

SF Rental Standards PMB 7.11.17

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Many people watching Nightmare to Let last week will have been shocked by what they saw

Barry O’Kelly and the RTE Investigates team deserve great credit for the programme

They exposed breaches of fire safety regulations that put tenant’s lives at risk

They highlighted levels of overcrowding that many people assumed had vanished with the demolition of the tenements in the 1940s and 50s

They detailed the failure of landlords to respond to requests for essential maintenance and repairs

And worst of all they highlighted the failure of the State to enforce minimum standards and to protect tenants

Last year only 4% of the 325,000 registered private rental tenancies were inspected

Two thirds of those were not compliant with minimum standards

In some instances, when breaches were brought to Local Authorities attention, e-mails went unread

Unfortunately those of us who work on housing issues every day will not have been surprised by what we saw

Flagrant breaches of fire safety and minimum standards in the private rental sector are all too common

Levels of overcrowding, in clear breach of the provisions of Section 63 of the 1966 Housing Act, are widespread

Refusal to carry out basic maintenance is a regular complaint of many tenants

While a small number of Local Authorities have an acceptable level of inspections the overwhelming majority do not

The 2016 National Oversight and Audit Commission report on the private rental sector highlighted that:

7 Councils had inspections levels of less than 2%

5 Councils had inspections rates of between 2 and 4%

10 more has inspections rates of between 4 and 10 %

5 had inspections rates of between 10 and 12%

Just 4 Councils – Roscommon, Monaghan, Cavan and South

Dublin had inspection rates of between 20 and 34%

Of the 64 staff working in Councils on the private rental

sector only a mere 29 were involved in private rental

inspections according to the report

If rogue landlords know that their chances of being inspected

are less than 4% then of course abuses are going to occur

Especially in a housing market where supply is low, demand is

rising and prices are high

However Local Authorities are not solely to blame for all of

this

They have seen staffing levels slashed by 30% since 2008

They are also struggling to cope with an ever deepening

housing and homelessness crisis

Increasing the number of inspections to an adequate level will require additional resources from central Government

If some Councils can achieve inspection levels of 25% annually then all should be obliged to do so as a matter of urgency and resourcing should not be an obstacle

There is also a need to place greater responsibility on landlords for compliance with minimum standards

Vulnerable or low income tenants are often too scared to complain to the RTB or the Council for fear of losing their tenancy

Thresholds proposal for an NCT type certification for landlords is vital if more vulnerable tenants are to be protected

It would mean that a property can not be rented out without an adequate compliance certificate

This can be done in a simple way, with limited cost to the landlord and cost neutral to the State

Nobody should underestimate the enormous change this would bring to the private rented sector

It would also ensure that those law abiding compliant landlords are not under-cut by rogue traders

Questions also have to be asked about the levels and strength of enforcement of fire safety requirements and other minimum standards

Currently fines of up to €5000 or imprisonment can be applied where a landlord fails to comply with an improvement notice or re-lets a house that has been served with a prohibition notice

There appears to be no sanction for the original breach

So a landlord, who crams 40 to 60 people into accommodation like sardines, puts their lives at risk and takes in tens of thousands of euro a week in rent can walk away scot free so long as he complies with an improvement or prohibition notice

That is almost an invitation to break the law and clearly must be reviewed

The current regime of sanctions needs to be reformed

It must address a broader range of offences and include penalties that are commensurate to the offence

This should include the possibility of imprisonment for those landlords who wilfully put people's lives at risk.

The Nightmare to Let programme was not just a reminder of the problems in our private rental sector – it was a call to action

Tonight thousands of people, including children, will sleep tonight in accommodation that is substandard, unsuitable and unsafe

What they want, and what they deserve, is action from every TD in this House

They do not want us to turn the issue of private rental standards into a political football

They do not want us use their plight to score political points

They want to know, what we collectively are going to do to clear up the private rental sector

To ensure that all landlords are compliant with fire safety, overcrowding and minimum standards

And to make sure that those landlords who break the law will be caught, problems rectified and if necessary rogue landlords punished for their actions

Sinn Féin's Motion tonight is an opportunity for all members of this house to stand united, to put aside our political differences, and to stand up for tenants

It calls on the Minister to set out, as a matter of urgency, a plan for ensuring compliance with standards in the private rented sector

It calls for increased inspections, increased resources for Councils, an NCT type certification system for landlords and a review of penalties for those who break the law

What stronger signal could we send to rogue landlords and to those living in substandard accommodation tonight than to speak with one voice, calling on the Government to act to ensure that all those living in the private rented sector have a safe and secure place to call home.