



STATUTORY INSTRUMENTS.

S.I. No. 288 of 2016



SOCIAL HOUSING ASSESSMENT (AMENDMENT) REGULATIONS
2016

SOCIAL HOUSING ASSESSMENT (AMENDMENT) REGULATIONS
2016

I, SIMON COVENEY, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 3, 20, and 32 of the Housing (Miscellaneous Provisions) Act 2009 (No. 22 of 2009), as adapted by the Environment, Heritage and Local Government (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 193 of 2011), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Social Housing Assessment (Amendment) Regulations 2016.

Interpretation

2. (1) In these Regulations-

“the Principal Regulations” means the Social Housing Assessment Regulations 2011 (S.I. 84 of 2011);

“the Act of 2005” means the Social Welfare Consolidation Act 2005 (No. 26 of 2005).

Amendment of Regulation 5 (Housing Authority of Application) of the Principal Regulations.

3. Regulation 5 is amended by inserting “where the household does not normally reside in that functional area,” after “connection,” in paragraph (b).

Amendment of Regulation 19 (Income Limits) of the Principal Regulations.

4. Regulation 19 is amended by deleting the column headed “Town Councils” in the Table to that Regulation.

Amendment of Regulation 20 (Income Limits) of the Principal Regulations.

5. Regulation 20 is amended by substituting the following for the Table to that Regulation:

“

Table

County Councils	City and County Councils
Cork	Limerick
Kerry	Waterford
Kilkenny	
Louth	
Wexford	

”.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 7th June, 2016.*

Amendment of Regulation 23 (Housing Need Criteria) of the Principal Regulations.

6. Regulation 23 is amended —

(a) by inserting the following after paragraph (a):

“(aa) whether the household is homeless within the meaning of section 2 of the Housing Act 1988,”

(b) by inserting the following after paragraph (d):

“(dd) whether the accommodation is unsuitable for the household’s adequate housing on exceptional medical or compassionate grounds,”

(c) in paragraph (ee)—

(i) by substituting “Code of Conduct on Mortgage Arrears 2013” for “Code of Conduct for Mortgage Arrears 2011”, and

(ii) by deleting “and”,

(d) by inserting the following after paragraph (ee):

“(eee) where the household, in the opinion of the housing authority, requires the payment of a supplement under section 198(3) of the Act of 2005 towards the amount payable by the household in respect of the household’s current accommodation, and”

(e) by substituting the following for paragraph (f):

“(f) whether the accommodation is unsuitable for the household’s adequate housing in any other material respect, having regard to particular household circumstances.”

Amendment of the Schedule to the Principal Regulations.

7. The Schedule to the Principal Regulations is amended by substituting “Dublin” for “Tipperary”.



GIVEN under my Official Seal,
2 June 2016.

SIMON COVENEY,
Minister for the Environment, Community and Local
Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation)

These Regulations amend the Social Housing Assessment Regulations 2011 (S.I. No. 84 of 2011) to—

- Provide that a housing authority, in determining whether a household has a housing need under Regulation 23, may take into consideration whether the household is dependent on rent supplement to meet its housing need;
- Reflect the abolition of all borough and town councils and the restructuring of certain other local authorities introduced under the Local Government Reform Act 2014;
- Clarify the criteria pertaining to the Housing Authority of Application requirement;
- Prescribe a maximum income threshold of €30,000 for eligibility for social housing support in the administrative area of Waterford City and County Council.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B32140). 325. 6/16. Essentra. Gr 30-15.