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**For Written Answer on :** **16/07/2020**

**Question Number(s)**: **92,89,90,91** **Question Reference(s): 16358/20, 16355/20, 16356/20, 16357/20**

**Department:** **Housing, Planning and Local Government**

**Asked by: Eoin Ó Broin T.D.**

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**QUESTION**

\* To ask the Minister for Housing; Planning and Local Government if he is considering regulating the platforms advertising these short-term lets placing the responsibility on the platform to ensure the host has secured the relevant planning permissions; and if he will make a statement on the matter.

- Eoin Ó Broin T.D.

For WRITTEN answer on Thursday, 16 July, 2020.

\* To ask the Minister for Housing; Planning and Local Government the number of short-term let properties operating in rent pressure zones without the appropriate permissions identified by the local authorities and brought back to the long-term rental market since the relevant amendments to the Planning and Development Act 2000 (as amended) in 2019 by local authority in tabular form; and if he will make a statement on the matter.

- Eoin Ó Broin T.D.

For WRITTEN answer on Thursday, 16 July, 2020.

\* To ask the Minister for Housing; Planning and Local Government the number of applications received by local authorities from landlords wishing to let their properties as short-term lets; the number of these approved since the relevant amendments to the Planning and Development Act 2000 (as amended) in 2019 by local authority in tabular form; and if he will make a statement on the matter.

- Eoin Ó Broin T.D.

For WRITTEN answer on Thursday, 16 July, 2020.

\* To ask the Minister for Housing; Planning and Local Government the number of owner occupiers that have notified the local authority of their intention to engage in home sharing since the relevant amendments to the Planning and Development Act 2000 (as amended) in 2019 by local authority in tabular form; and if he will make a statement on the matter.

- Eoin Ó Broin T.D.

For WRITTEN answer on Thursday, 16 July, 2020.

**REPLY**

The primary objective of the legislative changes introduced last year in relation to the regulation of short-term letting sector through the planning code is to help address its impact on the supply of private rented accommodation, particularly in urban centres of high housing demand i.e. rent pressure zones (RPZs). The planning system facilitates the regulation of such short-term letting uses undertaken by the individual carrying out the activity, i.e. the owner/occupier of the house or apartment, rather than the online platforms.

The broader regulation of tourism activity, including the possible development of a new regulatory or licensing/registration system for commercial platforms and short-term letting agents, was recommended in the final Working Group report on the regulation of short-term letting. The Programme for Government - Our Shared Future includes the specific action to strengthen the regulatory and enforcement mechanisms with regard to short-term lettings, and the approach in this regard will be considered over the coming months.

My Department has been in contact with each of the relevant local authorities in which RPZs are located throughout the year, and has requested regular updates on the enforcement and implementation of the Short Term Letting (STL) Regulations. Notwithstanding the impacts that the COVID-19 pandemic has had on the workforce and workload of local authorities over recent months, as well as on the short-term letting market itself, this enforcement and implementation has continued to the extent possible.

From data available to the Department, I understand that up to the end of Q1 2020 the relevant local authorities have identified 1,757 properties which are suspected of being in breach of the STL Regulations, i.e. operating in RPZs without the appropriate permissions. As these cases are the subject of further investigation, it is not yet possible to confirm how many of these are definitively in breach of the statutory requirements. However, the local authority returns indicate that a total of 633 planning enforcement warning letters have been issued. The STL Regulations aim to ensure that properties in breach of the legislation cease to operate in the short-term letting sector, and do not facilitate the following up on the subsequent use of such properties, including the transfer of such properties into the long-term rental market. Accordingly, data regarding the subsequent use of the properties concerned is not available to my Department.

Under the STL Regulations, planning permission is required for the short-term letting of a room or rooms in a house that is not a person’s principal private residence (house or apartment), or where the 90-day threshold for short-term letting of the entire home of a person’s principal private residence is exceeded. Up to the end of Q1 2020, the local authority returns indicate that there were 47 change of use planning applications for these purposes received by local authorities, with two of these being granted.

Under the Regulations, the legal use of a property for home-sharing or short-term letting is not restricted solely to owner-occupiers, but can also be undertaken by those who are not the legal owner of the property, subject to the provision of the legal owner's consent. While a breakdown of owner-occupiers that have notified local authorities of their intention to engage in home-sharing is not available to my Department, I can confirm that 637 completed "Form 15s" have been received by local authorities. This form serves to register the property with the local authority and notify the local authority of the intention that the properties concerned will be legally used for home-sharing or short-term letting, within the limits set out in the legislation.

Below is a table providing the data requested and outlined above.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Planning Authority | Total no of properties identified as potentially in breach of the STL regulations | No of Form 15s (annual notifications) received | No of STL change of use planning applications received | No of STL change of use planning permissions granted | No of "section 152" warning letters issued |
| Carlow | 10 | 0 | 0 | 0 | 3 |
| Cork County | Return awaited |  |  |  |  |
| Cork City | 0 | 2 | 0 | 0 | 0 |
| DLR | 46 | 99 | 0 | 0 | 46 |
| Dublin City | 466 | 334 | 32 | 0 | 466 |
| Fingal | 825 | 59 | 0 | 0 | 37 |
| Galway City | 0 | 31 | 5 | 0 | 12 |
| Galway County | Return awaited |  |  |  |  |
| Kerry | N/A - areas only recently designated as RPZs | N/A | N/A | N/A | N/A |
| Kildare | 2 | 12 | 0 | 0 | 5 |
| Kilkenny | 100 | 8 | 0 | 0 | 0 |
| Laois | 43 | 1 | 2 | 1 | 0 |
| Limerick | 0 | 4 | 3 | 0 | 0 |
| Louth | 159 | 7 | 1 | 0 | 36 |
| Meath | 0 | 21 | 3 | 0 | 0 |
| Offaly | N/A - areas only recently designated as RPZs | N/A | N/A | N/A | N/A |
| Sligo | N/A - areas only recently designated as RPZs | N/A | N/A | N/A | N/A |
| South Dublin | 61 | 31 | 0 | 0 | 21 |
| Waterford | Return awaited |  |  |  |  |
| Westmeath | 0 | 0 | 1 | 1 | 0 |
| Wexford | 45 | 0 | 0 | 0 | 7 |
| Wicklow | 0 | 28 | 0 | 0 | 0 |
| Total | 1757 | 637 | 47 | 2 | 633 |