

Progress Report No. 8

Pyrite Resolution Act 2013 (Section 9)

1. Applications

The number of completed applications submitted to 4th January 2016 since the launch of the Pyrite Remediation Scheme on 26th February 2014 was 995 spread across 37 developments containing multiple applications and 63 single site applications. On average 8 applications per week were received in the fourth quarter of 2015.

A full breakdown of the applications received by county/area is attached at Appendix A and the current status of all applications is at Appendix B.

2. Assessment, Verification and Recommendation Process

A total of 809 applications have been validated and referred to the Housing Agency for the Assessment and Damage Verification Process.

Damage Verification, i.e. confirmation of damage attributable to pyritic heave, may be based on an individual dwelling or on associated dwellings. Associated dwellings may thus be verified on the basis of comparable damage and / or earlier tests with similar results.

HomeBond arranges testing as required and the results are submitted to the Housing Agency.

3. Inclusion of Dwellings in the Scheme

Following the verification process, the Housing Agency makes a recommendation to the Pyrite Resolution Board (PRB) as to whether or not a dwelling should be included in the Pyrite Remediation Scheme. Thus far, 744 dwellings have been included in the Scheme and the applicants have been notified accordingly.

4. Tendering, Award of Contracts and Remediation

Of the 744 dwellings included in the Scheme, the progress is as follows:

- To date 153 dwellings have been remediated.
- Works contracts are in place for 10 projects totalling 184 dwellings.
- The tendering and pre-contract process is underway for 4 projects, totalling 104 dwellings.
- Engineers are preparing Remedial Works Plans for 4 projects, totalling 246 dwellings.

5. Priorities, Programme and Budget

The Act and the Scheme set out the criteria that the PRB must have regard to in determining priorities. Priority cases are identified and placed appropriately within the programme. The Board is satisfied that this is working well.

The projected costs for 2015 are consistent with the spending allocation.

6. Refusal of Application and Exclusion of Dwellings

Refusal following the Validation Process

To date, a total of 17 applications have been refused following the Validation Process on the grounds that the Scheme's eligibility requirements were not met.

This figure does not include two refused applications that were subsequently appealed successfully as well as a small number of applications that were refused for administrative reasons, e.g. withdrawn, duplicate applications etc.

Exclusion following the Assessment, Verification and Recommendation Process

No dwellings have been excluded thus far following the Assessment, Verification and Recommendation Process.

7. Appeals

No further appeals were received in the final quarter of 2015 and there are no outstanding appeal decisions.

8. Services provided by HomeBond

In June 2014, an agreement was signed regarding HomeBond's contribution towards technical and project management services, under the direction and supervision of the Pyrite Resolution Board and/or the Housing Agency, to the value of €2 million.

The contribution for 2015 amounted to €232,283. The running total from the commencement of the agreement to year end (2015) stands at €335,848. It is acknowledged that HomeBond's contribution towards testing and the remediation programme has been an integral and effective part of the process.

A Supplemental Agreement has been signed with HomeBond for dealing with structural defects not related to pyritic heave identified prior to or during the course of pyrite remediation works that affect the structural stability of the dwelling. The structural defects not related to pyritic heave will be remedied, as far as possible, before they are covered over during the works.

In such cases, HomeBond will make an appropriate contribution towards the cost of such structural works.

9. Contributions from Liable Parties

In line with the provisions of the Pyrite Resolution Act 2013, the PRB has an obligation to recover from any party, with a liability, and the capacity, all or part of the costs of remediating dwellings.

During 2015, the PRB received a total of €484,000 from liable parties and, in accordance with the Act, this money was paid over to the Minister for the Environment, Community and Local Government.

Negotiations are proceeding with regards to contributions in a number of other cases.

10. Legal Proceedings

It is a condition of eligibility under the Scheme that the Applicant gives his/her consent to the institution by the PRB of civil proceedings relating to loss arising from the act or default of any person that causes significant pyritic damage to the dwelling.

In this regard, the PRB have commenced legal proceedings against the developer of a scheme in Fingal in respect of 80 dwellings.

11. Communication Review

A report was prepared jointly by the PRB and the Housing Agency in relation to communications with homeowners / the public in general. The report identified areas where procedures should be updated and where improvements were considered necessary.

The PRB has revised its website and further enhancements are in progress. The layout and content of emails has been standardised and all emails now clearly indicate the stage within the process of the application.

The Housing Agency has two centralised pyrite email addresses now operating. The first, pyrite@housing.ie is a front desk email and serves a triage system for the pyrite staff. The second, pyriteaccounts@housing.ie is given to all homeowners included in the Scheme to handle any claims queries.

The Housing Agency received sanction to appoint a Communications Officer / Customer Liaison Officer for Pyrite and has advertised the post (2 year contract). Applications have been received and shortlisted. Interviews are being arranged.

19th January 2016

Appendix A - Summary of Applications Submitted as at 4th January 2016

Local Authority	Applications
Dublin City Council	27
Dún Laoghaire-Rathdown Co. Co.	5
Fingal County Council	649
Kildare County Council	19
Meath County Council	261
Offaly County Council	23
South Dublin County Council	11
Grand Total	995

Stage	Applications
1. Application & Validation	160
2. Damage Assessment/Verification	65
3. Remedial Works Plan	303
4. Tendering & Tender Analysis	16
5. Decision to Contract	88
6. Dwelling Remediation	184
7. Retention Period – 12 months	153
8. Application Closed	26
Grand Total	995

County/Area	Applications
Dublin	525
Balbriggan	165
Ballyboughal	2
Donabate	66
Kinsealy	10
Lusk	158
Malahide	1
Newcastle	13
Oldtown	1
Portmarnock	2
Rush	101
Skerries	1
Swords	4
Sutton	1
Dublin 11	4
Finglas	1
Meakstown	2
Cappagh	1
Dublin 15	105
Ashtown	8
Blanchardstown	4
Castleknock	3
Clonsilla	1
Hollystown	2
Mulhuddart	86
Ongar	1
Dublin 16	5
Ballinteer	5
Dublin 8	7
Heytesbury Street	7
Dublin 9	46
Ballymun	1
Santry	45
Kildare	19
Donadea	1
Enfield	2
Kilcock	4
Leixlip	6
Maynooth	6
Meath	261
Ashbourne	154
Ballivor	1
Clonalvy	1
Dunboyne	25
Dunshaughlin	23
Enfield	41
Kilbride	1
Kilmessan	1
Longwood	1
Navan	2
Robinstown	1
Summerhill	7
The Ward	1
Trim	1
Kinnegad	1
Offaly	23
Edenderry	23
Grand Total	995

Appendix B – Status of Applications up to 4th January 2016

Status	Applications
In Validation Process	160
Validated and awaiting verification	65
Included in Scheme	744
<i>Planning/Scheduling</i>	57
<i>Preparation of Specification & Tender</i>	246
<i>Tendering & Tendering Analysis</i>	16
<i>Decision to Contract</i>	88
<i>Remediation Works</i>	184
<i>Works Complete & Certified</i>	153
Closed	26
Grand Total	995