6.0) we broadly support the state's efforts to reduce the rate of increase. However in the long term we propose a benchmarked rental system which would provide certainty and affordability to the greatest number of renters across the state.

#### **Policy Points**

- We propose the form of rent review popular in Germany, which is to base rents on the official rent guide for the areas (the Mietspiegel). This guide allows local

authorities to benchmark rents for the past four years rather than just the immediate past; which creates a lag in the effect of rent increases on reference rents as measured by the Mietspiegel. However we acknowledge the current rental crisis and call for this measure to be introduced following a stabilisation and reduction in rents

- Drawing from the recommendations of the NESC report on Ireland's rental sector, the Green Party advocates greater certainty for tenants in terms of rent and lease terms, and support a move from 4 year leases to effectively indefinite leases concurrently with an increase in the rental housing supply<sup>5</sup>.

## 5.2 Supplements in the Private Sector

The Green Party is not of the view that we should be heavily dependent on the private rental sector when it comes to housing those not in a position to afford to pay for their own accommodation costs. We believe that the state should take a much more proactive role in providing housing for such households. Should rent supplements to the private sector exist in the future, then we believe that Focus Ireland's view that the maximum rental limit should be set at the modal average of rents in any particular area and it should be reviewed every 6 months aligns broadly with our own proposal for rent control. Also, the rent supplement rates for single people in urban areas should be increased to marginally below the rate for couples to reflect the fact that, with the removal of bed-sit accommodation from the market, singles and couples both require 1 bed accommodation. We also believe that rent limits should be set in a more transparent manner, through an independent process, and should better reflect both actual market rents and urban and rural variations. In areas where there are significant fluctuations, this could result in savings to the State. We also propose a restructuring of the Rent Supplement scheme to bring it in line with the Residential Tenancies Act 2004, which currently fails to measure up to<sup>6</sup>.

### Policy Points

- We also propose the following measures as recommended in Thresholds Report on the TPS advocate
  - the payment of rent supplement in advance and not in arrears
  - The introduction of a pre-approval mechanism for RS claimants who have been assessed by the relevant local authority as having a housing need;
  - The removal of the requirement that a claimant furnish a tenancy/lease agreement as part of the applications process;

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<sup>5</sup> NESC: Ireland's Rental Sector Report, pg xi

<sup>6</sup> Threshold, Dublin Tenancy Protection Service: One Year Preventing Homelessness, Sept 2015, pg 22

- To ensure that RS continues to be paid while an appeal is pending
- A review of the documentation requirements for RS and provide for direct submission of confidential documents by landlords to the Department of Social Protection representatives
- That RS claimants are given at least 28 days' notice of the suspension or termination of RS payments
- Incentivise the alteration of existing housing stock to increase living density in a sustainable manner.
- We propose to revise the Fair Deal Scheme to reduce the 80% contribution and encourage renting properties out
- The Green Party proposes that any moves to make it more difficult to evict tenants should be done in tandem with an improvement of processing times of the PTRB and a strengthening power to action its findings. We propose to allocate an extra €1m in funding to the Private Residential Tenancies Board, to ensure tenancy rights are being upheld
- We propose to include an income disregard for housing in calculations for Working Family Payment to offset against child maintenance in a similar manner to the rules for OPFA/ JST

### 5.3 Building Control and Maintenance

We believe that the regional authorities have failed to invest in knowledge transfer in the creation of housing and that a central failure in this regard is the lack of new building inspection and ongoing maintenance that is now endemic within local authorities. The text of our successful bill on this issue can be read here.

<https://drive.google.com/file/d/0B9hE2vbQ0q0ic3ZXR2pmdnRud2s/view>

### Policy Points

- Introduce legislation to transfer the warranty for defects and the ability to bring actions for negligence to first and second purchasers of houses so that builders and those involved in the building process can be held responsible in cases of housing defects.
- Give more resources to local authorities so they can effectively implement building control rather than relying on private building control certifiers selected by industry.
- Introduce a consumer friendly form of dispute resolution for home owners dealing with defective housing rather than the current system of arbitration
- Implement the Law Reform Commission recommendations and extend the Statute of limitations for those dealing with building defects
- Engage with the Law Society and Construction Industry Federation in order to review the current standard form Building Agreement to make sure it protects consumers

- Introduce a scheme of state assistance for the carrying out of remedial works to defective housing units, in the form of tax reliefs and a low-interest loan scheme

#### **5.4 Mortgages and Debt**

Affordability covers a wide variety of issues including housing prices, incomes, creditworthiness, housing quality, housing policies, supply, and individuals' decisions regarding how much expenditure they wish to devote to housing (Norris, 2014 cited in NESF's Homeownership & Rental: What Road is Ireland on, 2014). In many countries, affordability is defined as housing costs that consume no more than 30 per cent of household income<sup>7</sup>. In Ireland, the Planning and Development Act 2000 defines affordable housing as housing or building land provided for those who need accommodation and who otherwise would have to pay over 35 per cent of their net annual income on mortgage payments for the purchase of a suitable dwelling.

The Green Party believes that all people should be able to live in appropriate and sustainable housing for a cost of no more than 30% of their net income unless they freely choose otherwise. We also believe that a mortgage should be affordable and it should not be for longer than 25 years.

#### **Policy Points**

- We call for a swift review of the National Mortgage to Rent scheme to rectify low take up rates. We also call for the extension of this scheme to Community Land Trusts
- The Green Party proposes the introduction of a Central Credit Register to assist lenders in ascertaining total borrower indebtedness. We also believe that if a potential borrower can demonstrate a track record of ability to pay rent over a sustained period that this should be taken into account when assessing affordability
- The Green Party resolves to immediately require a moratorium on all home repossession cases currently going through the judicial system and implement the following;
  - Require the immediate allocation of resources to ensure Registrars, Judges and other research staff can fulfil their obligations under EU law.
  - Require an amendment to legislation to prevent homelessness occurring due to tenants in buy to let mortgages as 20% of all buy to let mortgages are in arrears, with 10% of such mortgages (14,518) 720 days in arrears..
- Irish Government to mandate financial lending Institutions to provide fixed rate mortgages for the entire term of the mortgage should the consumer desire it. The

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<sup>7</sup> McKinsey Global Institute: A blueprint for addressing the global affordable housing challenge, Oct 2014, pg 1

same institutions borrow money from the markets at wholesale fixed rates. This financial product is available in most western economies except Ireland.

- We propose to allow tenants to make applications in advance of rent increases and not force them to wait until the month the rent increase is taking place.

## **6.0 The Current Crisis**

### **6.1 Tenants Rights**

The Green Party believes that it is imperative that rent certainty is given in tandem with longer leases. To give the former without the latter may lead to landlords evicting tenants between leases in an effort to increase rents dramatically<sup>8</sup>. Similarly, to give longer leases without any rent certainty does not provide security to tenants. This will damage the creation of a stable rental sector, which is essential to stabilising house prices and ensuring a stable market for landlords. As shown in the Netherlands and Germany, landlords also benefit from strong tenancy security, because it creates the long-term demand for rental housing. Neither tenants nor landlords would benefit from weakening tenancy security<sup>9</sup>. Rental regulations should strike a balance between landlords' and tenants' interests, create security of tenure and avoid market segmentation between sitting and new tenants<sup>10</sup>.

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<sup>8</sup> PTRB: Rent Stability in the Private Rented Sector, Sept 2014, pg 82

<sup>9</sup> De Boer, R & Bitetti, R(2014),A Revival of the Private Rental Sector of the Housing Market? Lessons from Germany, Finland, the Czech Republic and the Netherlands, pg 22

<sup>10</sup> Andrews, Caldera Sánchez, & Johansson, (2001), Housing Markets and Structural Policies in OECD Countries, pg 52

A PTRB report found that only 1 in 5 landlords considered being a landlord as an additional source of income.<sup>11</sup> This fundamentally places the provision of housing within a context of profit and as the Irish housing market relies so heavily on the private sector it is unlikely to ever provide people and families on lower incomes with suitable and affordable housing in the long term. .

To improve tenants rights into the future we propose to:

- an end to evictions for refurbishment that result in homelessness for a fixed period
- a clear definition of over-crowding in law that is meaningful and enforceable
- a requirement for planning permission for short-term rental apartments
- greater use of CPO powers by Local Authorities for housing purposes
- extension of the Vacant Sites Levy to include smaller buildings and sites (see section 3.2)
- a ban on cash-in-hand payment of rents
- a right to occupy residential properties vacant for more than a year
- a standard of 90 days notice for the termination of tenancy by the landlord for tenants of more than 6 months and less than 4 years.
- a standard of 120 days notice for the termination of tenancy by the landlord for tenants of more than 4 years
- to encourage the adoption of long term, fixed tenancies (10 year contract or more) we propose a building upgrade grant to new landlords who do not require vacant possession of a property
- we propose to support long term tenancy contracts that incentivise tenants to assume responsibility for repairs and maintenance, or permit tenants greater discretion regarding improvements to the property. We will rewrite Section 34 of the Residential Tenancies Act 2004 to allow for indefinite tenancy agreements

To help stabilise the rental sector in the short-term.

- We propose the removal of sale as a reason for ending a lease.
- We propose a suspension of tenant purchase for a period of two years to be reviewed at the end of that period
- Better resourcing and strengthening of the PTRB is required to allow for swift resolution of disputes between landlords and tenants.
- Rent Supplement should be paid in advance and deposits and rent-in-advance should be available to all rent supplement tenants.

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<sup>11</sup> Private Rented Sector Survey Findings: Tenants, Landlords & Estate Agents for the PTRB, 2015, pg 42

- Increase in funding to local authorities to acquire encumbered buy-to-let properties for social housing, through purchase or lease.
- Full implementation of the Aftercare Bill, which guarantees a right to an aftercare assessment on turning 18 and leaving care, should be fully implemented and the resulting services fully resourced
- Habitual Residence Condition (HRC decisions) should be published and where an appeal for residency status is pending, homeless migrants should, at a minimum, continue to have access to temporary emergency accommodation.
- Medical cards should be issued based on an individual's PPS number and not on the basis of a permanent residential address
- Should a household have to reapply for rent supplement within a given period, they should not have to go through the full approval process again and those identified as having a housing need by a local authority should be pre-approved for rent supplement. Similarly, all housing support payments should be tapered off as income levels increase and not operate on a cut-off basis.
- The Green Party proposes to extend nationwide the Tenancy Protection Service (TPS) in the short term, as currently operated by Threshold, which affords an increased payment of rent supplement above the relevant maximum rental limit to individuals at risk of becoming homeless. We also propose the implementation of the Threshold TPS Report<sup>12</sup> including the payment of rent supplement in advance and not in arrears.
- In order to optimise the use of building stock we propose to create a website that would facilitate the transfer of social housing between tenants in a bidding process that can operate across council boundaries.
- We propose an amendment to equality legislation to prevent the practice of tenants being rejected solely on the basis of receiving rent supplement.
- We urge the government to enact provisions for a tenant deposit protection scheme as set out in legislation since 2015, The Residential Tenancies Bill 2012, Amendment No.2

## 6.2 Remedial Work

Due to the failure of our self certification construction process in the previous decade Ireland has a large proportion of housing stock requiring remedial work in the short to medium term. We believe the Home Renovation Scheme should be extended to include remedial works where required.

### Policy Points

- The provision of an interest free loan scheme to housing in need of remedial work

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<sup>12</sup> Threshold, Dublin Tenancy Protection Service: One Year Preventing Homelessness, Sept 2015, pg 22

- Where serious failure in construction certification has been identified properties should be exempt from Local Property Tax until the building has been made good
- The provision of a transmissible warranty of quality from developers and contractors to building occupiers beyond the first purchaser.

### **6.3 Short Term Lettings**

Ireland currently has no specific guidelines for the operation of short term lettings agreements such as Air BnB other than a requirement for a Change of Use application if the property is exclusively used for this purpose. In considering the current housing crisis it is undesirable that such a high proportion of homes are available for rent in urban areas for the purpose of short term or holiday rental, particularly in areas where high levels of homelessness exist.

#### **Policy Points**

- The creation of a register for properties engaged in AirBnB style letting. Owners/landlords would be required to self report to ensure correct rates are levied and enforced.
- A maximum of 60 days allowable letting for units within the currently identified rent pressure zones