

Mr. Michael Finneran, TD  
Minister for Housing and Local Services,  
Department of Environment, Heritage and Local Government,  
Custom House,  
Dublin 1

10<sup>th</sup> July 2009

### **Review of the Residential Tenancies Acts**

Dear Minister,

The Society of St Vincent de Paul (SVP) welcomes this opportunity to input our views to the Review of the Residential Tenancies Acts.

The Society of St. Vincent de Paul is the largest voluntary organisation of social concern and action in Ireland, with a variety of social services being provided by our 9,500 members. Our visitation conferences mainly visit people in local authority and private rented accommodation. This submission is informed by our experience of both service delivery and social justice advocacy.

The Social Justice Committee of the SVP has a mechanism for gathering the experience of our membership and services as it relates to issues of social policy concern. This is known as the 'From The Ground Up' process, overseen by a project team, and it takes samples of the experiences of our conferences throughout the country which then inform our policy positions.

The 'From The Ground Up' project team has identified housing as one of the issues which constantly and consistently causes difficulties for the people who we assist. The regular housing-related problems encountered include:

- The affordability and availability of good quality private rented accommodation which meets the minimum standards for people on low incomes and/or in receipt of rent supplement
- The low rate of inspections of private rented accommodation by local authorities leading to slow progress being made in ensuring that the private rented housing stock meets the minimum standards

- The ‘hope’ of the Department of Social and Family Affairs stated in the April 2009 budget that tenants in receipt of rent supplement will be permitted by their landlords to break the terms of their lease and renegotiate their rent levels. This hope is not being realised and the result is impacting very negatively on those who are reliant on rent supplement to meet their housing needs
- Rent supplement top-ups being paid to landlords
- Rent supplement payments not being reflective of market rental prices
- Fuel poverty
- Homelessness

We recognise that many of these issues are outside of the scope of this review, however, they cannot be ignored in the wider context of improving the experience of low income groups who are living in the private rented sector.

Within the terms of reference of this review, the Society has two main concerns:

- The initiation of a deposit protection scheme
- Ensuring the accessibility of the Private Residential Tenancies Board (PRTB) for low income tenants

### **Deposit Protection Scheme:**

We are aware that the majority of disputes submitted to the PRTB for resolution involve deposit retention complaints, and this is a particularly important issue for tenants on low incomes, who may be reliant on the prompt return of their deposit in order to allow them to access their next home.

A deposit protection scheme would involve tenants paying deposits into accounts held by the PRTB as security for the tenancy. The deposit would be available to the landlord should the tenant default on their rent or the terms of their lease. Tenants would not therefore pay deposits directly to landlords under this scheme.

This system would also incentivise landlords to register with the PRTB and to provide up to date contact details to the Board which would be necessary in order to access the deposit protection scheme.

Additionally, rather than having to produce a new deposit each time a tenant moves home, the deposit protection scheme would allow a tenant to simply transfer the deposit from the old tenancy to the new one. Our experience suggests that moving house is an expensive process for people on low incomes, and any initiative which mitigates this expense would be welcomed by the SVP.

### **Accessibility of the Private Residential Tenancies Board for low income tenants:**

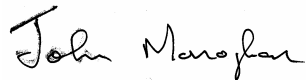
The Society is concerned that the cost associated with taking a dispute to the Private Residential Tenancies Board may prevent people on low incomes from doing so. Many of the people we assist are accommodated in the private rented sector in receipt of rent supplement, and the amount of their payment has been reduced substantially in

the last number of months, leaving them disempowered and with greater housing costs to meet. The cost of applying for the dispute resolution service must take into account the ability to pay of those on low incomes if the service is to be accessible for this group.

**Conclusion:**

It has been the long and sad experience of the SVP that housing deprivation blights the lives of individuals and families. The Society welcomes the review of the Residential Tenancies Act and the opportunity to make these brief comments on it. We strongly urge that the needs of low income tenants are taken into consideration at all stages of the review process, and in particular, that the opportunity for the development of a deposit protection scheme is taken and that the dispute resolution service of the PRTB remains accessible for all, regardless of income.

Yours sincerely,

A handwritten signature in black ink that reads "John Monaghan". The signature is written in a cursive style with a large initial 'J'.

Professor John Monaghan  
National Vice President, Society of St Vincent de Paul.