

**An tÚdarás Rialála Comhlachtaí
Tithíochta Ceadaithe**

Approved Housing Bodies
Regulatory Authority



Concerns Case Studies

Information for AHBs

Introduction

The case studies set out below reflect some of the work AHBRA's Regulatory Oversight team has carried out in relation to Concerns about Approved Housing Bodies (AHBs). They provide an insight into some of the issues that AHBRA examined, and the approach taken to address those issues. These are short summaries, and each concern is evaluated based on the evidence available.

Case Study 1

Concern – Complaints Policy

AHBRA received a concern from an AHB tenant regarding the organisation's complaints handling practices. The tenant stated that they had difficulty raising a complaint with the AHB as there was no clear complaints procedure on either the AHB's website or in the tenant handbook.

The tenant specifically asked if the AHB met the outcomes of AHBRA's Tenancy Management Standard.

AHBRA Action

All AHBs are required to have 'a clear and easily accessible complaints procedure for tenants and service users'. This should clearly outline their approach to complaint handling, including how tenants can make a complaint, and how the complaint will be dealt with. It is important that all AHBs assure tenants that they can easily raise an issue with their landlord and that this will be managed in a professional and fair manner. In line with AHBRA's Tenancy Management Standard, this complaints process must be easily accessible.

Having evaluated the concern, AHBRA decided that it was a matter which required engagement with the AHB. AHBRA contacted the AHB and sought information regarding:

- the methods available for tenants to make a complaint
- what procedure was in place to deal with tenant complaints including escalation processes, where necessary
- how complaints are monitored and what information is reported to the board on the number and type of complaints received (including outcomes and timelines)
- what training was provided to staff in relation to complaints handling
- when the complaints procedure was last reviewed

Outcome

Initial feedback from the AHB indicated that it was potentially not able to demonstrate compliance with the relevant Standard. However, the organisation engaged positively with AHBRA and undertook a number of remedial actions. This included amending its website to provide easier and more prominent access to its complaints policy and by providing an updated Tenant Handbook which clearly detailed the procedure for making a complaint.

Case Study 2

Concern – Nominations and Allocations

AHBRA received complaints from a number of different sources regarding the allocations and nominations policy of an AHB, including that it charged certain fees (“key money”) in advance of new tenancy approvals. Complainants also highlighted increases to the amount of rent charged and stated that the AHB asked tenants to apply for rent supplements to cover the increase in rent.

The issues raised regarding tenancy nominations and allocations were considered to fall within AHBRA’s remit. In particular, the Tenancy Management Standard which sets out a number of requirements including:

- That AHBs comply with all relevant legal, regulatory, funding, and statutory obligations.
- That homes are allocated in a fair, transparent and efficient manner, and aligned with funding obligations.

AHBRA Action

AHBRA engaged with the AHB in relation to the Tenancy Management Standard, requesting copies of its relevant policies. Upon receipt of information from the AHB, it appeared it was not able to demonstrate compliance with the relevant AHBRA Standard.

The organisation did not provide a Nominations and Allocations policy which clearly explained how to apply for a tenancy and/or what factors were considered when deciding the allocation of a particular property. This included cases where “key money” was charged.

Outcome

The AHB was advised of its potential non-compliance with the Standards for AHBs and advised to rectify the situation. It indicated it would do so. It was further informed that its compliance with the Standards would be fully assessed during the AHB's next statutory assessment.

In relation to the matters which fell outside of AHBRA's remit, the complainants were signposted to other statutory bodies which could address their concerns.

Arising from the issues in this and similar cases, AHBRA published an Advisory Note for AHBs on Nominations and Allocations. [The Advisory Note is available here](#). The Advisory Note also outlines regulatory expectations in relation to the charging of key money.

Case Study 3

Concern – Acting as an AHB when not registered as an AHB.

An organisation came to the attention of AHBRA that described itself as an Approved Housing Body but was not registered with AHBRA. The organisation was quoted in a newspaper article identifying itself as an Approved Housing Body.

Section 35(2) of the Housing (Regulation of Approved Housing Bodies) Act 2019 (“the Act”) states it is an offence for a person, other than an AHB, to describe or hold itself out as an AHB.

AHBRA Action

AHBRA wrote to the organisation:

- Informing them that it was not a registered AHB.
- Indicating it is an offence under s.35 (2) of the 2019 Act hold itself out or describe itself as an AHB, when not registered.
- Asking it to contact relevant stakeholders to make them aware of its status.
- Providing it with information on the AHB registration process.

Outcome

The organisation engaged with AHBRA. It acknowledged that, although it was under the impression that it was previously an AHB, this was no longer the case. It provided AHBRA with copies of correspondence it had sent to key stakeholders, including the local authority, advising them of the organisation’s proper status. It also indicated its intention to apply for registration as an AHB. In light of these remedial steps, AHBRA opted to take no further action at this point.

AHBRA remains vigilant in identifying organisations which may be in breach of this and other sections of the Act.



Approved Housing Bodies Regulatory Authority,
4th Floor Gratton House, 67-72 Mount Street Lower,
Dublin 2 D02 H638

Telephone: 01 224 3900
Web: www.ahbregulator.ie
Email: info@ahbregulator.ie