



Pyrite Resolution Board Progress Report No. 1 Pyrite Resolution Act 2013 (Section 9)

1. Background

a) Pyrite Board Establishment

The Pyrite Resolution Board (PRB) was established following the publication of the Pyrite Resolution Act 2013 on 10th January 2014.

b) Pyrite Remediation Scheme

A draft Pyrite Remediation Scheme was prepared by the Board in accordance with the Act and submitted to the Minister. It was approved by him on 8th February following which the Scheme was made by the Board on 12th February 2014.

c) Online Information, Application and Case Management System

The online application process was launched on 26th February 2014 and can be accessed by applicants on the Board's website www.pyriteboard.ie.

The case management system has been developed for tracking and storing documents related to the remediation scheme. Once the system is fully developed applicants will be able to track progress on their application and the remediation works to their dwelling.

A freephone number has been provided for dwelling owners with any queries regarding the scheme or if they require assistance with completion of the application form and uploading of documents.

2. Applications Submitted

The number of completed applications submitted since the launch to 15th April 2014 was 418. The application system indicates that 146 individuals have commenced but not yet completed applications. A full breakdown of the applications received by county and area is attached at Appendix A.

3. Validation Process

The validation process essentially has two elements to it:

- a) Assessment of applications for compliance with the eligibility criteria.
- b) An audit of the Building Condition Assessment to ensure that the dwellings have the requisite level of damage.

A Decision Maker does a desk study of all Building Condition Assessment reports.

Thus far the audit process has been completed in respect of over 50% of applications received. While there can be some differences in attributing values to various elements of the dwelling, overall the Damage Condition Ratings recorded have been satisfactory in all cases audited thus far.

A small number of applications with a Damage Condition Rating of 1 have been received. While these do not qualify under the Scheme some may fall to be considered under the “exceptional” heading at a later stage.

Guidance has been issued to Decision Makers on the application of the “alternative practicable options” requirement. See also Contributions from Liable Parties below.

A total of 84 applications spread over five different developments have been recently validated and referred to the Housing Agency for the Verification stage. The Housing Agency will commence the assessment and damage verification process following which a recommendation will be made to the PRB as to whether or not the dwelling should be included in the remediation scheme.

4. Construction Design Professional Panels

The Housing Agency has carried out a public procurement process to establish Framework Agreements for design professionals, split into two Lots:

Lot 1: Remediation of 7 or more dwellings

Lot 2: Remediation 6 or less dwellings.

Following assessment, seven design professionals are included in Lot 1 and six in Lot 2. Agreements have been signed by the Agency with the successful tenderers and the list has been posted on www.etenders.ie.

5. Contractor Panels

The Housing Agency has been conducting a similar procurement process to establish Framework Agreements for contractors to carry out the remediation works. This is also split into two Lots as for the design professionals.

Following assessment, seven contractors are included in Lot 1 and eight in Lot 2. Agreements are expected to be signed by the Agency with the successful tenderers by early May 2014 following which the list will be posted on www.etenders.ie.

6. Contribution from Liable Parties

In general, applicants declare little by way of actions taken, whether by applicants themselves or builders/developers, to seek redress from others who may have liability. It seems clear that applicants may be slow to declare such actions as they would worry that this might affect their eligibility for remediation by the PRB or that their application may be deferred as allowed for under the legislation. In many of these cases homeowners have been living with severe damage for a considerable period of time.

A number of actions or potential settlements in favour of builders/developers have come to light and solicitors and builders representatives have been in contact with PRB with a view to progressing actions or settlements and getting the necessary cooperation from homeowners.

It also seems that settlements being negotiated in some cases might not meet the full costs of remediation, but that the builders/developers wish to find a mechanism that would contribute towards the Pyrite Remediation Scheme. These parties are currently considering proposals, dealing with all of the circumstances, including the provisions of the Pyrite Resolution Act, which they would then bring to the PRB.

It remains to be seen what these efforts will achieve, but it seems appropriate that the Board should agree that as much funds as possible be contributed from those liable for the pyrite damage, while not unduly delaying or frustrating homeowners in their need to have their damaged dwellings remediated. Homeowners and their representatives have sought assurance that they would not be disadvantaged by cooperating with builder/developers in their actions. This has been tacitly acknowledged subject to receiving satisfactory proposals that can be legally recommended.

Appendix A - Summary of Applications Submitted as at 15th April 2014

County	Applications
Dublin	288
Kildare	9
Meath	110
Offaly	11
Grand Total	418

County/Area	Applications
Dublin	214
Ashtown	2
Balbriggan	70
Ballyboughal	2
Donabate	40
Kinsealy	2
Lusk	48
Mulhuddart	1
Newcastle	3
Rush	41
Santry	4
Swords	1
Dublin 9	37
Ballymun	1
Santry	36
Dublin 11	2
Finglas	2
Dublin 15	35
Ashtown	5
Blanchardstown	5
Castleknock	1
Clonsilla	1
Hollystown	1
Mulhuddart	22
Kildare	9
Enfield	2
Kilcock	2
Leixlip	1
Maynooth	4
Meath	110
Ashbourne	53
Ballivor	1
Clonalvy	1
Dunboyne	7
Dunshaughlin	19
Enfield	20
Kilmessan	1
Navan	1
Oldtown	1
Robinstown	1
summerhill	4
Trim	1
Offaly	11
Edenderry	11
Grand Total	418

Appendix B – Summary of Applications validated up to 15 April 2014

COUNTY	TOWN	ESTATE	REFERRED TO HOUGING AGENCY	HOUSE(H) APARTMENT(A)
DUBLIN	RUSH	THORNCHASE	4	H
DUBLIN	RUSH	RAVENSWELL	22	H
DUBLIN	SANTRY	NORTHWOOD	37	A
DUBLIN	BALBRIGGAN	CHIEFTAINS WAY	4	H
MEATH	DUNSHAUGHLIN	COLDRICKS PASS	17	H
			84	HOUSES(H) 47 APARTMENT(A)37