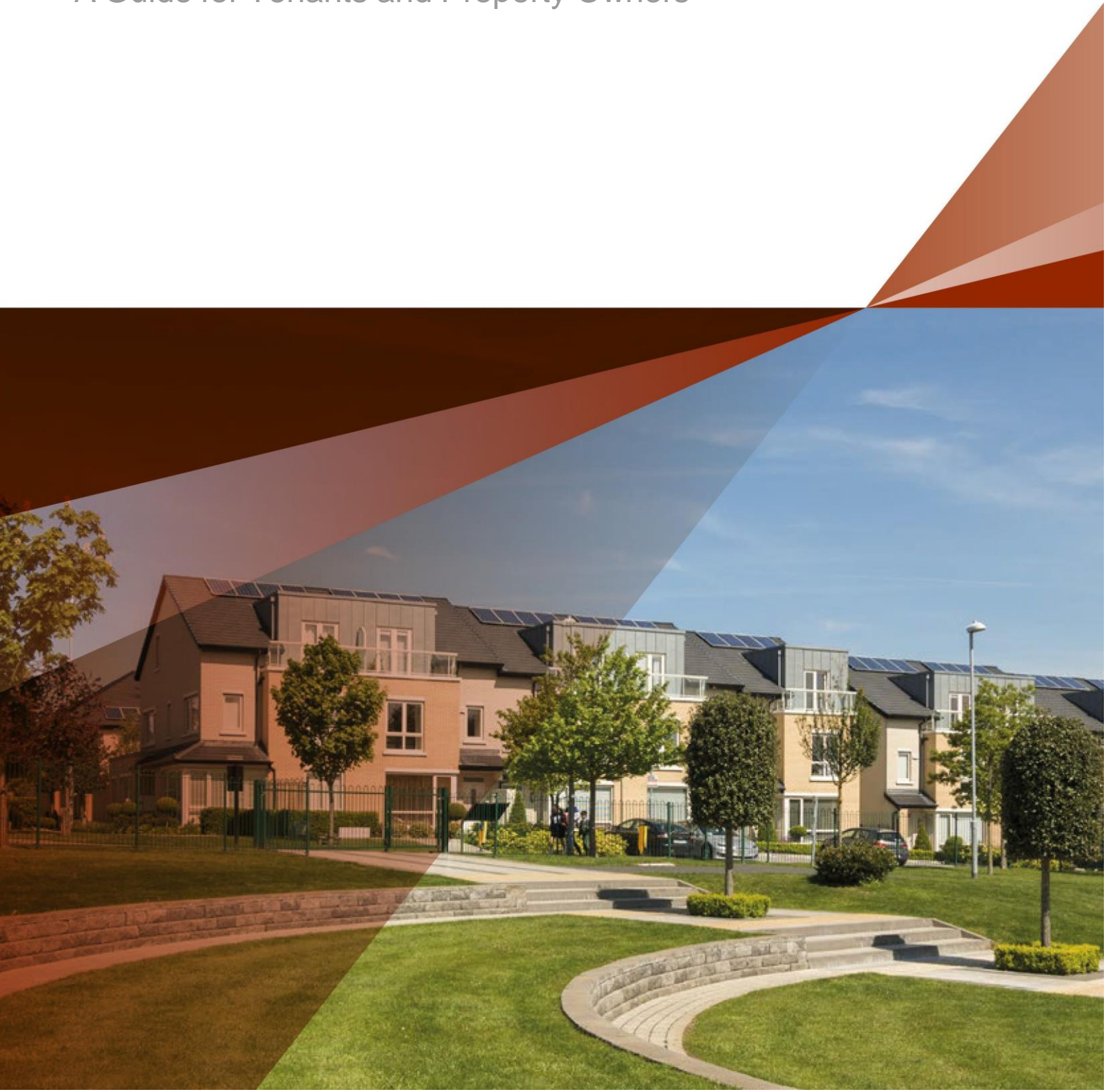




An Ghníomhaireacht
Tithíochta
The Housing Agency

Cost Rental Tenant in-Situ (CRTiS)

A Guide for Tenants and Property Owners



About this booklet

This booklet outlines the new Cost Rental Tenant In-Situ (CRTiS) Scheme which operates from 1st April 2023, answering questions tenants or property owners may have.

Further information may be found by contacting the Housing Agency at tenantinsitu@housingagency.ie, or by contacting your local authority.

Introduction

What is the Cost Rental Tenant In-Situ (CRTiS) Scheme?

The Cost Rental Tenant In-Situ (CRTiS) Scheme is a new scheme that is available where a household faces the termination of their tenancy due to the landlord's intention to sell the property.

Who is eligible for the Cost Rental Tenant-In-Situ scheme?

In a case where you have received a valid Notice of Termination and you are at risk of homelessness, the property you rent may be eligible for the scheme. The scheme is available if the household:

- Is not seeking to purchase the property from the property owner/landlord.
- Does not own any other residential property.
- Is assessed by the Local Authority to be at risk of homelessness.
- Is not eligible to qualify for social housing support or is not in receipt of social housing support in their current tenancy (the Housing Assistance Payment (HAP) or the Rental Accommodation Scheme (RAS)).
- Has an annual net household income of no more than €66,000 per annum for applicants in Dublin and below €59,000 per annum for applicants elsewhere.

Is there an income limit for applicants?

Yes. The net annual income of the household must be below €66,000 per annum for applicants in Dublin and below €59,000 per annum for applicants elsewhere, which is the income limit for the standard Cost Rental framework. Net income means that income tax, universal social charge, PRSI and pension related deductions are deducted from the relevant assessable gross income.

How is eligibility assessed?

Local authorities have responsibility for the initial assessment of a household which is in receipt of a valid notice of termination due to the landlord's intention to sell the property.

Potential applicants should contact their local authority and speak with the Housing Officer. The Housing Officer will discuss and assess your risk of homelessness and whether you may be eligible for social housing. You will need to provide (1) A valid Notice of Termination: (2) Proof of your Household's income, (3) evidence that you have a long-term right to reside.

What is a Notice of Termination?

If a landlord wants to end a tenancy, they must serve a valid written notice of termination.

For a Notice of Termination to be deemed valid, it must be provided in writing and delivered by hand or post. The Notice must be copied to the Residential Tenancy Board (RTB) at the same time as it is served on you. Failure to do this means that the Notice of Termination is invalid. The notice must contain the following:

- Be in writing (an email will not suffice).
- Be signed by the landlord or their authorised agent, as appropriate.
- Specify the date of service (This is the date the notice is posted, or hand delivered).
- State the grounds for termination (where the tenancy has lasted for more than 6 months or is a fixed term tenancy).
- Specify the termination date and that the tenant has the whole of the 24 hours of this date to vacate possession.
- State that any issue as to the validity of the notice or the right of the landlord to serve it must be referred to the RTB within the time permitted.

When does the period of the notice start?

By law, the notice period starts on the day immediately following the date of service of the Notice of Termination. The date of service must be stated in the Notice of Termination, and is the date the notice is posted, or hand delivered.

What is the notice period?

It depends on when you were given your original notice of termination or eviction.

- Less than 6 months - 90 days
- Not less than 6 months but less than one year- 152 days
- Not less than 1 year but less than 7 years - 180 days
- Not less than 7 years but less than 8 years - 196 days

- Not less than 8 years - 224 days

Is an email or text a valid notice?

No, neither of these is a valid Notice of Termination. The Notice must be in writing and be hand delivered or posted. It must contain the date of the serving of the notice.

Information for Tenants

How will CRTiS benefit me?

Landlord: CRTiS will allow you to sell your home at fair market value. The Housing Agency is fully funded to acquire suitable properties and has qualified and experienced Valuers, Building Surveyors and Solicitors ready to act on its behalf.

Tenant: CRTiS will allow you to stay in the property and will provide you with security of tenure.

Will my landlord know about CRTiS?

Many landlords/ property owners will be aware of CRTiS, but this booklet may provide them with more information. The final section (*page 7*) sets out information specifically for property owners/landlords and explains how the CRTiS scheme works for them. If your local authority refers you to the Housing Agency for assessment under the CRTiS scheme, you should inform your landlord that the Housing Agency may be considering the purchase of the property.

If the landlord is interested in selling to the Housing Agency, they should contact the Housing Agency on crtis@housingagency.ie or by calling 01 656 4100 to begin the process. The Acquisitions Team will discuss the property details with the landlord and set out next steps.

Is my landlord obliged to participate in the CRTiS scheme?

No, the property may only be purchased under CRTiS with your landlord's consent and agreement. You may discuss this with your landlord before applying to your local authority if you so wish.

What documents do I need to apply?

- Proof of identification, such as valid Passport, driving licence, public services card or Garda I.D.
- Proof of Address, such as Utility bill, document from a Government Department or Revenue Commissioners, bank statement or insurance policy
- Proof of Residency: Valid proof of residency such as Irish or EU passport, for non-EU nationals' proof of Garda National Immigration Bureau (GNIB) or Irish Naturalisation and Immigration Service (INIS) status
- Proof of Income of each tenant in the household applying
 - If **employed**: Revenue Statement of Liability plus 2 most recent payslips.
 - If **self-employed**: A minimum of 1 year's accounts, along with an up-to-date Tax Balancing Statement and preliminary tax receipt.

- If in receipt of Social Welfare Income: Documentary evidence of all social insurance and social assistance payments, allowances and pensions being received by members of the household.
- Employer Reference or Statement of Facts. This must be dated within 6 weeks of this application.
- Landlord Reference and Statement of Rent Payments for the last 6 months. This must be dated within 6 weeks of this application.
- Copy of current lease or tenancy agreement. If your agreement is not current, submit the last agreement signed by both parties.

When I provide these documents, what next?

Your application will be assessed by the Housing Agency who will review whether you are eligible to be a CRTiS tenant. If you have not already provided this information, the Housing Agency will ask you for your landlord or the property owner's contact details so the Housing Agency can begin discussions with them.

Once you are deemed eligible **and** your landlord has been contacted by the Housing Agency, the process of reviewing the property to see if it can be acquired under the CRTiS scheme will commence.

What rent will I pay if I become a CRTiS tenant?

The rent charged to you will not change when the property is acquired by the Housing Agency and will only increase in line with the general conditions for private residential tenancies, which is currently limited to 2% per year in Rent Pressure Zones. Since the ultimate objective of the CRTiS Scheme is to transition tenants to a standard cost rental tenancy, offering you an affordable long-term model, the rent may be reviewed and adjusted as part of this transition process.

Who will be my landlord if I become a CRTiS tenant?

Initially, the Housing Agency will be your landlord, under a standard rental tenancy. In time, the objective is to transfer to a cost rental tenancy which will be designated as cost rental by the Minister for Housing, Local Government and Heritage. Current providers of cost rental homes are Approved Housing Bodies and the Land Development Agency.

What rights will I have as a CRTiS tenant?

It is the intention of the scheme that a new tenancy will be created between you, the sitting tenant, and the Housing Agency. Your tenancy with the Housing Agency will not be subject to the Residential Tenancies Act 2004 (RTA) (as amended), but tenants will be afforded protections in their new Tenancy Agreement which is similar to a Part 4 tenancy. The intention is to move to an RTA tenancy.

Due to the legislation governing your tenancy with the Housing Agency, disputes which may arise will not be taken through the RTB. In exceptional circumstances, where attempts to resolve a matter informally are not successful, either or both parties may refer the matter to the Irish Courts. Once the tenancy has transitioned to a cost rental tenancy, the RTA will apply to the tenancy and the support of the RTB in any dispute can be availed of.

Will I be in a Cost Rental tenancy immediately?

The temporary CRTiS Scheme is not a standard 'Cost Rental' home as defined in Part 3 of the [Affordable Housing Act 2021](#), as rents are continued at the level of the prior tenancy rather than reset at a level to meet costs. The Scheme can offer a way to transition to a standard cost rental tenancy to offer affordable, long-term accommodation to tenants.

I need more information, who can I contact?

If you have a query about CRTiS you can contact the Housing Agency via email at tenantinsitu@housingagency.ie, or your local authority.

While the Housing Agency can give you information about the overall workings of the CRTiS Scheme, you should contact your local authority to begin the application process.

I am interested in applying, who do I contact?

You should contact your local authority. After the initial assessment, and if you are eligible, the local authority will refer your details and details of the property to the Housing Agency to assess eligibility and consider the acquisition of the property.

Information for Property Owners/ Landlords

How will CRTiS benefit me?

The CRTiS scheme will allow you to sell your home at fair market value while allowing your tenants to remain in the property. The Housing Agency is a state body, fully funded for acquisitions under this scheme. The Housing Agency has a panel of valuers, surveyors and solicitors available to assess and progress properties, ensuring the process moves as quickly as possible from beginning to end.

Am I obliged to participate in the CRTiS scheme if my tenant requests?

No, the property may only be purchased under the CRTiS scheme with your consent and agreement.

How will the price of the sale be calculated?

The property will be sold at an agreed price, as determined following assessment by a professional valuer. Although the tenant will remain in place during the acquisition, the property will be valued based on vacant possession. The Housing Agency will make you an offer based on this professional valuation. Please note, if the market value of the property is in excess of the Department of Housing issued Acquisition Cost Guidelines in a Local Authority area, it may not be feasible for the Housing Agency to pursue the acquisition further.

How will the Housing Agency buy my property?

Your tenant may inform you that they have applied for the CRTiS Scheme and are under assessment by the Housing Agency, **OR** you may be interested yourself in engaging with the Housing Agency to explore your options.

You may contact the Housing Agency on crtis@housingagency.ie or by calling **01 656 4100** to begin the process.

If your tenant is assessed as 'eligible' for the scheme (*see page 4 above for what a tenant must do to be deemed eligible*) the Housing Agency will ask the tenant to provide your contact details. The Acquisitions Team will then contact you with a view to beginning the acquisition process. If you wish to proceed, the Acquisitions Team will discuss the property details with you and set out next steps.

If you are interested in proceeding the Housing Agency will arrange with you to have a valuation and building survey carried out on the property. The valuation will be conducted by a qualified professional from the Housing Agency's panel of valuers. The Housing Agency will also instruct a Building Surveyor from the Housing Agency's panel of Building Surveyors to inspect the property.

The property's suitability for acquisition under the CRTiS scheme will then be assessed by the Agency. Based on the valuation and building survey conducted, if the property appears suitable, the Housing Agency will make you an offer subject to certain conditions.

If you accept the offer, the Housing Agency will instruct a solicitor to commence the legal conveyance, which will involve engaging with your solicitor.

Following the successful conclusion of legal due diligence, a closing date will be set to acquire the property from you.

Once an offer is accepted by a property owner, there is usually a minimum of 6 weeks required to allow legal due diligence to occur, and for the transaction to complete.

I am interested in selling my property to the Housing Agency, who do I contact?

You must contact the *Acquisitions team* at the Housing Agency on crtis@housingagency.ie or by calling **01-656 4100** to begin the process.

The Acquisitions team will discuss the property details with you and, once your tenant's eligibility for the scheme is confirmed, we will be able to proceed to the next step.

