

An tÚdarás Rialála Comhlachtaí  
Titheochta Ceadaithe

Approved Housing Bodies  
Regulatory Authority



# AHBRA Registration Policy

Policy Document – May 2022

[ahbregulator.ie](http://ahbregulator.ie)



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# 1. Introduction

The Approved Housing Bodies Regulatory Authority (“AHBRA”) was established under the Housing (Regulation of Approved Housing Bodies) Act 2019 (“The Act”). The Act provides for the regulation of Approved Housing Bodies (AHBs) for the purposes of protecting housing assets provided or managed by such bodies.

In accordance with Section 25-35 of the Act, AHBRA is responsible for registering persons as AHBs and establishing and maintaining a Register of AHBs (“the Register”). The purpose of this document is to outline AHBRA’s policy in relation to the Registration of AHBs, as well as the establishment and maintenance of the AHB Register. This document will be revised, as appropriate, in line with the legislation.

On 1<sup>st</sup> Jan 2022, 450 organisations had Approved Housing Body status and were registered as AHBs with the Department of Housing, Local Government & Heritage (“DHLGH”). Therefore, in line with S34 of the Act, these organisations have now been ‘deemed to be registered’ and are subject to the provisions of the Act. The register can be found [here](#).

# 2. Registration Framework

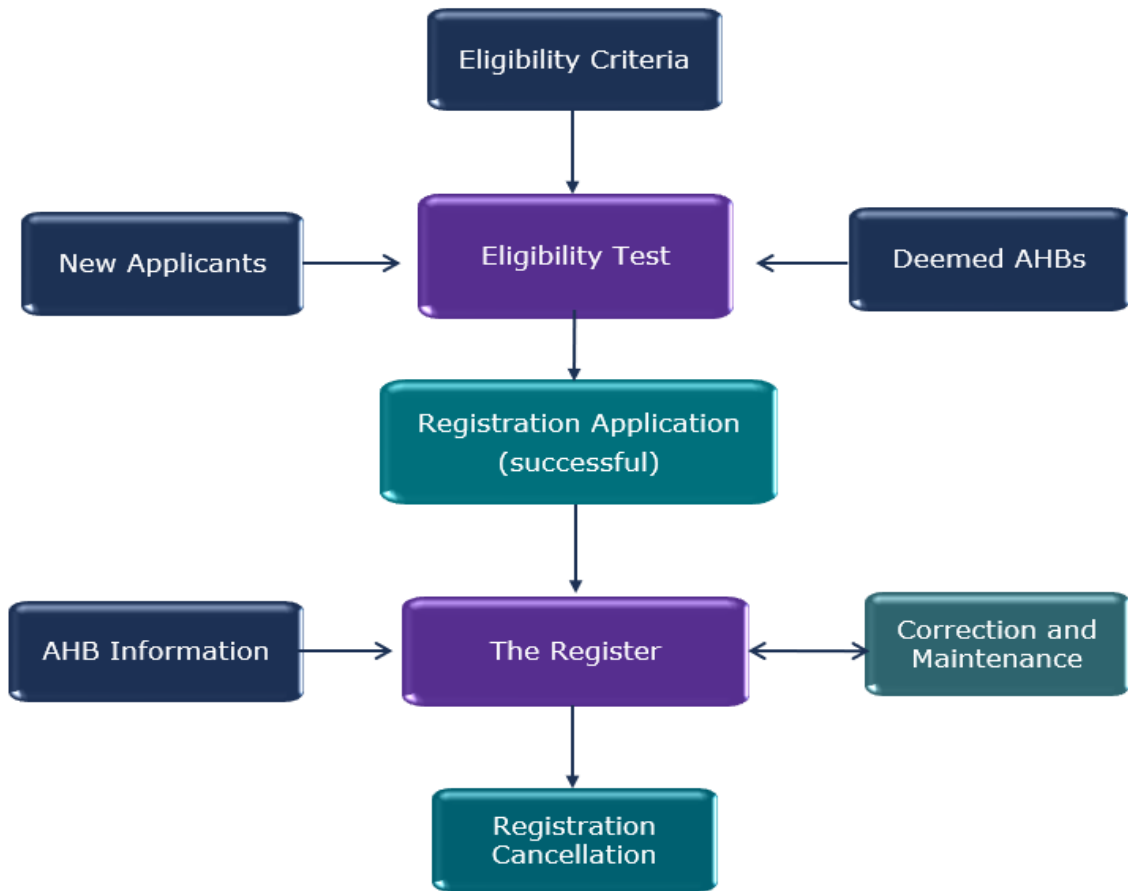
The Act provides for AHBRA to establish and maintain a Register of AHBs and to register persons as AHBs. Additionally, the legislation provides for registration procedures, including organisations that are deemed to be registered, eligibility criteria, application to register, publication of a register, and entry and exit from the Register.

In line with the Act, all organisations that were registered with DHLGH immediately before commencement, have been deemed to be registered.

Deemed AHBs and new applicants who meet the eligibility criteria and seek to register, will be required to make an application for registration to AHBRA. AHBRA’s decision to grant or refuse registration will be based on eligibility criteria, submitted information, and supporting documentation.



# Registration Framework





### 3. Eligibility Criteria

Section 25 of the Act sets out the eligibility criteria that an organisation must meet in order to make an application for registration as an AHB. The Eligibility Test is set out below. Any organisation that is considering making an application for registration must demonstrate they can pass the eligibility test.

<b>The Eligibility Test</b>		
The eligibility criteria are that the person is <b><u>one of the following organisation types:</u></b>	<b>YES</b> <input checked="" type="checkbox"/>	<b>NO</b> <input checked="" type="checkbox"/>
A company with at least 5 directors, that is a: <ul style="list-style-type: none"> <li>• Company Limited by Guarantee</li> </ul> <b>OR</b> <ul style="list-style-type: none"> <li>• Designated Activity Company</li> </ul>		
A Registered Society		
A friendly society within the meaning of the Friendly Societies Acts 1896 – 2018, or		
A charitable Trust, with at least 5 trustees, that is a registered charitable organisation		
And it <b><u>includes</u></b> in its constitution:	<b>Yes</b> <input checked="" type="checkbox"/>	<b>No</b> <input checked="" type="checkbox"/>
Either or both of the following as its primary object or primary objects:		
I. The provision of dwellings for the purpose of the alleviation of housing need		
II. The management of dwellings provided for the purpose of the alleviation of housing need, whether or not it provides those dwellings		
And the following provisions:		
III. Prohibiting the distribution of any surplus, profit, bonus or dividend to members or directors or other persons, and		
IV. Requiring that all of its property (both real and personal) be applied solely in furtherance of its primary object or primary objects specified in subparagraph (i), except for moneys expended in the operation and maintenance of the person, including moneys paid in remuneration and superannuation of members of its staff.		



AHBRA has a statutory obligation to satisfy itself that the eligibility criteria have been met, in line with Section 27(1) and 28(1) of the Act. Therefore, all organisations seeking to make an application for registration with the Regulator must pass the Eligibility Test as outlined above.

## 4. Deemed Registered AHBs

In line with Section 34 of the Act, from the 1<sup>st</sup> of January 2022 all organisations that held Approved Housing Body status and were listed on DHLGH’s register have been ‘deemed to be registered’. A list of these AHBs can be found [here](#).

All deemed AHBs are subject to all aspects of the legislation.

Deemed AHBs have a specific timeframe from the 1<sup>st</sup> of January 2022 within which to make an application for registration. This timeframe is dependent on the number of dwellings provided and/or managed by the organisation. The timeframes for registration for deemed AHBs are set out below.

<b>Number of Dwellings</b>	<b>Timeframe to Register</b>
300 or more dwellings	2 years
50-300 dwellings	3 years
Less than 50 units	4 years
No units	4 years

### 4.1 Extension Requests

Organisations that have been ‘deemed to be registered’ can request an extension to the timeframe within which it must make an application for registration.

All extension requests must be submitted in writing to AHBRA, prior to the deadline for application.



## 5. Application for Registration

Organisations considering making an application for registration should contact AHBRA via email at [registration@ahbregulator.ie](mailto:registration@ahbregulator.ie). AHBRA will provide advice and guidance to organisations considering making an application, including information about the registration process, eligibility criteria, application forms and information requirements.

An organisation that meets the eligibility criteria and seeks to register as an AHB is required to make an application for registration. The process will differ slightly depending on whether the organisation is a deemed AHB or a new applicant.

AHBRA will work with organisations to ensure that there is an appropriate understanding of all requirements of the application and any associated processes. At all times, AHBRA will treat all applicants consistently and fairly, engaging in proactive, open communication with applicants as part of the registration process.

### 5.1 Application for Registration - Deemed AHBs

Those AHBs who are 'deemed to be registered' will be required to apply for Registration with AHBRA within the timelines specified in Section 4. 'Deemed AHBs' who meet the eligibility criteria are required to make an application for registration which includes submitting a completed application form and providing supporting documentation.

Deemed AHBs considering making an application for registration should contact AHBRA via email at [registration@ahbregulator.ie](mailto:registration@ahbregulator.ie). AHBRA will provide advice and guidance to organisations about the registration process, eligibility criteria, application forms and information requirements.

Where an organisation meets the eligibility criteria, AHBRA will evaluate and assess the application against the requirements of the Act. The decision to grant or refuse registration will be in accordance with the Act.

The table below outlines the key steps in the application process for Deemed AHBs.



### **Deemed AHBs – Steps to Registration**

**Step 1:** Review and identify your organisation’s timeline for registration

**Step 2:** Contact AHBRA to discuss your organisation’s application

**Step 3:** Conduct an Eligibility Test

**Step 4:** If you meet the Eligibility Criteria, complete and submit an application for registration with supporting documents

**Step 5:** AHBRA reviews application, which may include a meeting with the Board of the Deemed AHB

**Step 6:** AHBRA makes decision to grant or refuse application for registration

**Step 7:** AHBRA informs the organisation of its decision to grant or refuse the application for registration

## **5.2 Application for Registration - New Applicants**

Organisations that meet the eligibility criteria and wish to register as an AHB are required to make an application for registration which includes submitting a completed application form and providing supporting documentation.

Organisations considering making an application for registration should contact AHBRA via email [registration@ahbregulator.ie](mailto:registration@ahbregulator.ie). AHBRA will provide advice and guidance to organisations about the registration process, eligibility criteria, application forms and information requirements.

Where an organisation meets the eligibility criteria, AHBRA will evaluate and assess the application against the requirements of the Act. The decision to grant or refuse registration will be in accordance with the Act.





As part of the new applicant registration process, a meeting will be held between AHBRA officials and the Board of the new applicant. The purpose of this meeting will be for the applicant to provide AHBRA with greater visibility and understanding of the organisation, their key objectives and intended plans, and to verify anything contained in their application and/ or to supply further information where required. Additionally, AHBRA will provide an overview of the regulatory framework, including compliance obligations.

The decision to grant or refuse registration will be in accordance with the Act.

The table below outlines the key steps in the application process for new applicants.

<b>New Applicant – Steps to Registration</b>	
<b>Step 1:</b>	Contact AHBRA to discuss the organisation’s intention to apply for AHB status
<b>Step 2:</b>	Conduct an Eligibility Test
<b>Step 3:</b>	If you meet the Eligibility Criteria, complete and submit an application for registration with supporting documents
<b>Step 4:</b>	AHBRA reviews application
<b>Step 5:</b>	The Board of new applicant meets with AHBRA to discuss application
<b>Step 6:</b>	AHBRA makes decision to grant or refuse application for registration
<b>Step 7:</b>	AHBRA informs the organisation of its decision to grant or refuse its application for registration



## 6. Granting or Refusing an Application for Registration

When deciding to grant or refuse an application for registration, AHBRA will consider:

1. If the applicant meets the eligibility criteria.
2. If the applicant has provided the required application and associated documentation in line with Section 27.
3. If the applicant has provided appropriate additional information and/or clarifications requested by AHBRA as part of the review of the application.
4. If the applicant has provided the appropriate assurances relating to their ability to meet the regulatory requirements, as appropriate.

AHBRA will communicate its decision regarding the granting or refusal of an application for registration to the applicant in a written notice via post and/ or email, as appropriate. AHBRA will ensure that any communication issued is clear and consistent.

### 6.1 Refusing an Application for Registration

In the case where AHBRA has decided to refuse to grant an application for registration, the notice will include the reason(s) for this proposed decision. The right to respond to a proposed refusal will be communicated to the applicant.

Additionally, appeal options will be communicated where AHBRA's final decision has been to refuse to grant an application, including details on how applicants can make an appeal to the Appeals Panel.



## 7. The Approved Housing Bodies Register

In line with the Act, AHBRA will establish and maintain an Approved Housing Bodies Register (AHB Register) which will be held at the office of AHBRA and made available for inspection by members of the public during business hours. The AHB Register will also be available to view in electronic form. The AHB Register can be found [here](#).

### 7.1 Entry on the AHB Register

AHBRA has established and published its first iteration of the AHB Register.

The Register of AHBs will be reviewed and revised on a regular basis. It will evolve over time in line with the applications for registration. The first iteration of the AHB Register contains the name, registration number, AHBRA status and organisation's address. As above, it will evolve over time to include:

- a. the name of the AHB and its principal place of business
- b. the registration number issued to the AHB
- c. the activity to which the registration relates
- d. in the case of a company, the names of the directors of the company,
- e. in the case of a registered society, the names of the members of the committee of management or other directing body of the society,
- f. in the case of a friendly society within the meaning of the Friendly Societies Acts 1896 to 2018, the names of the members of the committee of management of the society,
- g. in the case of a charitable trust, the names of the trustees of the trust,  
and
- h. any other particulars as the Regulator considers appropriate

The above list is not exhaustive, and the Regulator may enter on the Register other information, as it deems appropriate.



## 7.2 Updating the Register

Where an application for registration has been granted, AHBRA will enter the information in the Register.

Where the registration of an AHB has been cancelled<sup>1</sup>, AHBRA will update the Register by removing all information in the Register related to that AHB and will enter a statement in the Register that the registration of that AHB has been cancelled in line with the relevant section of the Act.

## 7.3 Correction of the Register and Accuracy of Information

While the information that is contained in the Register is specifically outlined by the Act, we are also committed to ensuring that the information is accurate, up to date and that any errors or omissions are corrected as soon as possible once they are identified.

AHBs have an obligation under the Act to ensure that they advise AHBRA of any errors in the Register, or any change in their circumstances that may impact the accuracy of the information in the Register.

AHBRA will review the Register periodically and will rectify any inaccuracies that are in the Register, while ensuring that we communicate any changes to the AHB(s) concerned.

# 8. Prohibited Conduct in Relation to Registration

It is an offence under the Act to knowingly or recklessly provide information to AHBRA that is false or misleading. In addition, it is an offence for an organisation to describe or portray itself as an AHB when it is not.

<sup>1</sup> Cancellation policy is under development



## 9. Confidentiality

AHBRA is committed to always operating with integrity and will take all reasonable measures to ensure that information received during the registration process is treated confidentially. AHBRA will not disclose any information received during the registration process to a third party unless we have legal obligation to do so. This does not apply to information that we are obliged to enter in the Register of Approved Housing Bodies which is a public Register of AHBs.

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**An tÚdarás Rialála Comhlachtaí  
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