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Institute of  
Housing  
Ireland



## Clúid Housing

- Members in 194 OMC's
- 4,000+ Clúid Units
- 27,000+ OMC Units
- 1 - 338 homes per OMC

# Corporate Governance – Best Practice

## Board composition & effectiveness

- Not too small and not too big.
- Aligns to Lease/constitution requirements
- Represents different member types
- Has the competencies & capacity required
- Meets monthly/quarterly – Tracker sheets are helpful!
- Has competent company secretarial services
- Ensures good communication with members between AGMs
- Utilises Sub-groups where needed.



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# Financial Governance – Best Practice

## Board responsibilities & Financial oversight

- Regular reviews of Actual spend against Budget (BVA)
- Separate Bank account for sinking fund
- Separation of duties – Payments and Creditors
- Building Investment Fund Report in place (or alternative).
- Financial returns – Ensure returns are filed and up to date.
- Value for Money Initiatives – Brokers, Specialists, Surveyors
- Debtors – Ensure effective management
- Insurance – Rebuild value and D&O Policy



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# General Governance – Best Practice Advice

## Board responsibilities & Duties

- OMC Solvency & Creditors – Risks to the OMC and Board
- Conflict of interest – Actual or perceived conflict
- Fire Safety – maintenance of life saving systems
- Service Charge apportionment – How confident are you?
- Budget apportionment – As set out in the lease?
- LOE – MA – NB to review and renew in line with needs
- Managing Agent – Empowerment and accountability
- Online AGMs - Voting, Polls & Proxies
- OMCs as Employers – Avoid where possible



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# Case Study – Adamstown Development

- Adamstown Development - 58 Units – Mixed (Clúid 43)
- Developer led - 2019 (6 years) - No BIF, Low Sinking Fund, No Separate Bank Accounts, TOCA not completed, Issue with Debtors, Scheme beginning to look tired.
- Actions – BIF completed, Sinking Fund increased, TOCA completed, Separate bank account, New board members, New fire alarm, Lift specialist in, Reinstatement valuation completed, estate improvement, Debtors reduced, Value for Money initiatives.



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# Thank you!

## Final questions?



**An Ghníomhaireacht  
Tithíochta**  
The Housing Agency

# Chartered Institute of Housing

# Multi-Unit Developments Workshop

29 April 2025

# Outreach Events: Sep/Oct 2024



# Outreach Evenings – 26 to date



Crowne Plaza Airport Hotel, Northwood, Santry, Dublin 9 - Wednesday, 11 September

Clanree Hotel, Letterkenny, Co. Donegal - Wednesday, 18 September

Maldron Hotel, Portlaoise, Co. Laois - Wednesday, 25 September

The Ellison Hotel, Castlebar, Co. Mayo - Wednesday, 2 October

Killarney Plaza Hotel and Spa, Killarney, Co. Kerry - Wednesday, 9 October

Glenview Hotel and Leisure Club, Delgany, Co. Wicklow - Wednesday, 16th October

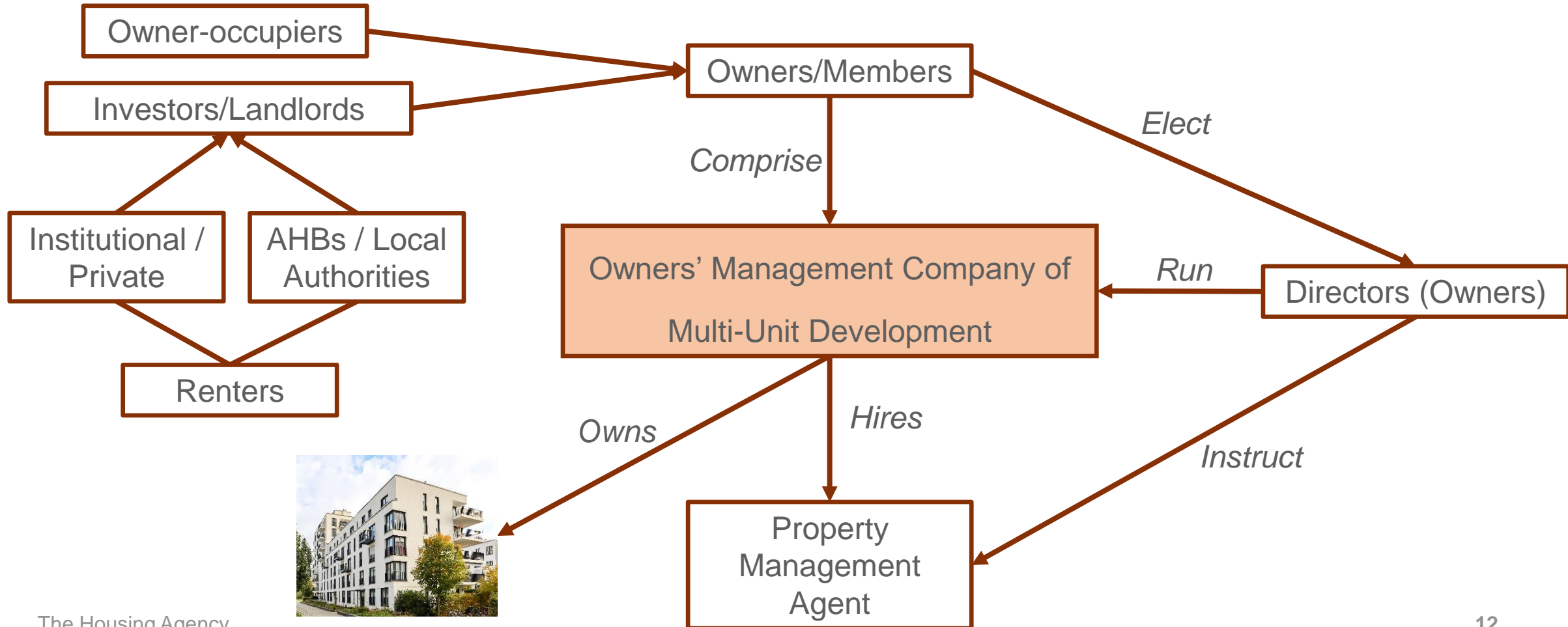
The Tower Hotel and Leisure Centre, Waterford City - Wednesday 23, October

# Sep / Oct 2025 Locations



1. Dublin x2
2. Cork
3. Limerick
4. Galway
5. North West (Carrick-on-Shannon)

# Mult-Unit Development: What/Who?



# Ownership = Diverse



Owners of Property				
Individuals	Companies Irish or Foreign	Partnerships	Trusts	Exempt Unit Trusts - €5bn
Insurance Corporations/Pension Funds - €3bn	REITs €1.75bn	Investment Funds Irish (not IREFs) or Foreign Domiciled	Investment Funds which are IREFs - €28bn	Government (local authorities, AHBs, LDA)

# Complexity



- Private Rental Sector (PRS)
- Build to Rent (BTR)
- Residential Schemes
- Mixed-Use Developments
- Cost Rental / Affordable Purchase



YOU ARE HERE: [HOME](#) / [STATISTICS](#) / HOUSING HUB

The Housing Hub has been designed to simplify the process of accessing information on housing in Ireland on the CSO website.

The Hub provides a range of information, broken down into four main themes of:

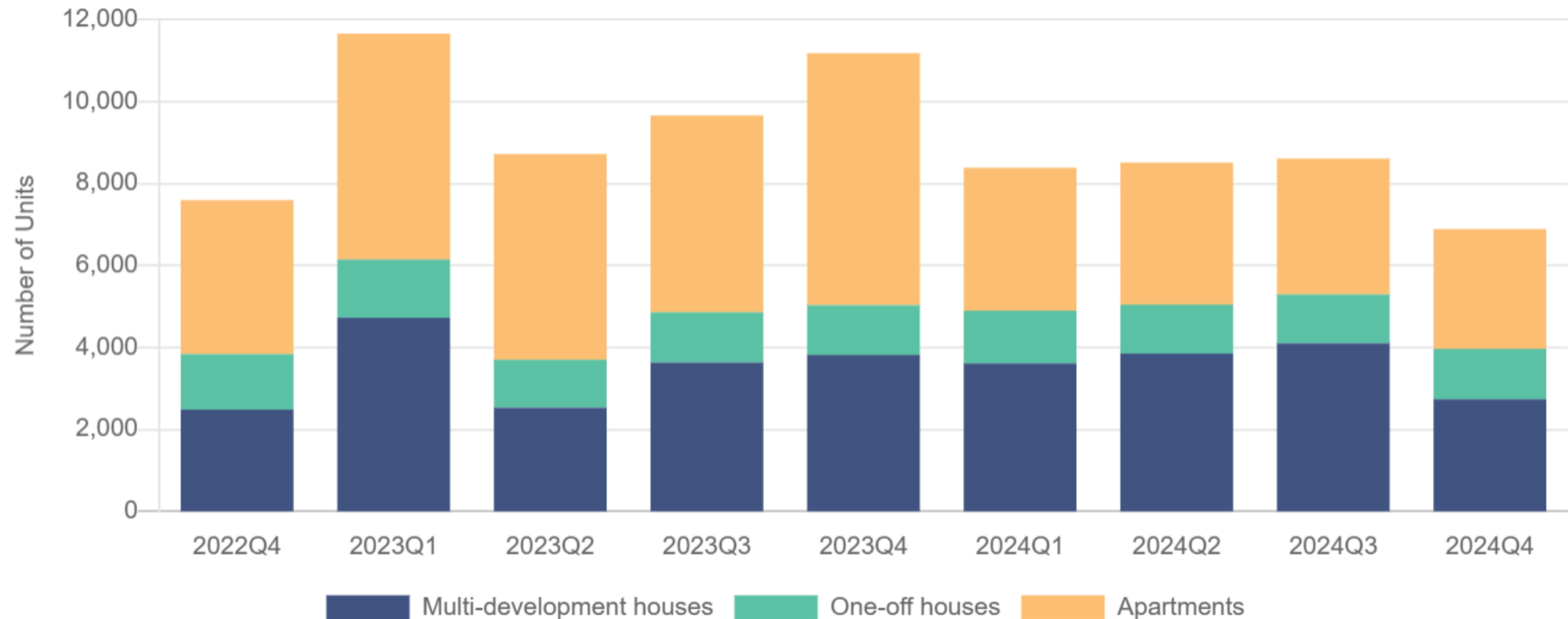
- Data on the Hub is updated regularly and the sources for the data presented are acknowledged. We thank all data providers for their support.

Please note: The CSO is not responsible for the quality of data from the external sources.



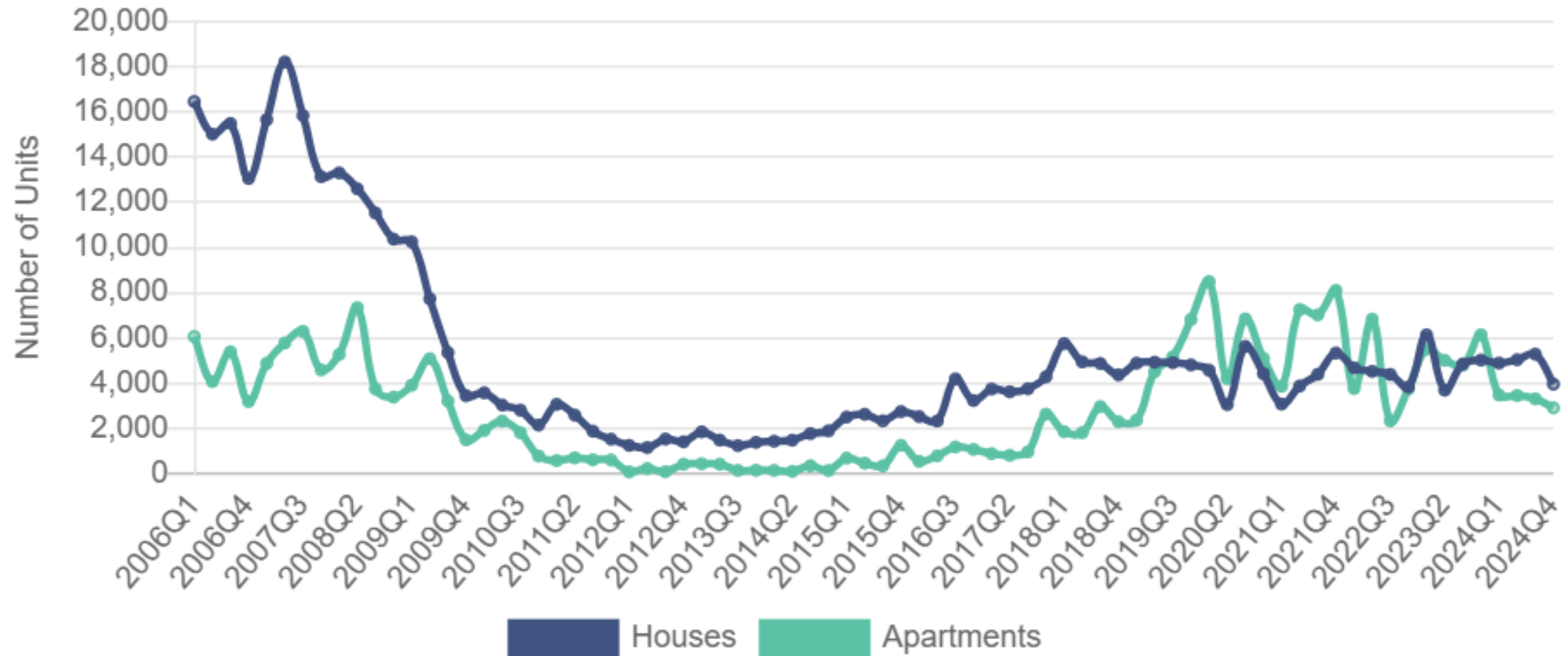
## The Housing Agency

# Planning Permissions 2022-2024



[www.cso.ie/en/releasesandpublications/ep/p-pp/planningpermissionsquarter4andyear2024/](https://www.cso.ie/en/releasesandpublications/ep/p-pp/planningpermissionsquarter4andyear2024/)

# Permissions 2006-2024



[www.cso.ie/en/releasesandpublications/ep/p-pp/planningpermissionsquarter4andyear2024/](https://www.cso.ie/en/releasesandpublications/ep/p-pp/planningpermissionsquarter4andyear2024/)

# Completions – Latest Data



[www.cso.ie/en/releasesandpublications/ep/p-ndc/newdwellingcompletionsq12025/](http://www.cso.ie/en/releasesandpublications/ep/p-ndc/newdwellingcompletionsq12025/)

# Apartment Completions 2024



- 29% of national completions
- 60% of Dublin completions
- 75% of all completions were in Dublin

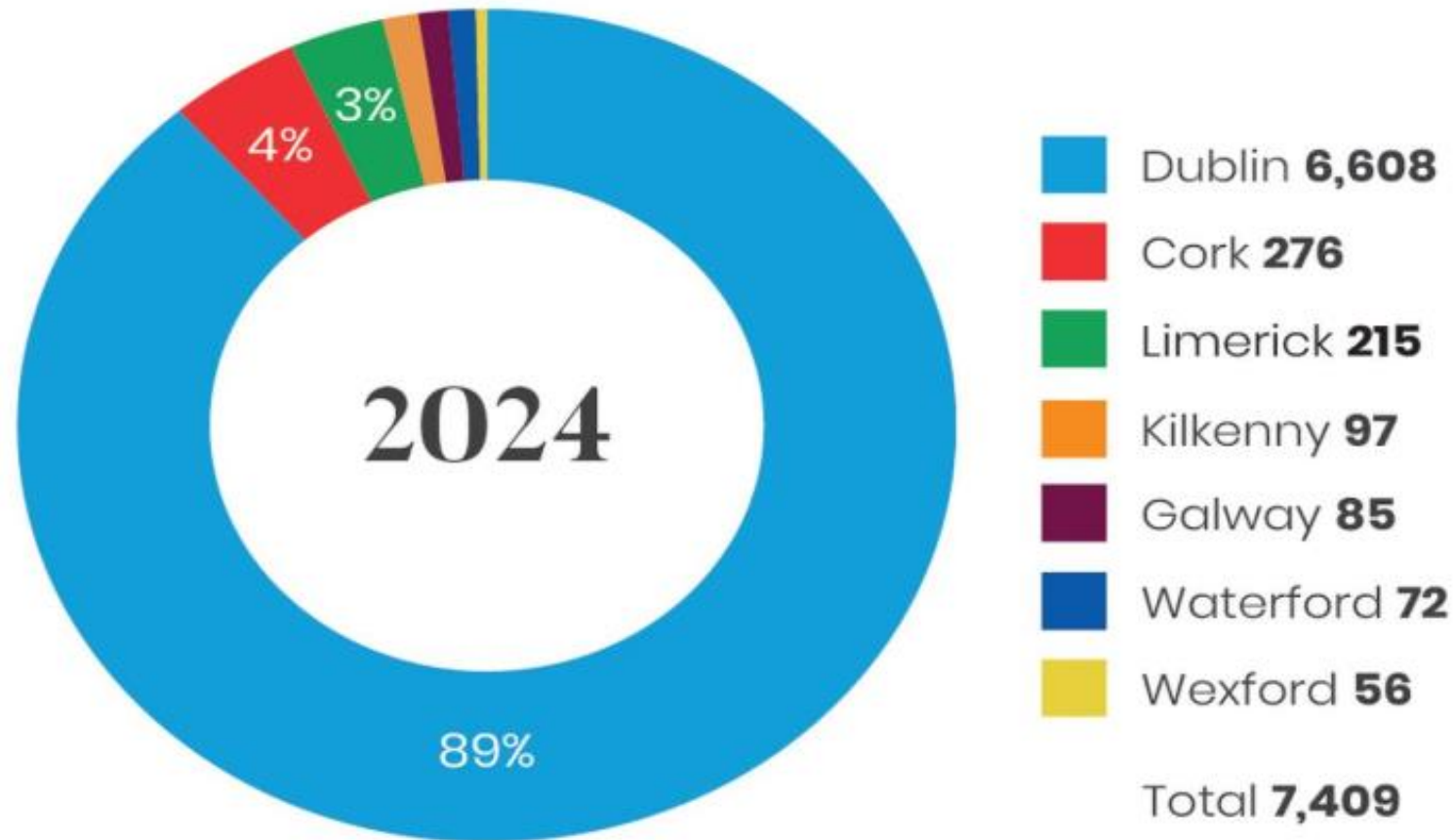


An  
Phríomh-Oifig  
Staidrimh

Central  
Statistics  
Office

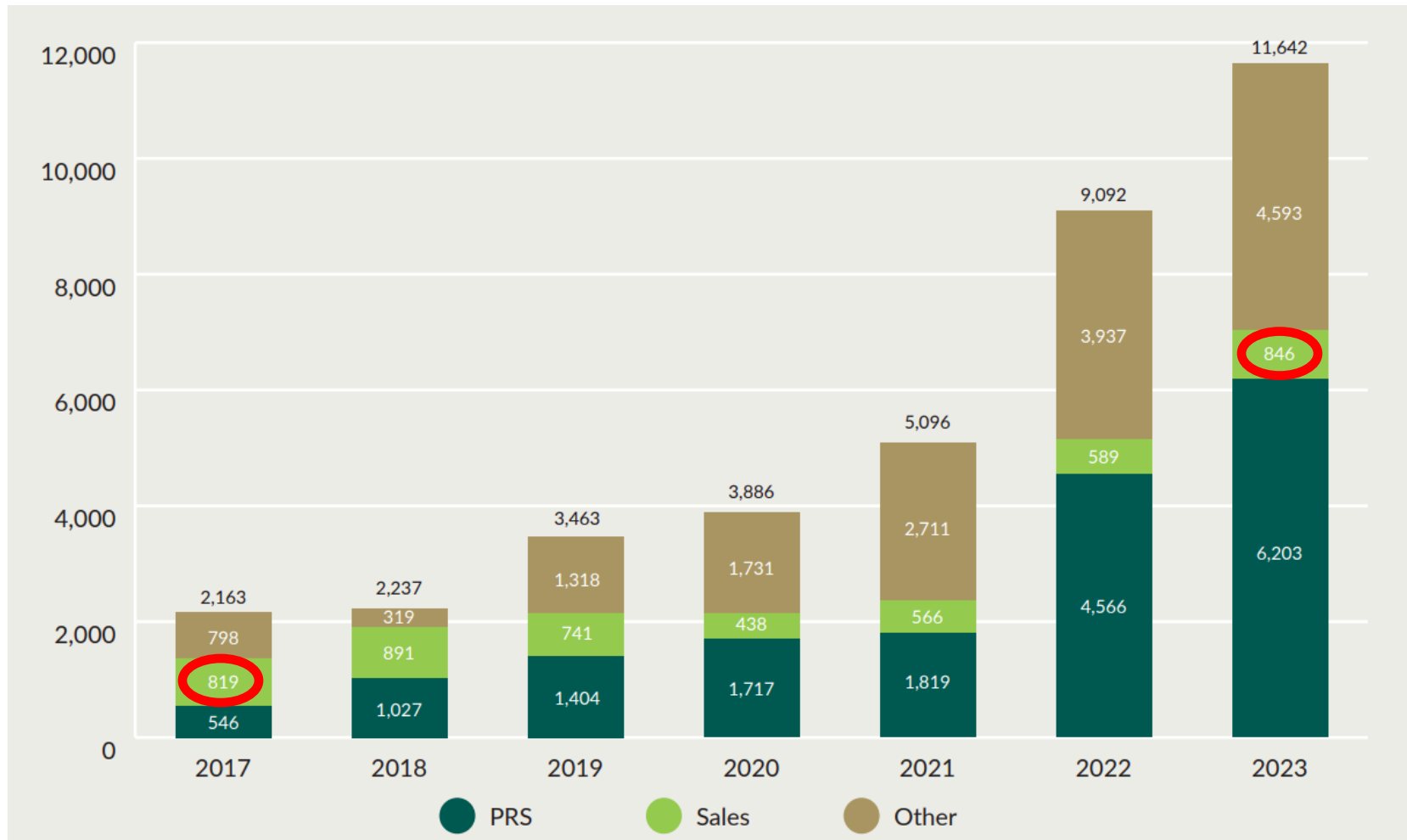
[www.cso.ie/en/releasesandpublications/ep/p-ndc/newdwellingcompletionsq42024/](https://www.cso.ie/en/releasesandpublications/ep/p-ndc/newdwellingcompletionsq42024/)

# Completions in Towns / Cities



[www.businesspost.ie/article/apartment-construction-at-near-standstill-says-new-hmd-report/](http://www.businesspost.ie/article/apartment-construction-at-near-standstill-says-new-hmd-report/)

# Profile of Apartment Completions



[www.gov.ie/en/publication/da341-funds-sector-2030-a-framework-for-open-resilient-and-developing-markets/](https://www.gov.ie/en/publication/da341-funds-sector-2030-a-framework-for-open-resilient-and-developing-markets/)

# Sector Growth



Saturday, 1 February 2025

[ePaper](#) [Puzzles](#) [Our Journalism](#)

**Irish Independent** 

[News](#) [Opinion](#) [Business](#) [Sport](#) [Life](#) [Style](#) [Ente](#)

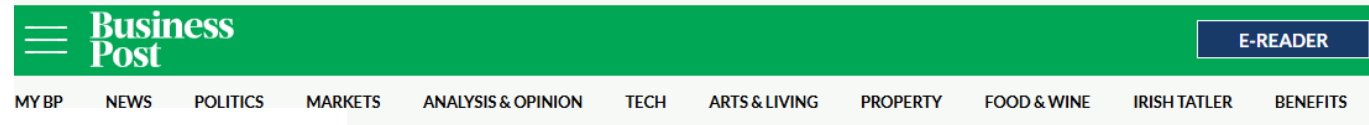
## Top 10 housing deals in 2024

State-funded bodies were involved in seven of the top 10 housing deals completed in 2024, all of which were located in Dublin. The seven are highlighted below.

Address	Price	Buyer
Block A, Airton Plaza, Tallaght	€159.7m	Clúid Housing
Blocks 5A-5D (including basement), Belmayne Avenue and Walker Lane, Parkside	€79.7m	Clúid Housing
Barnwell Park, Hansfield	€78.9m	LDA
Apartments 1 to 10 and 41 to 184, Block G The Sidings, Adamstown Station Town Centre	€69.5m	Oaklee
Cookstown Gateway, Second Avenue, Cookstown Industrial Estate	€67.9m	LDA
Scape Dublin, 71-75 Aungier Street, 17-19 Longford Street Great	€59.8m	
111 Apartments near St James's Hospital	€48.4m	New Beginning
Block C, Brickfield Drive Crumlin	€43.2m	
77 units at De Verdon, Newtown, Malahide Road	€32.4m	Tuath Housing
Block A Hamilton Gardens, Carnlough Road, Cabra	€32m	

Note: LDA = Land Development Agency

# Recent Announcements



## Commercial 9

Business Post  
Property Plus  
January 19, 2025

CIS CONSTRUCTION INFORMATION SERVICES

### Round-up

#### C42m 11-storey apartment blocks planned for D17

Plans are in the pipeline for a €42 million apartment development on the Malahide Road in Dublin 17. The application, lodged by Kilbarron K&AV Sub Fund 1, will see the creation of 138 units at site 10 on Mayne River Avenue. The ISA Architects designed scheme will see a mix of one and two-bedroom apartments across two blocks rising to 11 storeys. A planning decision is expected in late Q1 2025.

#### Plans lodged for 284 homes in Terenure

Plans have been lodged for a €65 million residential development on Fortfield Road in Terenure, Dublin 6W. The project, for 1 Celbridge West Land Limited will see the provision of 284 units, comprising 265 apartments and 19 houses. The project, designed by Urban Agency Architects, will see a mix of one and two-bedroom apartments and four-bedroom houses. A planning decision is expected from Dublin City Council in late Q1 2025.

#### Submission in for 99 Roscommon homes

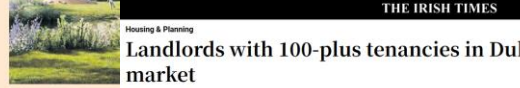
Plans have been submitted to Roscommon Co Council for a €25 million residential development in Roscommon. The development, designed by Turner Design Services, proposes 99 residential units comprising 97 houses and two apartments. The scheme, located in Monksland will see a mix of two, three and four-bedroom units and a creche facility. A planning decision is expected in late February.

#### Approval for 141-unit Ratoath development

Planning has been approved for a €25 million Large Scale Residential (LSR) Development in Ratoath, Co Meath. The scheme, located on Main Street and



138 units are planned for Site 10 on Mayne River Avenue in Dublin 17



Plans have been lodged for

Housing & Planning

### Landlords with 100-plus tenancies in Dublin now have 26% of rental market

Number of institutional landlords in capital has grown, with average rent for new tenancies at €2,226

Expand



#### LATEST STORIES >

World Boxing granted IOC recognition as sport takes step towards LA Olympics

Michael Lowry's actions 'pale into insignificance' against IRA, says Martin

Pope Francis sitting upright and receiving therapy for double pneumonia, Vatican says

ISE Health App: How does it work and is it any good?

Amoc: Atlantic Ocean current that gives Ireland benign climate 'may not collapse this century', study finds

### Dublin Inquirer

Local. Independent. Different.

### Plans for almost 400 homes in Bluebell to go out to public consultation

The Land Development Agency is planning a mix of cost-rental and social homes at the Bluebell Waterways development.

by Lois Kapila  
February 25, 2025



### HOUSING

## Clúid brings 46 Google-owned Boland's Mills apartments to rental market for frontline workers

The Business Post revealed earlier this month Clúid had been chosen by Google as the approved housing body to let the apartments

VISH GAIN | FEBRUARY 18, 2025

THE IRISH TIMES

### Johnny Ronan secures planning permission from Dublin City Council for capital's tallest building

Apartment block of 25-storeys to sit next to banking giant Citi's new European HQ in Docklands

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#### LATEST STORIES >

Writer Jennifer Johnston dies aged 95

Apple promises to fix dictation bug that replaces 'racist' with 'Trump'

Rosslare ferry: gardai continue to question man over woman's death

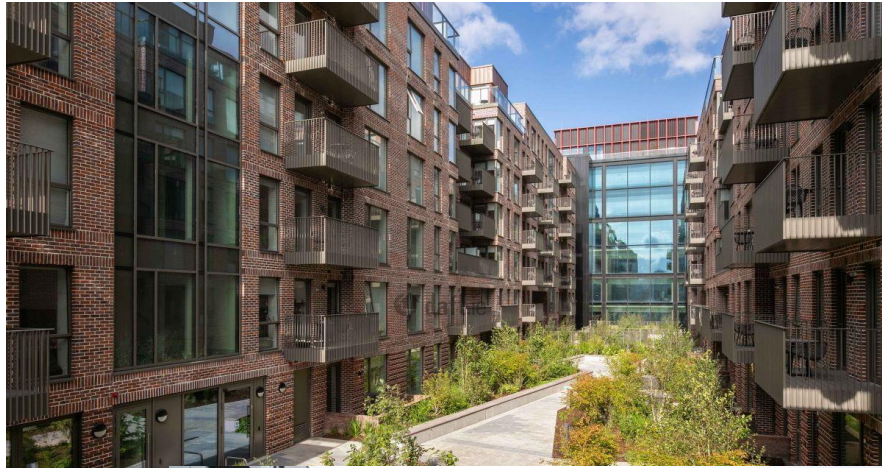
Michael Lowry and Dáil speaking rights dominate at home as Europe meets on Ukraine

Glabria reports increased revenue for 2024 while warning of risk from tariff war

THE IRISH TIMES  
On The Money

On the Money  
Our weekly personal finance digest will provide you with the insight you need to save money and make smart spending decisions

# Dublin: Docklands / Ringsend



# Dublin: Docklands / Ringsend



THE IRISH TIMES

## Johnny Ronan secures planning permission from Dublin City Council for capital's tallest building

Apartment block of 25-storeys to sit next to banking giant Citi's new European HQ in Docklands

Expand



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Baby names

Europe's lead  
but did it wo

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masters and

Greek worke  
disaster acco

Sections

THE IRISH TIMES

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The Irish Glass Bottle site in Ringsend. A Johnny Ronan joint venture firm is to lodge plans in the coming days for a 20-storey tower on the site. Photograph: Bryan O'Brien/The Irish Times

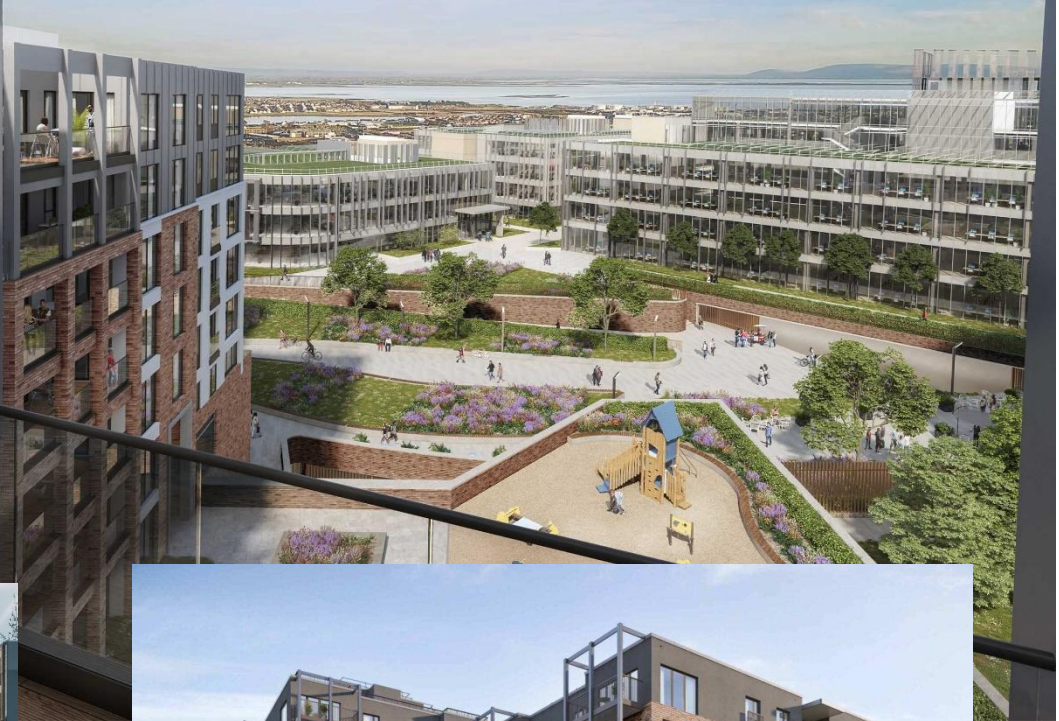
# Dublin: Cherrywood / Adamstown



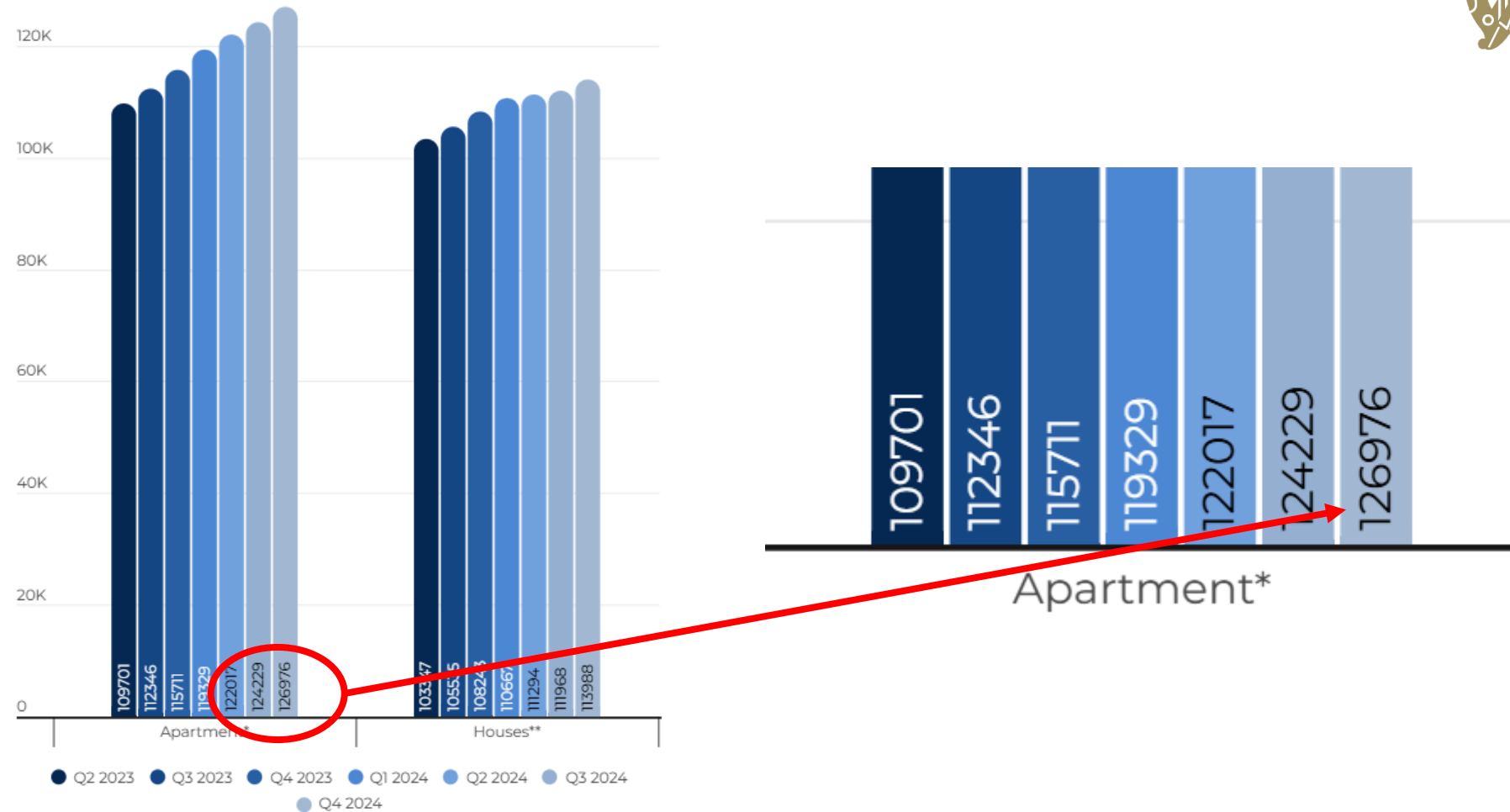
# Cork City



# Galway

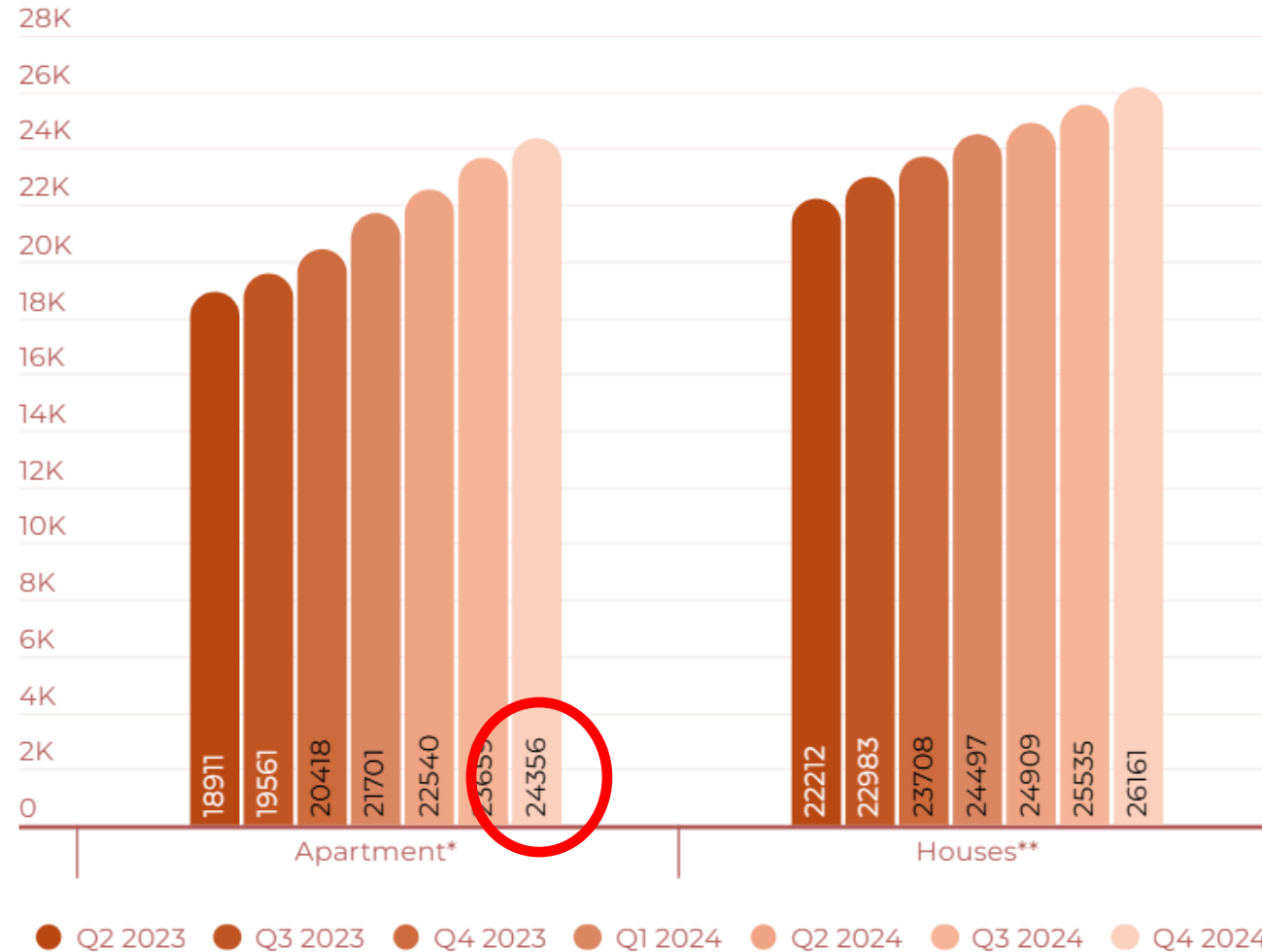


# Private Tenancies by Dwelling Type



[www.rtb.ie/about-rtb/data-insights/data-hub/rtb-profile-of-the-register-private-registration-statistics-q2-2023-q3-2024](http://www.rtb.ie/about-rtb/data-insights/data-hub/rtb-profile-of-the-register-private-registration-statistics-q2-2023-q3-2024)

# AHB Tenancies by Dwelling Type



[www.rtb.ie/about-rtb/data-insights/data-hub/rtb-profile-of-the-register-approved-housing-body-ahb-registration-statistics-from-q2-2023-q3-2024](https://www.rtb.ie/about-rtb/data-insights/data-hub/rtb-profile-of-the-register-approved-housing-body-ahb-registration-statistics-from-q2-2023-q3-2024)

# Final Draft Revised NPF



## National Policy Objective 44

*Support the provision of lifetime adaptable homes that can accommodate the changing needs of a household over time.*

Historically, low-density housing development has been a feature of Ireland's housing landscape in cities, towns, villages and the countryside. To avoid urban sprawl and the pressure that it puts on both the environment and infrastructure demands, compact housing and increased residential densities are required in our urban areas.

**Well designed and located high and medium density housing will assist:**

While apartments made up 1 household in Ireland and 38 households in the Dublin City (Census data), we are a long way from averages in terms of the numbers and proportion of households living in apartments, especially in our cities and larger towns. In many European countries, it is normal to see 40%-60% of households living in apartments.

To more effectively address the challenge of meeting the housing needs of a growing and more diverse population in our key urban areas, it is clear that we need to build inwards and upwards, rather than outwards. This means that apartments and compact housing models will need to become more prevalent, particularly in Ireland's cities.

To more effectively address the challenge of meeting the housing needs of a growing and more diverse population in our key urban areas, it is clear that we need to build inwards and upwards, rather than outwards. This means that apartments and compact housing models will need to become more prevalent, particularly in Ireland's cities.

[www.npf.ie/first-revision-to-the-national-planning-framework/final-draft-revised-national-planning-framework-april-2025/](http://www.npf.ie/first-revision-to-the-national-planning-framework/final-draft-revised-national-planning-framework-april-2025/)

# Programme for Government



## Improving Management for Apartment and Duplex Owners

- Move responsibility for the Multi-Unit Development Acts to the Department of Housing to streamline support for owners' management companies and improve oversight.
- Establish a unit in the Housing Agency to regulate owners' management companies to ensure effective governance.

# Programme for Government



## Driving Reform Across the Justice Sector

### **This Government will:**

- Transfer responsibility for property services and estate agents to the Department of Housing and censorship to the Department of Media.

# Estimate of new OMCs



Year	OMCs
2025 (to date)	62
2024	235
2023	163
2022	129
2021	154
2020	154
2019	174
2018	153
2017	177
2016	119
2015	116
2014	80
2013	58
2012	79
2011	50
<b>Total</b>	<b>1,903</b>

# How many OMCs? 10,000?



1. National Consumer Agency report (2006): **4,600**

2. c. **1,850** new OMCs since 1 January 2011

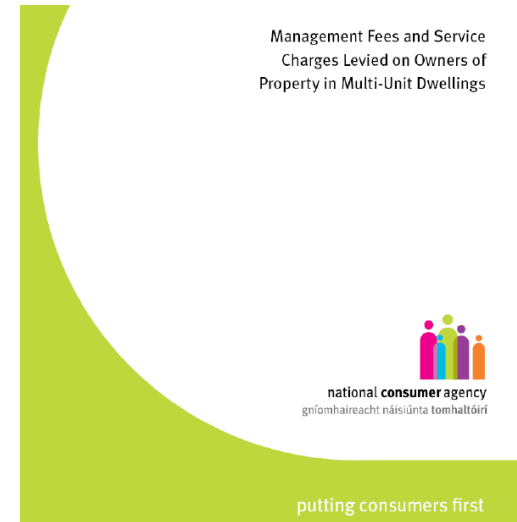
3. Average rate of about **130 new OMCs p.a.**

4. 130 new OMCs p.a. 2006 to 2010 = say **650**

5. Guesstimate of OMCs that are not bodies corporate **300 or 400**. Too low?

6. Accuracy of estimate at #1?

7. Range of **8,000 to 9,000** OMCs? Maybe **10,000**?



or renewal over time. It is estimated that there are currently approximately 4,600 management companies, based on an analysis of management companies incorporated and registered with the CRO.

# CRO – Form B1 – Existing OMCs



☰

CORE

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Form B1: Annual Return

Prerequisites [0]

Company Details [1]

Registered Office [2]

Secretary Details [3]

Director Details [4]

Other Directorship Details [5]

Registered Person Details [6]

Company Details

Submission Type: Form B1C - Annual Return General

Owners Management Company

☐ Please tick the box if the company is an Owners Management Company (as defined in section 1 of the Multi-Unit Developments Act 2011)

Return Information

# CRO – Form A1 – New OMCs



☰

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Form A1: Application to Incorporate a Company

Company Details [0]

Appoint New Director/Secretary [1]

Other Directorship Details [2]

Company Share Capital [3]

Subscribers to Memorandum [4]

Declaration [5]

Verification [6]

Su

Fé Phráinn

☐ Tick here if using a Fé Phráinn Number

Company Details

Submission Date \*

Owners Management Company

☐ Please tick the box if the company is an Owners Management Company (as defined in section 1 of the Multi-Unit Developments Act 2011)

Form Help

Please visit our corporate website for further informat

✓

For Information on content required for this :  

✓

For General Information please contact: [cro.i](#)  

✓

For Technical Assistance please contact: [elect](#)

# Help from CRO



## Incorrect identification as an Owners' Management Company



### Common Filing Errors

#### Common Errors – Form B1

#### Common Errors – Form B10

#### Incorrect identification as an Owners' Management Company

#### Requirements for Audit Exemption

An Owners' Management Company (OMC) is a company established for the purposes of becoming the owner of the common areas of a multi-unit development, such as an apartment block.

An OMC is responsible for the management, maintenance, and repair of the common areas of the development. Membership of the OMC is made up of the owners of the homes and commercial units within the development.

Only an OMC, as defined in the [Multi-Unit Developments Act 2011](#), should tick the relevant box provided in the Form A1 when [Registering](#), and provided in the Form B1 when submitting its [Annual Return](#).

[Section 14\(3\)](#) of the Multi-Unit Developments Act 2011 requires the words "owners' management company", or the abbreviation "OMC", to be included in the name of new OMCs.

An OMC incorporated before the coming into force of the Multi-Unit Developments Act 2011 can update its name to include the terminology. This requires the amendment of the constitution of the OMC, the passing of a special resolution, and a filing of a [Form G1Q](#).

Further information on Changing a Company's Name is available [here](#).

#### Restoration of an Owners' Management Company

Where an OMC has been struck off voluntarily, or was struck off for failing to file annual returns, it may apply for restoration by filing within six years of the date of dissolution.

Further information about the restoration process is available [here](#).

#### Further Information and Resources for OMCs

Information and resources for people involved with OMCs is available on the website of [The Housing Agency](#).

# Identifying OMCs – Guidance to PMAs



## TRUE DILIGENCE

IT IS TIMELY TO CONSIDER ISSUES ARISING FOR PROPERTY MANAGEMENT AGENTS ACTING AS COMPANY SECRETARIES TO OWNERS' MANAGEMENT COMPANIES.

**T**he Central Statistics Office reports that apartments made up 15% of homes built in Ireland between 2016 and 2022.<sup>1</sup> Property management agents often act as company secretaries to the owners' management companies (OMCs) of apartments and multi-unit developments (MUDs). With the rise in apartment numbers, it is timely to consider regulatory issues arising for agents acting as company secretaries. Some of the issues and regulations identified are recent, while others are long standing. This article suggests resources that may be helpful to agents fulfilling the role of company secretary.

### Issues arising

In taking on the role of company secretary of an OMC, an agent might consider issues including the following:

### Scope of services in the letter of engagement with the OMC

Attention is drawn to the content of the 'Property Services Agreement For The Provision of Property Management Services' (PSRA/S43 Form D) issued by the Property Services Regulatory Authority (PSRA) – October 2022 saw the most recent update to this letter.

### Regulations

Agents should look to the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 (SI 564/2020), in particular:

- Regulation 4 – Experience
- Regulation 21 – Conflict of Interest.

### Identification of OMCs when filing returns with the Companies Registration Office (CRO)

The following CRO returns display a box whereby OMCs may be identified:

- Form A1: Company Incorporation
- Form B1: Annual Return.

Agents filing these returns on behalf of OMCs should tick the identification box. Returns are filed electronically via the CRO's Companies Online Registration Environment (CORE) online facility.

### FEATURE

David Rouse  
Multi-Unit Developments  
Advisor, The Housing Agency



It is worth noting that Section 14(3) of the Multi-Unit Developments (MUD) Act 2011 requires the words "owners' management company", or the abbreviation "OMC", to be included in the name of new OMCs. An OMC incorporated before the coming into force of the MUD Act can update its name to include the terminology. This requires amendment of the constitution of the OMC, the passing of a special resolution, and a filing with the CRO.

### Provision of PPSN

Since June 11, 2023, company directors are required to provide personal public service numbers (PPSNs) when filing the aforementioned Forms A1 and B1 with the CRO. The requirement applies also to Forms B10 and B69, filed when notifying a change of director.

PPSNs of OMC directors may already be available to agents in the context of filings on behalf of OMCs to the Register of Beneficial Ownership (RBO).

### Resources

The following resources may be helpful:

- the PSRA has published a guide to the Minimum Standards for property services providers – information is available at [www.psr.ie](http://www.psr.ie);
- guides to many aspects of company law are available on the websites of the CRO ([www.cro.ie](http://www.cro.ie)) and the Corporate Enforcement Authority (CEA – [www cea.ie](http://www cea.ie)), which is the successor to the Office of the Director of Corporate Enforcement;
- in the case of complex company secretarial matters, it is recommended to seek the advice of an expert such as a solicitor, accountant, or specialist company secretarial provider;
- the following publications contain helpful information and guidance:
  - *Apartment Living in Ireland, A Practical Handbook for Owners, Owners' Management Companies and Managing Agents* by Henry Murdoch (Lonsdale Law Publishing, 2022);
  - *Owners' Management Company: Law and Best Practice* by Aisling Keenan (Clarus Press, 2019); and,
- The Housing Agency has developed sector-specific resources, including webinars, guides, and FAQ replies, available at [www.housingagency.ie](http://www.housingagency.ie).

### Reference

1. Central Statistics Office. Census of Population 2022 Profile 2 – Housing in Ireland. Available at: <https://www.cso.ie/en/statistics/population/censusofpopulation2022/censusofpopulation2022profile2-housinginireland/>.

Views expressed are those of the author.

## Identification of OMCs when filing returns with the Companies Registration Office (CRO)

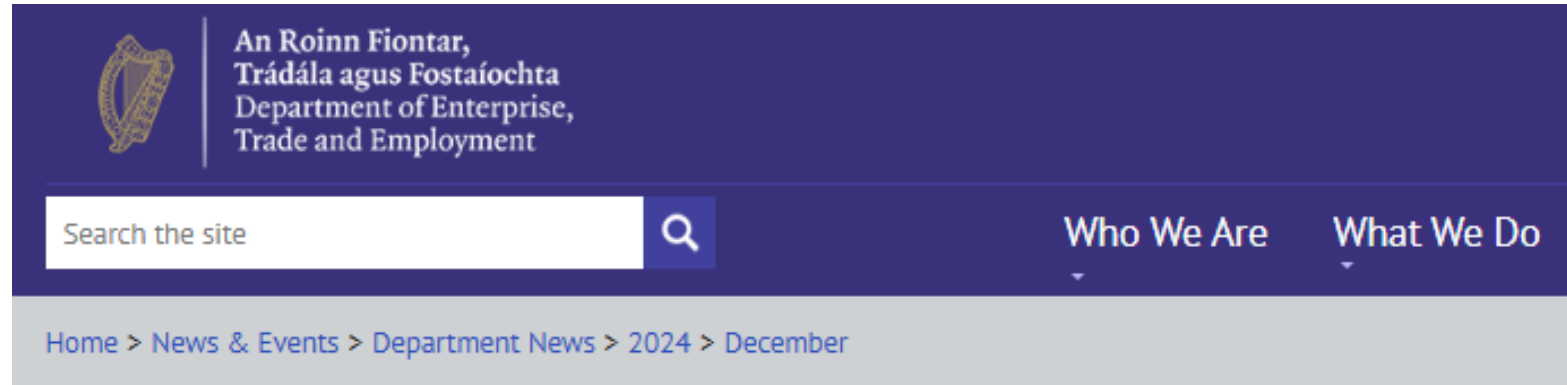
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# Virtual AGMs – Permanent Option



## Commencement of Companies (Corporate Governance, Enforcement and Regulatory Provisions) Act 2024

3rd December 2024

Today, Minister for Enterprise, Trade and Employment, Peter Burke, announced the commencement of the majority of the Companies (Corporate Governance, Enforcement and Regulatory Provisions) Act 2024, following its enactment and signature by the President of Ireland on 12 November.

<https://enterprise.gov.ie/en/news-and-events/department-news/2024/december/03122024.html>

# Virtual AGMs – Permanent Option



## Participation in general meetings by use of electronic communications technology

12. The Principal Act is amended by the insertion of the following section after section 176:

**“176A.** (1) Save to the extent that the company’s constitution provides otherwise, a company need not hold a general meeting at a physical venue but may conduct the meeting wholly or partly by the use of electronic communications technology as long as all attendees have a reasonable opportunity to participate in the meeting in accordance with this section.”

[www.irishstatutebook.ie/eli/2024/act/44/enacted/en/print.html](http://www.irishstatutebook.ie/eli/2024/act/44/enacted/en/print.html)

# CEA on Directors' Duties



**CEA**

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CONTACT



**Michael Dillon**  
Director of Legal



## Article- The Corporate Enforcement Authority: There is no such thing as director-lite

Wednesday 12 February 2025

The Corporate Enforcement Authority: There is no such thing as director-lite

<https://cea.gov.ie/Portals/0/Media/Business%20and%20Finance%20-%20Directors%20duties%20and%20responsibilities2.pdf>

# CEA – Graduated Enforcement



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## The graduated response of the Corporate Enforcement Authority (CEA)

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[www.eolasmagazine.ie/the-graduated-response-of-the-corporate-enforcement-authority-cea/](http://www.eolasmagazine.ie/the-graduated-response-of-the-corporate-enforcement-authority-cea/)

# Law Society Update – 18/03/25

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## MUDs pre-contract enquiries for second-hand houses - new guidelines

Conveyancing 18/03/2025

The Conveyancing Committee has reviewed the existing conveyancing practice in relation to Multi-Unit Developments (MUDs) Pre-Contract Enquiries and has today issued a new set of MUDs Pre-Contract Enquiries for second-hand houses in managed developments.

## Sale of houses in a managed development

The Committee is of the opinion that it should be possible for a vendor to provide replies to the MUDs Pre-Contract Enquiries in relation to all material issues that are likely to arise in connection with a housing development.

[www.lawsociety.ie/Solicitors/knowledge-base/Practice-Notes/muds-pre-contract-enquiries-for-second-hand-houses—new-guidelines/](http://www.lawsociety.ie/Solicitors/knowledge-base/Practice-Notes/muds-pre-contract-enquiries-for-second-hand-houses—new-guidelines/)

# Law Society Update – 18/03/25



## Director's Reports

The Directors of every OMC are under a Statutory obligation by virtue of Section 17 of the MUDs Act to furnish each member of the OMC with a Report ten days before each annual meeting which includes statements of:

- 1 the income and expenditure relating to the period covered by the report;
- 2 the assets and liabilities of the OMC;
- 3 the:  
(i) funds standing to the credit of the sinking fund, and (ii) details of the amount of the annual contribution to the sinking fund and the basis on which such contribution is calculated;
- 4 the amount of the annual service charge and basis of such charge;
- 5 the projected or agreed annual service charge relating to the current period;
- 6 any planned expenditure on the refurbishment, improvement or maintenance of a non-recurring nature which is intended to carry out in the current period;
- 7 the insured value of the development, the amount of the premium, the name of the insurance company and a summary of the principal risks covered;
- 8 in general terms, the fire safety equipment installed in the development and the arrangements in place for its maintenance, and
- 9 full disclosure of any contracts between the OMC and a director or shadow director.

A vendor who has, or can obtain a copy, of the Report under Section 17 should be able to provide replies which a purchaser and a purchaser's solicitor may find acceptable.

Apart from what may be contained in a Section 17 Report a vendor may be aware of planned expenditure on the refurbishment, improvement or maintenance of a non-recurring nature which the OMC intends to carry out in a subsequent period and details of such works should be provided.

If the Directors' Report does not contain all the information that it is obliged to provide under the MUDs Act the vendor should not have to pay any fee to obtain any missing details.

Purchaser's solicitors should continue to ensure that service charge is paid or apportioned to the date of completion of the sale.

# Defects Remediation



● YOU ARE HERE : [Home](#) > [Remediation of Defects in Apartments and Duplexes](#)

## Remediation of Defects in Apartments and Duplexes



The Government has announced plans to draft legislation to support the remediation of apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013.

**Below are resources for people affected by the issue:**

[Remediation of Defects in Apartments and Duplexes – Frequently Asked Questions](#)

[Interim Remediation Scheme for Fire Safety Defects in Eligible Apartments and Duplexes 2023](#)

[Code of Practice for the Remediation of Fire Safety Defects](#)

[www.housingagency.ie/remediation-defects-apartments-and-duplexes](http://www.housingagency.ie/remediation-defects-apartments-and-duplexes)

# Interim Scheme



An Ghníomhaireacht  
Tithíochta  
The Housing Agency

ABOUT US

HOUSING INFORMATION

DATA HUB

NEWS & EVENTS

RESOURCES

● YOU ARE HERE : [The Housing Agency](#) > [Housing Information](#) > [Interim Remediation Scheme of Fire Safety Defects in Eligible Apartments and Duplexes 2023](#)

## Interim Remediation Scheme for Fire Safety Defects in Eligible Apartments and Duplexes 2023

### 1. Background

In January 2023, the Minister for Housing, Local Government and Heritage Darragh O'Brien T.D announced plans to draft legislation to support the remediation of apartments and duplexes with fire safety, structural safety and water ingress defects, constructed between 1991 and 2013. The proposed legislation will provide a statutory basis for the establishment of an Apartment and Duplex Defects Remediation Scheme aimed at protecting the safety and welfare of those living in apartments or duplexes with such defects. The scope, eligibility criteria and conditions of the Remediation Scheme will ultimately depend on the legislation that is passed by the Houses of the Oireachtas and signed into law by the President.

Given the overall potential scale and estimated cost associated with rectifying these issues, it is likely that it will take many years to remediate all affected buildings. Resources and works, therefore, will need to be prioritised. Acknowledging this and considering that interim measures might be necessary in certain instances to ensure an acceptable standard of fire safety in buildings before the comprehensive completion of remedial works, the Government is currently introducing an Interim Remediation Scheme on an administrative basis.

[www.housingagency.ie/interim-remediation-scheme-fire-safety-defects-eligible-apartments-and-duplexes-2023](https://www.housingagency.ie/interim-remediation-scheme-fire-safety-defects-eligible-apartments-and-duplexes-2023)

# Defects – Update 13/02/25



An Ghníomhaireacht  
Tithíochta  
The Housing Agency

ABOUT US

HOUSING INFORMATION

● YOU ARE HERE :

[Home](#) > *Statement - Important update on Interim Remediation Scheme for fire safety defects in apartments and duplexes*

## Statement - Important update on Interim Remediation Scheme for fire safety defects in apartments and duplexes

Thursday, 13th February, 2025

**Important update on Interim Remediation Scheme for fire safety defects in apartments and duplexes**

[www.housingagency.ie/news-events/statement-important-update-interim-remediation-scheme-fire-safety-defects-apartments](https://www.housingagency.ie/news-events/statement-important-update-interim-remediation-scheme-fire-safety-defects-apartments)

# Interim Scheme – Numbers @28/02/25



Province	Local Authority Area	MUD	Blocks	Units
Dublin/Leinster	Dublin City Council	64	249	7,320
Dublin/Leinster	Dun Laoghaire-Rathdown County Council	22	130	2,489
Dublin/Leinster	Fingal County Council	17	104	2,501
Dublin/Leinster	South Dublin County Council	14	97	2,461
Leinster	Carlow County Council	2	3	79
Leinster	Kildare County Council	9	59	701
Leinster	Kilkenny County Council	3	7	137
Leinster	Laois County Council	0	0	0
Leinster	Longford County Council	2	10	131
Leinster	Louth County Council	2	10	140
Leinster	Meath County Council	5	14	273
Leinster	Offaly County Council	1	10	80
Leinster	Westmeath County Council	7	19	230
Leinster	Wexford County Council	1	1	18
Leinster	Wicklow County Council	3	7	110
Munster	Clare County Council	3	18	329
Munster	Cork City Council	3	15	235
Munster	Cork County Council	4	8	196
Munster	Kerry County Council	3	6	201
Munster	Limerick City & County Council	8	22	433
Munster	Tipperary County Council	1	1	48
Munster	Waterford City and County Council	9	16	254
Connaught	Galway City Council	6	13	244
Connaught	Galway County Council	1	2	10
Connaught	Leitrim County Council	1	9	52
Connaught	Mayo County Council	3	3	74
Connaught	Roscommon County Council	0	0	0
Connaught	Sligo County Council	3	12	230
Ulster	Cavan County Council	1	3	20
Ulster	Donegal County Council	2	2	52
Ulster	Monaghan County Council	0	0	0

# Interim Scheme – Numbers @28/02/25



					Percentage
Overall Totals	200	850	19,048	▶	100%
Dublin (Total)	117	580	14,771	▶	78%
Rest of Leinster	35	140	1,899	▶	10%
Munster	31	86	1,696	▶	9%
Connaught	14	39	610	▶	3%
Ulster	3	5	72	▶	0%

# Full Scheme?



## Government Legislation Programme Spring 2025

<u>Department of Housing, Local Government and Heritage</u>		
<b>Marine Protected Area Bill</b>	Bill to provide for the designation and effective management of Marine Protected Areas in the Irish maritime area.	Work is ongoing.
<b>Apartment and Duplex Defects Remediation Bill</b>	The Bill puts in place a statutory scheme to establish supports for the remediation of fire safety, structural safety and water ingress defects in purpose-built apartment buildings, including duplexes, constructed between 1991 and 2013.	Heads of Bill approved in September 2024.

<https://www.gov.ie/pdf/?file=https://assets.gov.ie/319531/3760a815-ee4f-49ea-ba3b-e42244711ea4.pdf>

# Programme for Government 2025



## Help owners of defective houses and apartments

### **This Government will:**

- Establish a Buildings Standards Regulatory Authority to strengthen the oversight role of the State in respect of the design and construction of buildings.

## Defective Multi-Unit Developments

- Continue to implement an interim remediation scheme for defective apartments.
- Roll out Retrospective Payment pathfinders.
- Legislate and implement a comprehensive remediation scheme including retrospective payments for defective apartments.

# International Perspectives



## 2024 International Research Forum on Multi-owned Properties

15-17 May 2024  
University Rovira i Virgili  
Tarragona, Spain

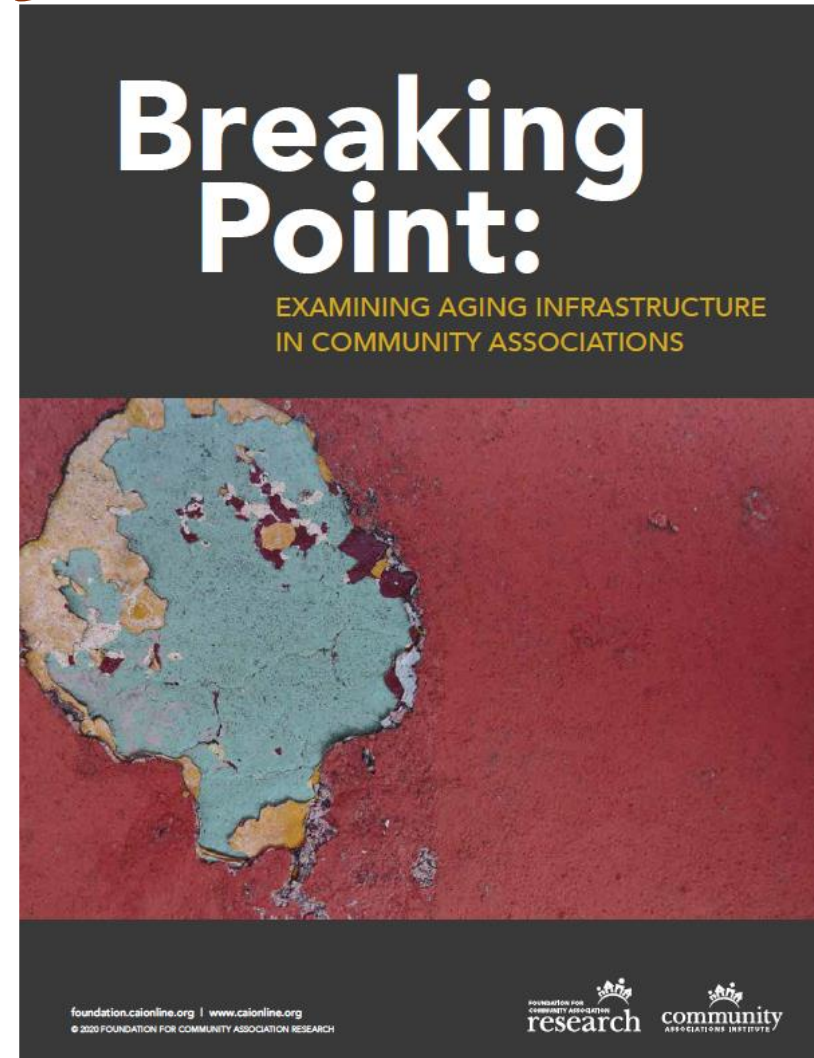
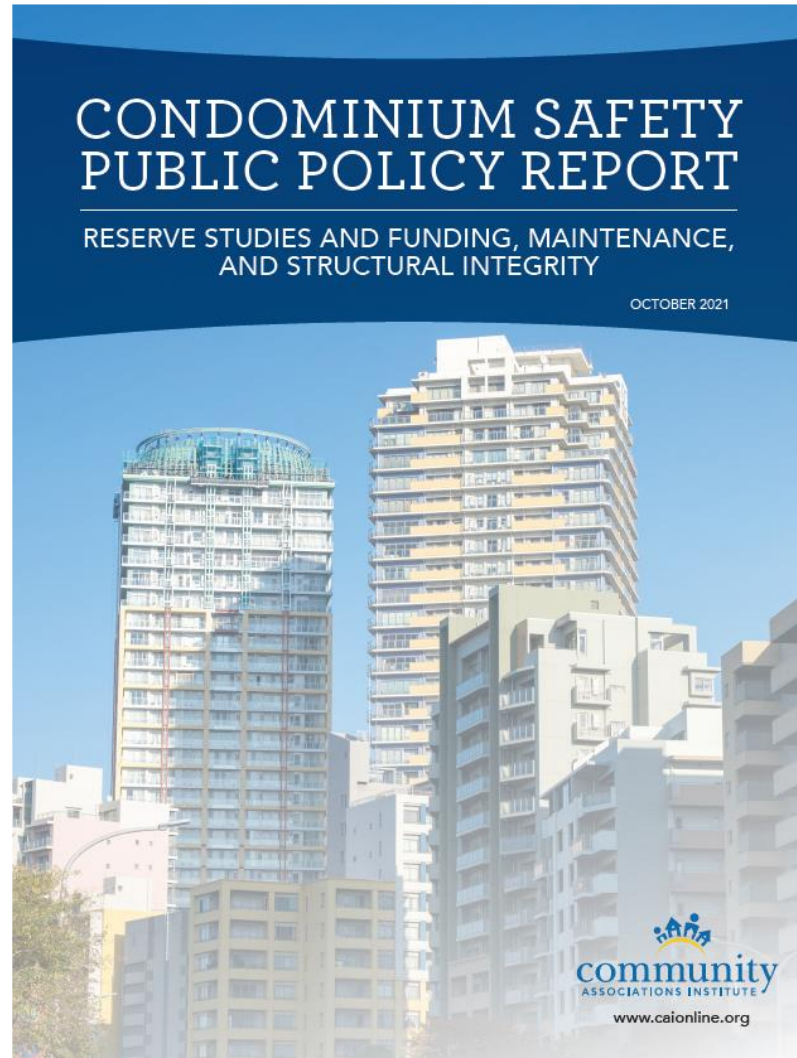


UNIVERSITAT  
ROVIRA I VIRGILI  
Housing Chair



Photo: Pere Ferré

# USA – Condo Safety



# Surfside, Florida – 2021



# USA – Condos



## BIGGEST CONCERNS

More than three-quarters (80%) of those surveyed felt it was critical that their association have adequate reserves in the event of a major infrastructure failure or construction need. Nearly half (40%) of those surveyed considered deteriorating infrastructure as a top-ranked concern. More than two-thirds (70%) of survey respondents indicated that maintaining property values was of primary importance.

And while about half of respondents felt their associations have adequate reserve funds on hand, just as many respondents considered their communities' reserve funds inadequate to address any major unplanned component repair or replacement.

Other challenges that communities faced when addressing major infrastructure renovations include:

- Convincing homeowners to accept and contribute to costs
- Recruiting volunteers for the association board
- Prevalent owner/resident apathy

# AHBs & Sinking Funds



An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage

## AHB Unencumbered Units Working Group Report

September 2023

Prepared by the Department of  
Housing, Local Government and Heritage  
[gov.ie](http://gov.ie)

[www.gov.ie/en/publication/776db-ahb-unencumbered-units-working-group-report/](http://www.gov.ie/en/publication/776db-ahb-unencumbered-units-working-group-report/)

# AHBs & Sinking Funds



## Appendix 2

### Survey of AHB Sector

AHB Survey – 29 responses – representing 6,829 units (or 15% approx.) sample of total units in sector

The survey asked for detail relating to stock condition, sinking funds and management and maintenance payments.

#### **Management and Maintenance**

Approximately 5,000 units are in receipt of some form of management/maintenance payment. Approximately 2,100 units are not in receipt of any management/maintenance funding. No data was returned for the balance of the units.

#### **Sinking Funds**

Of the 29 returns received, 18 returned no information in relation to their sinking funds. One AHB advised of a sinking fund of approx. €1.4m over their 600+ units included in the return.

Another large AHB advised that they hold €5m in designated reserves to be deployed as needed. In addition to the units in the return (c650), the AHB owns a further 300 units outright and maintains these units entirely from its own resources. The sinking fund is added to as resources allow. The survey as a whole returned limited evidence on the levels of sinking fund across the sector.

#### **Stock condition & Repairs**

Where AHBs returned details on stock conditions, detailed breakdowns for each unit were included, with previous works and costs included. However, this was not universal, with the majority returning a standard €5k to €25k figure.

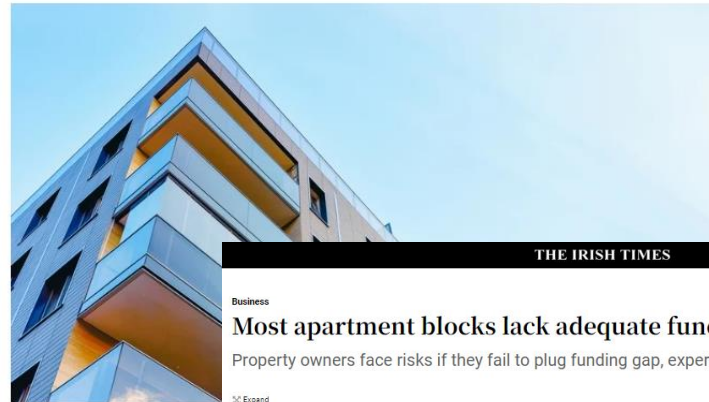
# SCSI Report 2024



RTÉ NEWS SPORT ENTERTAINMENT BUSINESS LIFESTYLE CULTURE PLAYER TV RADIO  
NEWS • BUSINESS • Agribusiness Focus on Inflation Business of Climate Work Brexit Watch and Listen  
Analysis

## 1 in 10 apartment developments has no "sinking fund" - SCSI

Updated / Wednesday, 23 Oct 2024 12:23



THE IRISH TIMES

Business

### Most apartment blocks lack adequate funds for essential upkeep

Property owners face risks if they fail to plug funding gap, experts warn

Expand



By Will Goodbody  
Business Editor



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## No sinking fund for one in 10 apartment schemes



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[https://scsi.ie/wp-content/uploads/2024/10/241022-SCSI\\_Sinking-Funds-Report-Final.pdf](https://scsi.ie/wp-content/uploads/2024/10/241022-SCSI_Sinking-Funds-Report-Final.pdf)

# SCSI Report 2024



## PROTECTION FROM SINKING

THE SCSI'S REAL COST OF APARTMENT BLOCK MAINTENANCE: EXAMINATION OF SINKING FUNDS REPORT SHOWS THAT MANY OF THESE FUNDS AROUND THE COUNTRY ARE INADEQUATE TO COVER THE COST OF ESSENTIAL WORKS.

**R**oofs, lifts and other components of a multi-unit development (MUD) will have to be replaced sooner or later. A sinking fund is essential to financing the repairs and replacements that are certain to arise in a MUD. The SCSI recently launched its Real Cost of Apartment Block Maintenance: Examination of Sinking Funds report. The report is essential reading and shows the inadequacy of many sinking funds in Ireland. Data was gathered from Chartered Property and Facilities Management Surveyors and members of the Apartment Owners' Network (AON) representing approximately 38,000 units and 495 MUDs. Just 29% of Chartered Property and Facilities Management Surveyors felt that over half of the MUDs they manage have adequate sinking funds in place. A majority (53%) felt that 30% or fewer of their MUDs had an adequate sinking fund, and 12% felt that none of their properties had an adequate sinking fund. The report states that: "This low percentage indicates a widespread issue of underfunding, potentially leading to significant financial risks for property owners and owners' management companies (OMCs)".

### FEATURE

Azile O'Sullivan  
Senior Site Property Manager  
Land Development Agency

**JUST 29% OF CHARTERED PROPERTY AND FACILITIES MANAGEMENT SURVEYORS FELT THAT OVER HALF OF THE MUDS THEY MANAGE HAVE ADEQUATE SINKING FUNDS IN PLACE.**



Survey respondents also revealed the reasons that many OMCs do not have adequate sinking funds in place. One of the major reasons is that there is a lack of understanding among unit owners regarding the funding required for repairs, maintenance, and renewing building components. There is also an issue where property owners do not want to pay higher fees, and there is also improper management/use of sinking funds by OMCs.

In terms of how much unit owners contribute to sinking funds, the survey found this was around €200-300 per year (see **Table 7** from the report reproduced on page 21).

While it is a legal requirement for MUDs to place sinking fund contributions into a separate bank account, the survey found 13% of OMCs are not doing this.

### Building investment fund reports

Building investment fund (BIF) reports were described by CMiG Housing as a "crucial tool" for OMCs to understand the long-term financing requirements of a MUD. The report findings suggest that there is a low uptake of BIF reports among OMCs. The proportion of OMCs completing BIF reports, based on the responses to the survey, was between 13% and 31%. This



Table 7: Comparison between sinking fund provisions and costs based on BIF reports.

Data source	1-49 units	50-99 units	100-199 units	+ 200 units
Chartered Property and Facilities Management Surveyors' responses (per unit)	€237 per year	€206 per year	€261 per year	€297 per year
Average cost data from BIF reports of similar unit size (per unit)	€2,042 per year	€1,637 per year	€2,459 per year	€2,053 per year
Shortfall of sinking funds per unit	-€1,805	-€1,431	-€2,198	-€1,756

Source: SCSI Property and Facilities Management member survey; SCSI Chartered Building Surveyors data from cost template.

Lack of uptake of BIFs may show that owners and OMCs do not understand the scale of funding required for long-term maintenance and renewal of common areas.

Key reasons for the lack of uptake of BIF reports include a lack of knowledge around who would be qualified to complete them; reporting that the OMC would not have sufficient funding to complete the report; and, that some believed that unit owners would not accept the higher fees proposed by the BIF report.

The report features several case studies from MUDs around Ireland and states: "When compared to the approximate costs of maintenance and renewal provided by the case studies, the cost per unit (per year) was estimated at between €1,600 and €2,300. This significant shortfall, based on the examples provided in this report, implies serious financial shortfalls for many MUDs into the future".

The need for adequate sinking funds is only going to become more apparent as further MUDs are constructed to help alleviate the housing crisis, and the report states: "Apartment developments present an opportunity for rapid construction growth by promoting a more compact form of development. According to the 2022 Census data, apartments currently account for approximately 13% of all occupied dwellings in Ireland, with 38% of occupied households in the Dublin City Council area being apartments".

Sinking funds matter more as apartment stock ages, and Ireland now has a significant portion of stock built in the latter half of the 20th century and the early years of the 21st, according to the report. "The age profile of these apartments is important for understanding the provision of money to maintain the common areas. On a national level, there are approximately 173,000 purpose built flats that were built between 1950 and 2022. Of these, 62.5% are in Dublin. Most purpose built apartments were built between 1991 and 2000 (1.7%), and between 2001 and 2010 (46%)".

The report was compiled through surveys of Chartered Property and Facilities Management Surveyors members. In total, these represent over 443 MUDs, with approximately 31,000 individual units.

Survey questions involved asking Chartered Property and Facilities Management Surveyors members their opinions on various themes associated with the MUDs they manage, including sentiment around sinking funds and BIF reports, to provide additional evidence regarding these sentiments, members of the Apartment Owners' Network (AON) were also surveyed. AON respondents represented approximately 52 MUDs with approximately 7,000 individual units".

### Implications

This update of the SCSI's 2018 report *Sinking Funds in Apartments: Meeting the Challenge*, is timely and reflects the experience of many management agents and SCSI members. For many OMCs, the focus is on short-term funding, with the survey findings pointing to a

general reluctance by owners to contribute more now. While it may feel like the right decision in the short term to keep sinking fund contributions to a minimum, this report clearly highlights the

delicacies and risk in this approach. The long term implications of the current funding approach not only risk impacting an OMC's ability to undertake work in the future, but also crosses members to future levies and may negatively impact property values within individual MUDs. The findings certainly support the case for reform, particularly in relation to recommended sinking fund contributions and mechanisms for recovery of unpaid service charges. Outside of the legislative structure, BIF reports provide the roadmap for long-term planning and funding. It is

key that these are regularly reviewed in a user-friendly standardised format, and critically used by OMCs as planning tools. Generating greater awareness around the importance of BIFs will take time and effort, with this report recommending statutory education and support for OMC Directors.

This report comes at a critical moment, with a sizeable proportion of existing apartment blocks beginning to reach stages in their life cycles when capital funding is necessary to undertake refurbishments/renewals. The delivery of MUDs is also essential to the development of a sustainable and affordable housing market. This updated research provides an opportunity to reflect on the experience to date in respect of sinking fund provisions among OMCs, and to apply the learnings and recommendations to better support OMCs in planning for future funding requirements.

The full report can be found on the SCSI website at: <https://scsi.ie/real-cost-of-apartment-block-maintenance-examination-of-sinking-funds/>.

[https://issuu.com/thinkmedia/docs/surveyorsjournal\\_december2024\\_web/20](https://issuu.com/thinkmedia/docs/surveyorsjournal_december2024_web/20)

# Research – On-going



## Advancing retrofitting in multi-apartment buildings

**TSI 2023**

Template: **REQUEST FOR TECHNICAL SUPPORT**



Note to the MM: Only highlighted questions have been modified compared to last year's template

**TECHNICAL SUPPORT INSTRUMENT (TSI) PROGRAMME**  
**Regulation (EU) 2021/240 (TSI Regulation)<sup>1</sup>**

**REQUEST FOR TECHNICAL SUPPORT<sup>i</sup>**  
**(Article 9 of the TSI Regulation)**

# Coming Soon: Training Resources



Lis O'Brien - Project Findings



Trinomics



TUS



## Session 1: Project Findings

Renovation of Multi-Unit Developments

## Community Energy Grant



### Apartment Living & Sinking Funds

Building a Sinking Fund an important duty of all Owners' Management Companies (OMCs)

Areas for which Sinking Fund may be Required:

Life systems, including fire alarm systems, emergency lights and vents	Roofs, including copings and cappings, fall arrest systems etc.
Mechanical Plant, including lifts and pumps	Electrical fittings, including light fittings
External common areas, including perimeter walls, pedestrian gates etc.	Windows / Window frames of common areas and perhaps individual units
Building Façade, including external walls and renders	Interior common areas, including carpeting, painting, joinery etc.
Roads and Car Parks, including gates	Re-tiling
Landscaping	Ironwork and Metalwork

Distinction between OMC total assets, total cash reserves and Sinking Fund



H & H  
Property Management Consultants

### Challenges with MUD's

Technical:

- Height Access (Install & Maintenance)
- Space Constraints (Int. & Ext.)
- No 'Wet' System – Heating Infrastructure
- Planning Rules
- OMC Rules
- MIC Limitations

Solutions May have Limitations / Imperfections / Implications



17



# Legislation – Miscellaneous



- General Scheme of the Heat (Networks and Miscellaneous Provisions) Bill 2024
- Planning & Development Act 2024 – LDA

# Heat Bill 2024



## PART 8 – AMENDMENT TO THE MULTI-UNIT DEVELOPMENT ACT 2011

### HEAD 30 - AMENDMENT TO THE MULTI-UNIT DEVELOPMENT ACT 2011 SECTION 32

Provide that:

- (1) The Multi Unit Development Act 2011 is amended by the insertion of the following after section 32:

*Restriction on entering into certain contracts related to efficient district heating and cooling*

The amendment will be commenced by the Minister for Justice with the agreement of the Minister for the Environment, Climate and Communications and the Minister for Housing, Local Government and Heritage.

32A.

- (1) Section 32 shall not apply in the case of a contract between a management company and a supplier/operator of an efficient district heating and cooling network.
- (2) An owners' management company may, after commencement of this section, enter into a contract for the supply of district heating which is expressed to run for a period up to 15 years from the date the contract is entered into by the owners' management company.
- (3) An owners' management company shall not, after commencement of this section, enter into a contract for the supply of district heating which provides for a penalty to be imposed on or damages to be paid by the owners' management company if the contract is terminated by it after a period of 15 years from the date the contract is entered into by the owners' management company.

#### **Explanatory Note:**

This Head will introduce a change to the current MUD Act 2011 which currently specifies that a management company cannot enter a contract for good or services in excess of three years.

Investment in efficient district heating and cooling network infrastructure requires longer contract periods to establish returns on investment and the MUD Act 2011 currently in effect restricts investor appetite for the purposes of installation of heat networks.

This amendment to the MUD Act introduces an extended period (15 years) in which a management company could enter into a contract for the purposes of heat networks.

# District Heating



Press release

## New Heat Bill paves the way for district heating nationwide

From [Department of the Environment, Climate and Communications](#)

Published on 1 November 2024

Last updated on 1 November 2024

- First ever stand-alone heat bill in the history of the State highlights the importance of switching away from fossil fuels as Ireland's main heat source

The government has approved the General Scheme of the Heat (Networks and Miscellaneous Provisions) Bill 2024. The development of this legislation will pave the way for the growth of a district heating industry in Ireland that would be highly efficient and low carbon, helping us to meet our national and international climate targets. Importantly, it would also establish a regulatory model that ensures price protection for large and small heat network consumers.

[www.gov.ie/en/press-release/b202d-new-heat-bill-paves-the-way-for-district-heating-nationwide/](https://www.gov.ie/en/press-release/b202d-new-heat-bill-paves-the-way-for-district-heating-nationwide/)

# District Heating – Poolbeg



THE IRISH TIMES

## Up to 50,000 Dublin homes could be heated with energy from Poolbeg incinerator, Ryan says

State's first large-scale district heating scheme could be ready to come into operation by 2025, according to Minister

Expand

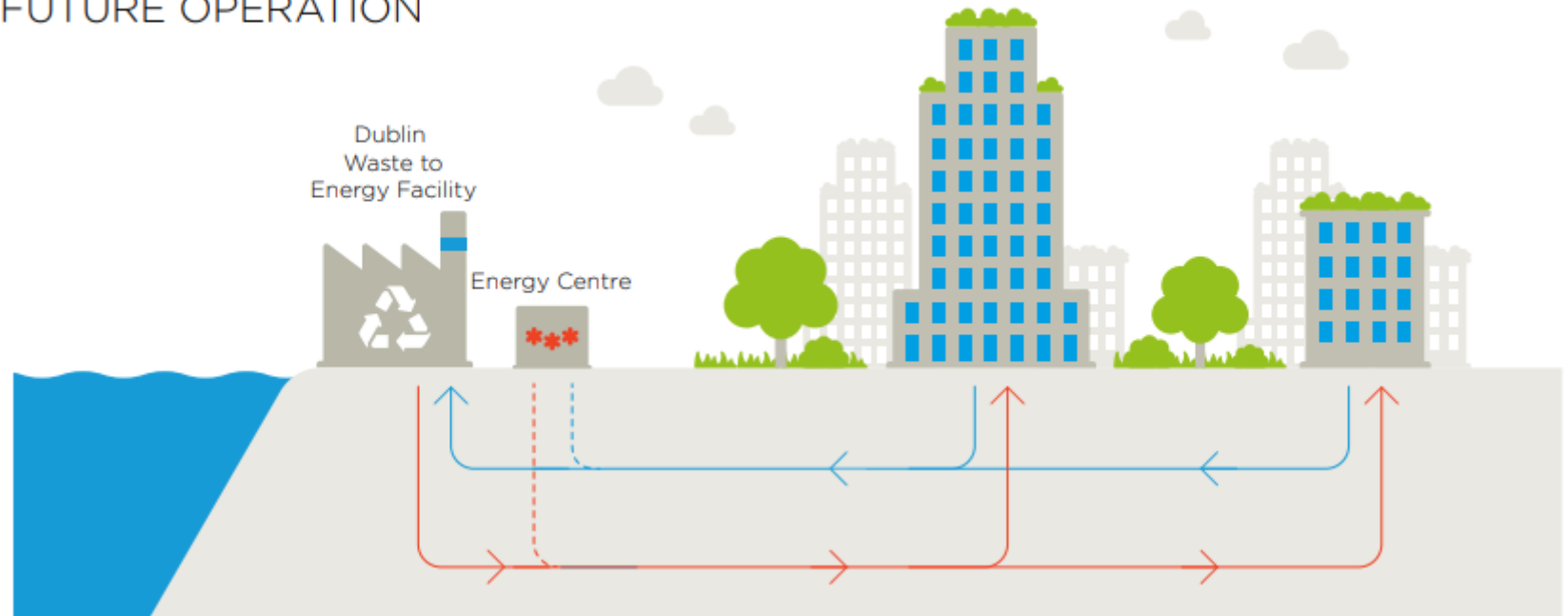


Minister for Energy Eamon Ryan says 90MW of heat could be generated at the Poolbeg waste to energy plant. Photograph: Brian Lawless/PA W

LATEST STORIES >

Ireland team to play France: Live updates as starting 15

## FUTURE OPERATION



# District Heating – Engineers Irl



District Heat Networks - Progress to date in Ireland :

<https://youtu.be/6fuyARxltC8?si=Zcxj-Z-RFcdl16rt>

# Planning & Development Act 2024



## **“Establishment of owners’ management company**

- 33A.** (1) For the purposes of performing any one or more of the functions of the Agency in relation to a multi-unit development, the Agency or a subsidiary DAC formed for the purposes of performing such functions may, notwithstanding any provision in its constitution and as it considers appropriate, cause a subsidiary, within the meaning of the Companies Act, in the form of a company limited by guarantee (to be known as a ‘subsidiary CLG’), to be formed and registered under Part 18 of the Companies Act as an owners’ management company in relation to the multi-unit development concerned.
- (2) The Agency, or a subsidiary DAC referred to in subsection (1), may cause a subsidiary CLG to be formed and registered under subsection (1) only for the purposes of the performance, in accordance with the Act of 2011, by the subsidiary CLG, of functions of an owners’ management company in relation to the multi-unit development concerned.
- (3) The Agency or, in the case of a subsidiary DAC that has caused a subsidiary CLG to be formed under subsection (1), the subsidiary DAC, may, notwithstanding any provision in its constitution, become a member of the subsidiary CLG in accordance with the Act of 2011.”.

# LDA – Panel of OMC Directors



## **Request for Tender to Participate in the Establishment of a Panel for the Provision of Owners Management Company (OMC) to LDA Residential Sites**

This procedure aims to establish a Panel of Professional Directors to act on behalf of The Land Development Agency (LDA) in the management of Owner Management Companies (OMCs) associated with the LDA.

# LDA – Scope of Services



## 3.3. Scope of Services for Appointed Directors

The scope of services of a director appointed by the LDA to be a representative on an OMC will include:

- (i) Enter into Conditions of Engagement with the LDA.
- (ii) Act as the LDA's representative on OMC Boards of Directors.
- (iii) Attend OMC Board of Directors meetings to review ongoing operational and financial matters in compliance with the MUD Act to vote on matters at Directors meetings as and when appropriate.
- (iv) In conjunction with the OMCs Board of Directors provide direction and instruction to the appointed management agent.
- (v) As required and from time to time provide the LDA with a general overview in keeping with their fiduciary responsibilities of the OMCs activities. The nature of the information submitted/discussed will be in keeping with the normal information sharing provided by the OMC to its members.
- (vi) Oversee the operations and management of the OMC to include statutory and regulatory requirements, financial and reporting requirements.
- (vii) Oversee the performance of the appointed management agent in accordance with their Letter of Engagement and Property Services Agreement.
- (viii) Ensure adequate insurance is in place for OMCs buildings and common areas.
- (ix) Ensure that the OMC takes a proactive and best practice approach to Building Lifecycle management and planning including ensuring that the appropriate funding is planned and collected in alignment with the Sinking Fund report.
- (x) Ensure appropriate Corporate Governance of an OMC and apply the following considerations for good practice in the area of:

# LDA – Scope of Services



- Directors Duties
  - Board Effectiveness
  - Performance Conformance
  - The Company Constitution and Register of Members
  - Finances, Cash and Debtors
  - Company Accounts and Statutory Audit
- (xi) Any ancillary services that may be required during the appointment.

# Rental Standards – Guidelines



An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage

## Guidelines for Housing Authorities in Implementation of Standards in Rented Accommodation

August 2024



Prepared by the Department of Housing, Local Government and Heritage  
[gov.ie/housing](https://gov.ie/housing)

<https://assets.gov.ie/288744/4262f6ca-a498-4f7a-a476-eee8c6c1ecb8.pdf>

# Recent Caselaw



## Family awarded €20,000 by RTB after more than a decade exposed to damp and mould in Dublin apartment



Gallery Quay apartments on Grand Canal Dock in Dublin. Photo: Damien Eagers

Amy Molloy

Fri 15 Sep 2023 at 02:30



Courts

## High Court cancels €20,000 award to tenants who alleged they lived in damp and mouldy apartment

Landlords not required to press building management companies to perform contractual repair obligations, judge said

Expand



Tuath owns 60 of the 290 apartments in Gallery Quay.

Ellen O'Riordan

Tue Oct 08 2024 - 16:51

THE IRISH TIMES

## Irish Legal News

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## High Court: Landlord's statutory duty to repair may extend to structures outside its ownership

9 OCT 2024 | Reading time: 6 minutes

WRITTEN BY:



Gillian O'Hanlon  
BL  
Case Reporter

ARTICLE TAGS:

HOUSING

*The High Court has remitted a landlord and tenant dispute back to the Tenancy Tribunal for re-hearing, finding that the Residential Tenancies Act 2004 did not qualify the statutory duties of landlords to effect repairs by reference to any limitation on a landlord's ability to do so arising from its lack of ownership or control of adjoining premises.*



# Recent Caselaw



THE HIGH COURT

[2024] IEHC 574

[2023 No. 149 MCA]

IN THE MATTER OF SECTION 123 OF THE RESIDENTIAL TENANCIES ACT 2004

BETWEEN:

TUATH HOUSING ASSOCIATION

APPELLANT

-AND-

RESIDENTIAL TENANCIES BOARD

RESPONDENT

-AND-

TETYANA SOROKA AND VASSYL SOROKA

NOTICE PARTIES

JUDGMENT of The Hon. Mr. Justice Alexander Owens delivered on the 4th day of October 2024.

[https://courts.ie/acc/alfresco/de586783-42d3-4ed5-91d0-8a35bdba005d/2024 IEHC 574.pdf/pdf](https://courts.ie/acc/alfresco/de586783-42d3-4ed5-91d0-8a35bdba005d/2024_IEHC_574.pdf/pdf)

# Recent Caselaw



THE IRISH TIMES

## Tenant loses High Court appeal claiming landlord had duty to maintain apartment common areas

Leonardo De Oliveira Lima highlighted issues with gates, CCTV, intercoms and heaters at his Swords apartment complex

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LAW REPORTS

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Wednesday, 5th February, 2025

[HOME](#)

## Landlord of apartment not responsible for maintenance of common areas under management company control

By: Decisis

[PAY \(€5\) TO VIEW FULL ARTICLE NOW](#)

or [click here](#) to request site subscription to search and view all judgments

High Court dismissed an appeal from the Residential Tenancies Board, and affirmed determination that the landlord of an apartment was not responsible for maintenance of common areas in an apartment complex. The Tribunal had found that these were the responsibility of the Owners' Management Company (OMC).

[www.irishtimes.com/crime-law/courts/2025/01/24/tenant-loses-high-court-appeal-claiming-landlord-had-duty-to-maintain-apartment-common-areas/](https://www.irishtimes.com/crime-law/courts/2025/01/24/tenant-loses-high-court-appeal-claiming-landlord-had-duty-to-maintain-apartment-common-areas/)

[decisis.ie/landlord-of-apartment-not-responsible-for-maintenance-of-common-areas-under-management-company-control/](https://decisis.ie/landlord-of-apartment-not-responsible-for-maintenance-of-common-areas-under-management-company-control/)

# Research – On-going



MUD Act and Circuit Court decisions



# New FAQs



An Ghníomhaireacht  
Tithíochta  
The Housing Agency

ABOUT US

HOUSING INFORMATION

DATA HUB

## FAQs

- > What is a sinking fund and why is it important?
- > Where do I find out about my rights as an owner in the estate?
- > How do I find out who owns what parts of a multi-unit development?
- > I am a renter / tenant in a home that is part of a multi-unit development, such as an apartment block, where there is an OMC. How do I raise concerns in relation to the upkeep of the common areas, or the delivery of shared services in the development?
- > What are House Rules?

[www.housingagency.ie/node/291](http://www.housingagency.ie/node/291)

# YouTube Webinars



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**The Multi-Unit Developments Act 2011**  
Wednesday 14 July 2021

**Multi-Unit Developments Training, Summer 2021**

The Housing Agency  
6 videos • 220 views • Last updated on Aug 19, 2021

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**Multi-Unit Developments Waste Management and Recycling**

13 March 2024

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Mar 14, 2024

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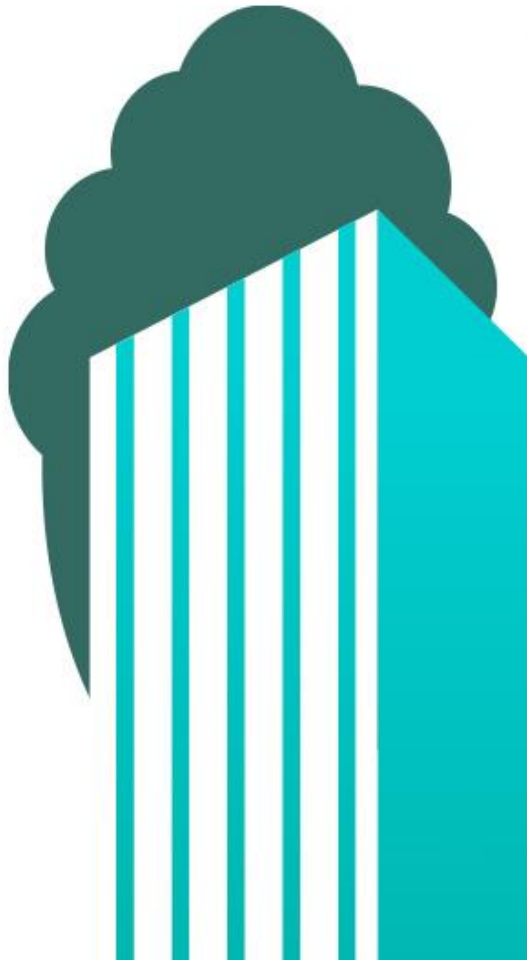
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# OMC – Governance Guidance



# OMC – Governance Guidance



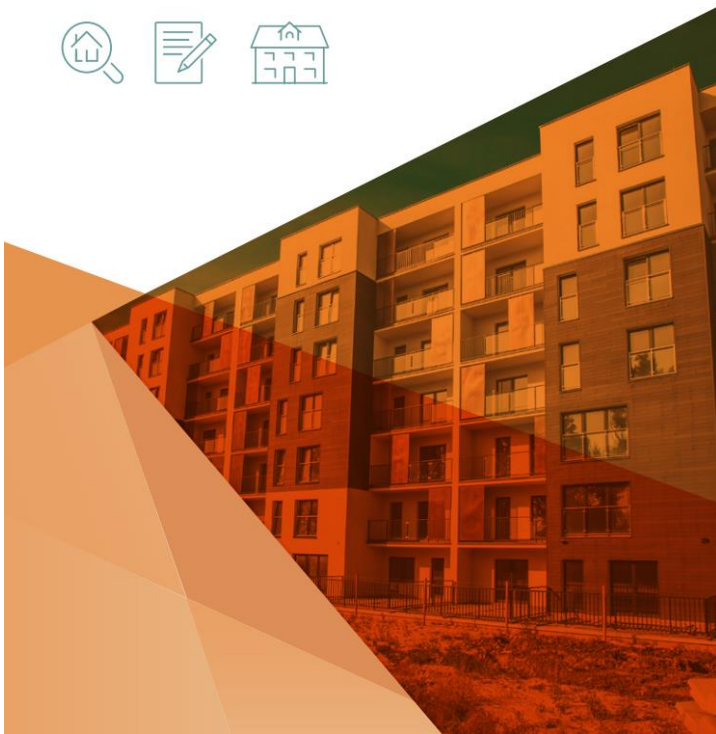
## 10 Considerations for directors of owners' management companies

- 1 Directors' duties
- 2 Board effectiveness
- 3 Performance versus conformance
- 4 The company constitution and register of members
- 5 Finances, cash and debtors
- 6 Company accounts and statutory audit
- 7 The role of the company secretary
- 8 Outsourcing
- 9 Annual general meetings
- 10 Dispute resolution

# Insurance Guide



## Multi-Unit Developments - A Guide to Insurance



## Contents

 05	 05	 06
OMCs and Insurance	Head Lease - Obligation to Insure	Multi-Unit Developments Act 2011
 07	 07	 08
Types of Insurance Policies	Building / Block Insurance	Common Area Contents Insurance
 08	 09	 09
Public Liability Insurance	Employer's Liability Insurance	Engineering (Lift) Insurance
 10	 11	 12
Directors' and Officers' Liability Insurance	Other Forms of Insurance	Who Does What
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Defective Properties	Further Information	Appendix I - Glossary

[www.housingagency.ie/publications/multi-unit-developments-guide-insurance](http://www.housingagency.ie/publications/multi-unit-developments-guide-insurance)

# Guidance – Engaging an Agent



Engaging a Property Management Agent: Guidance for Owners' Management Companies



## Contents

02

General Considerations



03

Letter of Engagement



03

Engagement Costs



05

Communications



05

Financial Management Considerations



06

Collection of Annual Charges



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Administration / Company Secretarial Services



07

Property Management



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Self-Managed Estates



08

Appendix



[www.housingagency.ie/publications/engaging-property-management-agent-guidance-owners-management-companies](http://www.housingagency.ie/publications/engaging-property-management-agent-guidance-owners-management-companies)

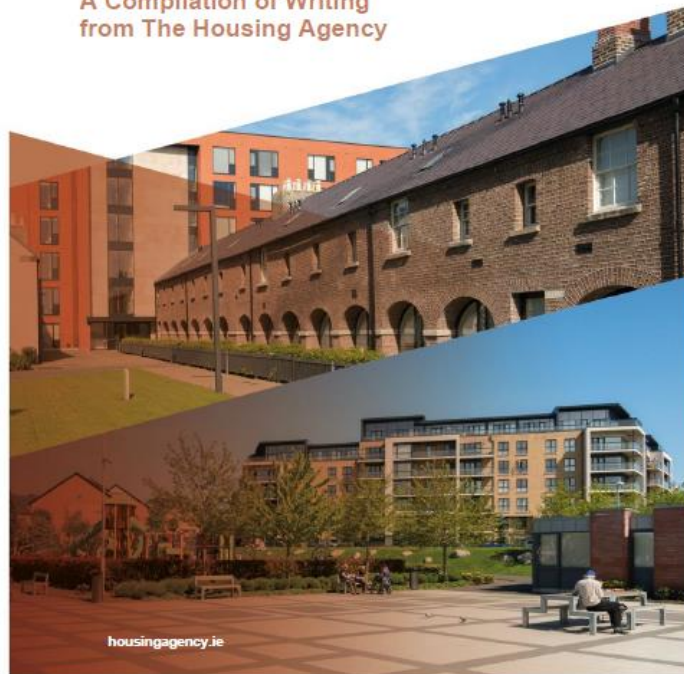
# Compilation of Writing



An Ghníomhaireacht  
Tithíochta  
The Housing Agency

## Multi-Unit Developments & Owners' Management Companies

A Compilation of Writing  
from The Housing Agency



[www.housingagency.ie/publications/multi-unit-developments-owners-management-companies-Compilation-writing-housing-agency](http://www.housingagency.ie/publications/multi-unit-developments-owners-management-companies-Compilation-writing-housing-agency)

# Outreach – Sep / Oct 2025



1. Dublin x2
2. Cork
3. Limerick
4. Galway
5. North West (Carrick-on-Shannon)

# Webinar with PSRA: 20 May 2025



An Ghníomhaireacht  
Tithíochta  
The Housing Agency



## MULTI-UNIT DEVELOPMENTS

### OMCs, Agents, and the Letter of Engagement: Insights from the PSRA

The Housing Agency and the Property Services Regulatory Authority (PSRA) will hold a webinar to provide insights into the importance of the Letter of Engagement between owners' management companies (OMCs) and licensed property management agents.

**Tuesday, 20th May 2025 @12.30pm**

For more information and to register please visit [housingagency.ie/news-and-events](https://housingagency.ie/news-and-events)

[www.housingagency.ie/news-events/webinar-omcs-agents-and-letter-engagement-insights-psra](https://www.housingagency.ie/news-events/webinar-omcs-agents-and-letter-engagement-insights-psra)

# Chartered Accountants Ireland



## Multi-Owned Residential Properties – Legal, Tax & Regulatory Insights (ROI)

### Summary

This live webinar, delivered by housing, tax, and accounting experts, will provide essential insights into the legal, regulatory, taxation, and financial landscape of multi-owned residential properties in Ireland. The session will focus on key aspects of the rapidly expanding Private Rented Sector (PRS), multi-unit developments (MUDs), and owners' management companies (OMCs).

Share this

**Venue details:** Live Webinar, Online, Zoom

**Start date & time:** 28 May 2025 09:30

**End date & time:** 28 May 2025 12:30

[www.charteredaccountants.ie/Meetings/Meeting.aspx?ID=54253](http://www.charteredaccountants.ie/Meetings/Meeting.aspx?ID=54253)

# Contact



**MUD@housingagency.ie**

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# The Owners' Management Company

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# The Owners' Management Company

1. Origins
2. Purpose
3. Role
4. Responsibilities
5. Structure
6. Benefits

# The Owners' Management Company

## Members of an OMC

- Implications of being a member of an OMC
- Duties of Members
- Powers and Duties of Directors
- Responsibilities

# The Owners' Management Company

## The Property Services Regulatory Authority

- Role
- Powers
- Responsibilities

# The Owners' Management Company

## The Multi-Unit Developments Act 2011

- Relevance
- Implications
- Application
- Sanctions

# The Owners' Management Company

## Section 14(1) – MUD ACT 2011

- The voting structure must be one vote per unit
- Historically it was one vote per member
- In mixed use developments the voting structure has to be fair and equitable.

# The Owners Management Company

## The New Companies Act 2014

- Implications for OMC's
- CLG, CLS or DAC
- Relevance
- Directors and Secretaries of OMC'S

# The Owners Management Company

## CEA

Corporate Enforcement Authority of Ireland  
(Formerly ODCE)

- Role
- Enforcement
- Sanctions

# The Owners Management Company

## Receivers

- Appointment of Receivers
- The Dissolved OMC
- Ressurecting an OMC that has been struck off the company register
- S.30 Multi-Unit Developments Act

# The Owners Management Company

## SINKING FUNDS

- The importance of Sinking Funds
- SCS1 – 78% of OMC's do not have enough set aside
- The Building Life Cycle Report
- Building Investment Fund Report – 14% of OMC's have this

# The Owners Management Company

## APARTMENT OWNERS NETWORK

- Advocacy Group for OMC members
- Influencing Government Policy
- Taxation, banking, regulations etc.

# The Owners Management Company

## THE HOUSING AGENCY

- Multi-Unit Developments
- The MUD Act and Circuit Court Decisions

# The Owners Management Company

- Pursuing Outstanding Service charges and OMC Policies
- New trend with owners from other jurisdictions

# The Owners Management Company

○SAMPLE BUDGETS