

Progress Report No. 9

Pyrite Resolution Act 2013 (Section 9)

1. Applications

The number of completed applications submitted to 4th April 2016 since the launch of the Pyrite Remediation Scheme on 26th February 2014 was 1103 spread across 37 developments containing multiple applications, 23 developments with only one application and 35 single site applications. On average 8 applications per week were received in the first quarter of 2016.

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 903 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, 837 dwellings have been included in the Scheme and the applicants have been notified accordingly.

4. Tendering, Award of Contracts and Remediation

Of the 837 dwellings included in the Scheme, the progress at key stages can be summarised as follows:

- To date 211 dwellings have been remediated.
- Works contracts are in place for 12 projects totalling 241 dwellings.
- The tendering and pre-contract process is underway for 1 project/s, totalling 16 dwellings.
- Engineers are preparing Remedial Works Plans for 10 projects, totalling 255 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.

6. Refusal of Application and Exclusion of Dwellings

Refusal following the Validation Process

To date, a total of 25* 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

Two appeals were received in the first quarter of 2016.

The first case relates to an application where no Building Condition Assessment was attached as per the Scheme's requirements. However, this appeal was subsequently withdrawn as a Building Condition Assessment recording a Damage Condition Rating of 2 was obtained and a new application submitted.

The second appeal relates to a dwelling with a Building Condition Assessment recording a Damage Condition Rating of 1. In this case, the appeals process is progressing as per the appeals procedure.

8. Services provided by HomeBond

An agreement was signed in June 2014 with regard to HomeBond's contribution towards technical and project management services to the value of €2 million. All technical and project management services provided by HomeBond are under the direction and supervision of the Pyrite Resolution Board and/or the Housing Agency. It is acknowledged that HomeBond's contribution towards testing and the remediation programme has been an integral and effective part of the process.

In addition to the original agreement, a Supplemental Agreement was signed with HomeBond in the final quarter of 2015 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 is making an appropriate contribution towards the cost of such structural works.

Further discussions were held with HomeBond to review progress on their contribution towards aspects of the remediation process such as covering the cost of testing core samples in laboratories and providing technical advice and managing projects on site.

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.

Negotiations are proceeding with regards to contributions in a number of 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 a developer of a scheme in Fingal.

11. Staff Changes

Noel Carroll stepped down as General Manager on the 17th February 2016. The PRB thanked him for all his work over the years and acknowledged his contributions to the operation of the Board.

Aidan O'Connor was appointed General Manager on the 18th February 2016.

In addition, two project managers were appointed by the Housing Agency with responsibility for the management of remediation projects, including liaising with homeowners, consultant engineers, building contractors and other members of the pyrite team within the Housing Agency and the PRB.

A recruitment process is being advanced by the Housing Agency to appoint a programme manager who will be responsible for the management and oversight of the programme of

works under the Scheme, including financial management, contract management and the management of the day to day operations in respect of remediation works.

15th April 2016

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

Local Authority	Applications
Dublin City Council	27
Dún Laoghaire-Rathdown Co. Co.	6
Fingal County Council	721
Kildare County Council	19
Meath County Council	295
Offaly County Council	24
South Dublin County Council	11
Grand Total	1,103

Stage	Applications
1. Application & Validation	165
2. Damage Assessment/Verification	66
3. Remedial Works Plan	369
4. Tendering & Tender Analysis	16
5. Decision to Contract	0
6. Dwelling Remediation	241
7. Retention Period – 12 months	211
8. Application Closed	35
Grand Total	1,103

County/Area	Applications
Dublin	587
Balbriggan	201
Ballyboughal	3
Donabate	66
Kinsealy	12
Lusk	171
Malahide	1
Newcastle	13
Oldtown	1
Portmarnock	2
Rush	110
Skerries	1
Swords	1
Sutton	5
Dublin 11	4
Finglas	1
Meakstown	2
Cappagh	1
Dublin 15	115
Ashtown	8
Blanchardstown	4
Castleknock	6
Clonsilla	1
Hollystown	2
Mulhuddart	93
Ongar	1
Dublin 16	6
Ballinteer	6
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	295
Ashbourne	175
Ballivor	1
Clonalvy	1
Dunboyne	29
Dunshaughlin	23
Enfield	50
Kilbride	1
Kilmessan	1
Kinnegad	1
Longwood	1
Navan	2
Robinstown	1
Summerhill	7
The Ward	1
Trim	1
Offaly	24

Edenderry	24
Grand Total	1,103

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

Status	Applications
In Validation Process	165
Validated and awaiting verification	66
Included in Scheme	837
<i>Planning/Scheduling</i>	114
<i>Preparation of Specification & Tender</i>	255
<i>Tendering & Tendering Analysis</i>	16
<i>Decision to Contract</i>	0
<i>Remediation Works</i>	241
<i>Works Complete & Certified</i>	211
Closed	35
Grand Total	1103