



STATUTORY INSTRUMENTS.

S.I. No. 347 of 2023



REMEDICATION OF DWELLINGS DAMAGED BY THE USE OF
DEFECTIVE CONCRETE BLOCKS REGULATIONS 2023

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I, DARRAGH O'BRIEN, Minister for Housing, Local Government and Heritage, in exercise of the powers conferred on me by sections 3, 5, 10, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 27, 34, 40, 43, 46, 47, 53, 56, 57 of the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 (No. 28 of 2022), having had regard to I.S. 465:2018, and, in respect of Regulation 7, with the consent of the Minister for Public Expenditure and Reform, hereby make the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation

1. These Regulations may be cited as the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Regulations 2023.

Definitions

2. In these Regulations –

“Act of 2022” means the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022;

“competent architect” means a person whose name is entered in the register for architects established under Part 3 of the Building Control Act 2007 (No. 21 of 2007), and who has completed such training in relation to damage caused to dwellings by the use of defective concrete blocks in their construction as may be prescribed;

“competent building professional” means a competent building surveyor, competent engineer or competent architect;

“competent building surveyor” means a person whose name is entered in the register for building surveyors established under Part 5 of the Building Control Act 2007 (No. 21 of 2007), and who has completed such training in relation to damage caused to dwellings by the use of defective concrete blocks in their construction as may be prescribed;

“competent engineer” means a person whose name is entered in the register kept by The Institute of Engineers of Ireland under section 7 of The Institution of Civil Engineers of Ireland (Charter Amendment) Act 1969, and who has completed such training in relation to damage caused to dwellings by the use of defective concrete blocks in their construction as may be prescribed;

“damage” means visible deterioration, degradation or cracking which has occurred in an external, or internal, wall of a dwelling, resulting from the possible presence of certain deleterious materials in defective concrete blocks

incorporated in the wall, evidenced by one or more of the first five defects set out in the key to Figure 2 of I.S. 465:2018;

“damage threshold” means pattern like cracking (combined horizontal and vertical), in the wall of a dwelling house, mentioned in the second defect set out in the key to Figure 2 of I.S. 465:2018 on at least one elevation, externally or internally, in which a crack width equal to, or greater than, 1 millimetre is present;

“Housing Agency” means the Housing and Sustainable Communities Agency;

“I.S. 465:2018” means the declaration of specification made by the National Standards Authority of Ireland, under section 16 (3) of the National Standards Authority of Ireland Act, 1996 (No. 28 of 1996), titled “Assessment, testing and categorisation of damaged buildings incorporating concrete blocks containing certain deleterious materials and Amendment 1:2020” and includes –

- (a) any amendment made to that declaration from time to time, and
- (b) any instrument replacing that declaration.

“Minister” means the Minister for Housing, Local Government and Heritage;

“personal data” has the meaning given to it in Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016¹.

PART 2

DESIGNATION OF LOCAL AUTHORITIES

Request of local authority to be considered designated local authority

3. (1) A local authority shall submit a request to the Housing Agency to be considered a designated local authority pursuant to section 5(7) of the Act of 2022.

(2) A request under paragraph (1) shall –

- (a) be in writing,
- (b) be signed by the Chief Executive of the local authority concerned, and
- (c) include the following:
 - (i) background information regarding the reasons for the request to be a designated local authority;
 - (ii) supporting information on the dwellings considered to be damaged by the use of defective concrete blocks within that local authority’s administrative area;
 - (iii) information on the geographical location of dwellings considered to be damaged by the use of defective concrete blocks within that local authority’s administrative area;

¹ OJ No. L 119, 04.05.2016, p. 1.

- (iv) information of any investigations carried out by the local authority concerned within its administrative area;
- (v) information of any correspondences issued to the local authority concerned with respect to the potential for dwellings within its administrative area to be damaged by the use of defective concrete blocks;
- (vi) such other information as the local authority concerned considers necessary for its request under this Regulation.

Consideration of request by local authority made under Regulation 3

4. An authorised officer of the Housing Agency shall consider the request made under Regulation 3 and may, for the purpose of his or her consideration of the request, direct the local authority on the procedures for its testing of dwellings pursuant to section 5(8) of the Act of 2022, which procedures shall include one, or more, of the following:

- (a) investigations and consultations with such persons the authorised officer considers appropriate, including the local authority;
- (b) conducting a non-invasive visual inspection of the exterior, interior and below ground (insofar as possible) of dwellings;
- (c) conducting a building condition assessment report in accordance with Schedule 1;
- (d) undertaking of sampling of concrete blocks and render in accordance with I.S. 465:2018;
- (e) undertaking of physical and chemical testing of concrete block samples in accordance with I.S. 465:2018;
- (f) conducting a petrographic analysis of concrete block samples and render samples in accordance with I.S. 465:2018;
- (g) producing a report or combination of reports in accordance with I.S. 465:2018;
- (h) such further procedures as the Housing Agency considers appropriate having had regard to the requirements of the Act of 2022 and these Regulations;
- (i) use of existing technical reports as the Housing Agency considers appropriate having had regard to the requirements of the Act of 2022 and these Regulations.

Recommendation of Housing Agency to Minister

5. A recommendation made by the Housing Agency to the Minister under this Part shall be included in a recommendation report, which report shall include the following:

- (a) background information regarding the reasons for the request from a local authority concerned;

- (b) details of investigations and consultations with such persons it considered appropriate, including the local authority concerned;
- (c) details of damage evident to dwellings within the administrative area of the local authority concerned;
- (d) details of concrete block sampling carried out within the administrative area of the local authority concerned;
- (e) details and results of the concrete block sampling mentioned in paragraph (d);
- (f) results of concrete block testing carried out within the administrative area of the local authority concerned;
- (g) details on other possible causes of damage within the administrative area of the local authority concerned;
- (h) verification that the damage within the administrative area of the local authority concerned has been caused by deleterious materials within the concrete blocks;
- (i) details on the likely quantum of dwellings within the administrative area of the local authority concerned affected;
- (j) such other information regarding the local authority concerned as the Housing Agency considers appropriate having regard to the requirements of the Act of 2022;
- (k) an executive summary of the recommendation to the Minister that an order under section 5 of the Act of 2022 designating the local authority in respect of the whole of, or part of, its administrative area –
 - (i) be made, or
 - (ii) is not made.

PART 3

GRANTS

Calculation of remediation option grants

6. (1) Without prejudice to section 12 of the Act of 2022, remediation options pursuant to section 12(1)(c) may include the –

- (a) (i) demolition of a relevant dwelling and the reconstruction of the dwelling in the exact position on the land on which the relevant dwelling was situated before it was demolished, where the form of remediation option shall be calculated on the basis of the following formula:

$$A \times B = C$$

where –

A is the internal authorised floor area of the dwelling,

B is the square metre rate, and

C is the Grant Amount (subject to the overall cap),

- (ii) the formula for determining B, the square metre rate for applications for dwellings located in the administrative area of Donegal County Council or Mayo County Council shall be as follows:
 - (I) where internal authorised floor area A is equal to or less than 180 square metres, $B = \text{€}2,045$, or
 - (II) where internal authorised floor area A is greater than 180 square metres, $B = [\text{€}368,100 + (A-180) \times (\text{€}1,250)] / A$, or
- (iii) the formula for determining B, the square metre rate for applications for dwellings located in the administrative area of Clare County Council or Limerick City and County Council shall be as follows:
 - (I) where internal authorised floor area A is equal to or less than 180 square metres, $B = \text{€}2,160$, or
 - (II) where internal authorised floor area A is greater than 180 square metres, $B = [\text{€}388,800 + (A-180) \times (\text{€}1,300)] / A$, or
- (b) (i) removal and replacement of defective concrete blocks to the relevant dwelling, and removal of other material, where the form of the remediation shall be calculated on the basis of the following formula:

$$D \times E = F$$

where –

D is the square metres of blockwork to be removed and replaced in the authorised dwelling,

E is the square metre rate, and

F is the grant amount (subject to the overall cap),

- (ii) in the application of D, the square metres of blockwork to be removed and replaced shall be calculated with no deduction for window and door openings within the wall area,
- (iii) (I) in the application of E, the square metre rate for dwellings located in the administrative area of Donegal County Council or Mayo County Council shall be as follows:
 - (A) for outer and inner leaf removal and replacement of defective concrete blocks, and other material, in the external walls above ground floor level, $E = \text{€}1,300$;

- (B) for below ground floor level removal and replacement of defective concrete blocks, and other material, E = €1,300;
 - (C) for outer leaf removal and replacement of defective concrete blocks, and other material, in the external walls above ground floor level, E = €470, or
- (II) in the application of E, the square metre rate for dwellings located in the administrative area of Clare County Council or Limerick City and County Council shall be as follows:
- (A) for outer and inner leaf removal and replacement of defective concrete blocks, and other material, in the external walls above ground floor level, E = €1,360;
 - (B) for below ground floor level removal and replacement of defective concrete blocks, and other material, E = €1,360;
 - (C) for outer leaf removal and replacement of defective concrete blocks, and other material, in the external walls above ground floor level, E = €490.

(2) Where the approved remediation option requires the removal and replacement of defective concrete blocks in the outer and inner leaf of the external walls down to the foundation level of the relevant dwelling, the grant amount shall not exceed 90 per cent of an applied calculation as set out in paragraph (1)(a) for the dwelling concerned.

(3) Where the approved remediation option requires the removal and replacement of defective concrete blocks in the outer and inner leaf of the external walls down to the top of the rising walls of the relevant dwelling, the grant amount shall not exceed 85 per cent of an applied calculation as set out in paragraph (1)(a) for the dwelling concerned.

(4) An ancillary grant application pursuant to section 22 of the Act of 2022 shall –

- (a) be considered in accordance with the calculation methodology outlined in paragraph (1), and
- (b) not exceed the maximum grant option of €420,000 subject to section 11 of the Act of 2022.

PART 4

REMEDIATION

Remediation options and building condition assessments

7. (1) The requirements for the assessment of a dwelling to be carried out by a competent building professional to identify if the dwelling is exhibiting damage consistent with the use of defective concrete blocks in its construction, and to quantify the extent and significance of such damage shall be completed in accordance with the form set out in Schedule 1.

(2) The classes of works necessary for the remediation of damage caused to relevant dwellings by the use of defective concrete blocks in their construction

- (a) subject to subparagraph (f) if required, shall include the demolition of the relevant dwelling to foundation level and the reconstruction of the dwelling in the exact position on the land on which relevant dwelling was situated before it was demolished,
- (b) subject to subparagraph (f) if required, shall include the removal and replacement of defective concrete blocks, and other material, in the outer and inner leaf of the external walls down to the foundation level of the relevant dwelling,
- (c) subject to subparagraph (f) if required, shall include the removal and replacement of defective concrete blocks, and other material, in the outer and inner leaf of the external walls down to the top of the rising walls of the relevant dwelling,
- (d) subject to subparagraph (f) if required, shall include the removal and replacement of defective concrete blocks, and other material, in the outer leaf of the external wall down to the top of the rising walls of the relevant dwelling,
- (e) shall include the combination of the remediation works necessary outlined in subparagraphs (b) to (d) for the removal and replacement of defective concrete blocks, and
- (f) where a remediation option referred to in subparagraph (a) to (d) is to be carried out, may require the removal and reinstatement of services, fixtures and fittings in the dwellings necessary for the carrying out of the remediation option;

(3) The costs per square metre of completing the remediation options set out in paragraph (2), shall include the costs of carrying out works, materials and fees for inspections and reports required under the Act of 2022, and –

- (a) in a case where the remediation option in paragraph 2(a) applies, be –
 - (i) for dwellings in the administrative area of Donegal or Mayo:
 - (I) where a dwelling is less than 180 square metres, the grant rate shall be calculated at €2,045 per square metre, and

- (II) where the dwelling is greater than 180 square metres, the grant rate shall be calculated at €2,045 for the first 180 square metre, and then calculated at €1,250 for every square metre thereafter;
- (ii) for dwellings in the administrative area of Clare or Limerick:
 - (I) where a dwelling is less than 180 square metres, the grant rate shall be calculated at €2,160 per square metre, and
 - (II) where the dwelling is greater than 180 square metres, the grant rate shall be calculated at €2,160 for the first 180 square metre, and then calculated at €1,300 for every square metre thereafter,
- (b) in a case where the remediation option in paragraph 2(b) or 2(c) applies, be –
 - (i) for dwellings in the administrative area of Donegal or Mayo, €650 per square metre of wall area, and
 - (ii) for dwellings in the administrative area of Clare or Limerick, €680 per square metre of wall area, and
- (c) in a case where the remediation option in paragraph 2(d) applies, be –
 - (i) for dwellings in the administrative area of Donegal or Mayo:
 - (I) €470 per square metre of wall area, or
 - (II) €650 per square metre with respect to the inner or outer leaf of the rising wall, and
 - (ii) for dwellings in the administrative area of Clare or Limerick:
 - (I) €490 per square metre of wall area, or
 - (II) €680 per square metre with respect to the inner or outer leaf of the rising wall.

Application for remediation option grant

8. (1) An application for a remediation option grant pursuant to section 13(1) of the Act of 2022 shall be –

- (a) completed in accordance with the application form set out in Schedule 2, and
- (b) accompanied by documentation in accordance with section 13(2)(a)(i) to (xv) of the Act of 2022.

(2) In addition to the documents, referred to in paragraph (1)(b), which are required to accompany the application form, referred to in paragraph (1)(a), the local authority concerned may specify such other document or information

which may be required to accompany the application form set out in Schedule 2 and, where so required, the applicant shall provide the document or information requested.

Invalid applications

9. Where a local authority, upon examination of an application for a remediation option grant and any accompanying documentation provided to it pursuant to Regulation 7 determines, in accordance with section 13(9) of the Act of 2022 that the application is not valid, the local authority shall so inform the applicant in writing as soon as practicable, setting out the reasons for its determination.

Damage threshold

10. (1) An authorised officer of the Housing Agency (in this Regulation referred to as authorised officer) shall consider an application for a remediation option grant made to it, which shall include a building condition assessment report, having regard to the following:

- (a) the damage threshold;
- (b) confirmation and evidence from a competent building professional that the damage threshold has been achieved at the relevant dwelling;
- (c) the overall building grouping of the relevant dwelling in accordance with I.S. 465:2018.

(2) In considering an application for a remediation option grant, where necessary, the authorised officer may conduct a non-invasive visual inspection of the exterior or interior of the dwelling and shall give notice to the applicant prior to the inspection.

(3) Subject to section 43(5) of the Act of 2022, an authorised officer may not enter a dwelling for the purposes of paragraph (2) other than with the consent of the occupier.

(4) In considering an application for a remediation option grant, where necessary, an authorised officer may make enquires of any person, including the designated local authority.

Consideration by Housing Agency of application for remediation option grant

11. (1) The standards by reference to which inspections and tests of dwellings by authorised officers of the Housing Agency for the purposes of section 16 of the Act of 2022 are to be carried out shall include one, or more, of the following:

- (a) inspections shall be in accordance with I.S. 465:2018, while taking into consideration other appropriate relevant standards for such similar inspections which shall include but shall not be limited to the following:

- (i) a non-invasive visual inspection of the exterior, interior and below ground (insofar as possible) of the dwelling to record damage consistent with defective concrete blocks and to record other visible blockwork damage arising from other structural defects;
 - (ii) an internal floor area survey of the dwelling;
 - (iii) an external wall area survey of the dwelling;
 - (iv) a below ground wall area survey of the dwelling.
- (b) inspections shall include sampling of concrete blocks and render in accordance with I.S. 465:2018 and shall require the Housing Agency to enter into a licence agreement for sampling with the relevant owner in advance of such sampling.
- (c) testing shall be in accordance with I.S. 465:2018, while taking into consideration other appropriate relevant standards for such testing which shall include, but shall not be limited to, the following:
- (i) physical testing of concrete block samples;
 - (ii) chemical testing of concrete block samples;
 - (iii) petrographic analysis of concrete block samples and render samples;
 - (iv) considering and inspecting of existing technical reports, applicable to the dwelling, the subject of the application.

Procedures of Housing Agency

12. (1) The procedures for the selection by the Housing Agency of competent engineers to be authorised officers for the purposes of this Part and the form and manner in which reports of authorised officers are to be provided shall be as follows:

- (a) the Housing Agency shall appoint competent engineers as authorised officers who have completed such training in relation to damage caused to dwellings by the use of defective concrete blocks and who possess the relevant experience and qualifications as determined by the Housing Agency;
- (b) the competent engineer or the Housing Agency may appoint sub consultants who possess the relevant experience and qualifications to assist in the surveying, assessment, sampling, and testing of dwellings in accordance with I.S. 465:2018;
- (c) the competent engineer shall produce a final engineer's report in accordance with I.S. 465:2018 with a recommended remedial option, combinations of remedial options or no recommended remedial option addressing the following:
 - (i) the extent of damage to date;
 - (ii) the possible causes of damage;

- (iii) the presence of deleterious materials in the concrete blocks;
- (iv) identification of the deleterious materials;
- (v) clarification or estimation of the amount of deleterious materials;
- (vi) where retention of any blockwork is being considered, confirmation that the block compressive strengths are sufficient;
- (vii) indication of the potential for future deterioration of retained blocks in their current state;
- (viii) the provision of a signed and dated declaration from the competent engineer that they exercised reasonable skill and care in preparing the final report.

(2) For the purposes of section 15(2) of the Act of 2022, the criteria in accordance with which the Housing Agency may determine the priority in which it may assess applications under that section, shall be as follows:

- (a) the relative severity and impact of damage attributable to the dwelling as a result of defective concrete blocks;
- (b) the relative urgency of the need for remediation;
- (c) the proximity of the dwelling to other affected properties at time of assessment;
- (d) the resources (including financial resources) available or likely to be available to the Housing Agency.

(3) The matters to which the Housing Agency shall have regard in approving the remediation option and remediation option grant under section 16(4) of the Act of 2022 shall be as follows:

- (a) the remediation option or combination of remediation options as recommended within the competent engineer's final report;
- (b) damage which may be caused to the dwelling, after the completion of a remediation option, by the failure to include a structure on land appurtenant to the relevant dwelling;
- (c) authorised floor and wall areas of the relevant dwelling in the calculation of the remediation option grant applicable to the remediation option or combination of remediation options.

(4) The Housing Agency shall set out, in writing, the reasons for its decision under section 16(4) of the Act of 2022 and those reasons shall be submitted by the Housing Agency to the relevant local authority, together with the final report of the competent engineer.

(5) The form and manner in which a requirement shall be made under section 16(5)(a) of the Act of 2022 shall be as follows:

- (a) all requests by the Housing Agency, for further information or documents, under that subsection shall be made in writing to the applicant;

- (b) a notification to the applicant by the Housing Agency under this paragraph shall state that the applicant is required to comply with this request within a specified period;
- (c) where, without reasonable excuse, the relevant owner fails to comply with a requirement under this paragraph, the local authority shall consider that the application for remediation option grant has been withdrawn.

(6) The method and procedure by which a remediation option grant may be reduced under section 16(8) of the Act of 2022 shall be calculated on the basis of the following formula:

$$A - B = C$$

where—

A is the approved remediation option grant under section 16(4)(a)(ii) of the Act of 2022,

B is the received payment from another person stated under section 13 of the Act of 2022, and

C is the remediation option grant which may be paid to the relevant owner under section 18 of the Act of 2022 for the purpose of completing the approved remediation option.

(7) The form in which a notification may be given by the local authority to the applicant under subsection (9) of section 16 of the Act of 2022 shall –

- (a) be in the form as contained in Schedule 3, and
- (b) be accompanied by the reasons for the Housing Agency's decision, together with the final report of the competent building professional, as submitted to the local authority under paragraph (4).

Provisions relating to remediation option grant

13. (1) A remedial works plan pursuant to section 17(2) of the Act of 2022 shall –

- (a) be submitted by the relevant owner to the designated local authority, and
- (b) describe the works the relevant owner proposes to carry out to the dwelling.

(2) A remedial works plan shall be prepared by a competent building professional who –

- (a) is competent to carry out the design for the remediation works plan
- (b) shall be responsible for the design of the remedial works,
- (c) should coordinate input by other members of the design team and specialist designers to ensure that the remedial works plan demonstrates compliance with the requirements of the Second

Schedule to the Building Regulations insofar as they apply to the remediation works concerned.

(3) A remedial works plan shall contain sufficient detail to allow a contractor to provide an itemised quotation to an applicant for carrying out the remediation works.

(4) A remedial works plan shall include a plan for the design, specification and inspection of the works required to be carried out to the dwelling, which shall include the following:

- (a) detailed construction drawing such as plans, elevations and sections of remedial option demonstrating compliance with the Second Schedule to the Building Regulations 1997 (S.I. No. 497 of 1997);
- (b) details of removal and direct reuse of existing materials (other than concrete blocks), where practical;
- (c) specification of materials, including concrete blocks and external render, if applicable;
- (d) details of quality control of construction products and materials used;
- (e) identification of dwelling specific risks, including services;
- (f) details of extent of blockwork to be removed and retained;
- (g) details of detailing, including treatment of retained blockwork;
- (h) a detailed programme for the works, project specific (including details of proposed completion of the works to facilitate an application for final grant payment not later than 65 weeks from the date of the commencement of the works);
- (i) an inspection plan, in the form as set out in Schedule 4, which shall be developed after consideration of the complexity of the remedial works being implemented and key stages prioritised for inspection.

(5) The remedial works plan shall—

- (a) describe any additional work the relevant owner proposes to carry out, and
- (b) contain such other documents or information as the local authority may require.

(6) The inspection plan in the form as set out in Schedule 4 shall be prepared by a competent building professional, who shall use professional judgement to determine the risk associated with the remedial option in developing the inspection plan for the implementation of the remedial works plan.

(7) The dwelling concerned shall be assessed on its merits, taking into account the complexity of the site, the site's environment, the type, size and complexity of remedial works being implemented along with the capabilities and expertise of the potential contractor and the detailed programme of works referred to in subparagraph (d) of paragraph (4).

(8) The key stages of the remedial works shall be identified in the inspection plan in the form as contained in Schedule 4 and key elements from each stage shall be prioritised for inspection and other appropriate checks carried out as deemed necessary.

(9) Implementation of remedial works plan and ongoing supervision by the contractor, supported by an inspection plan (as implemented by the contractor and competent building professional) shall facilitate the interim valuation certification and certification of the remediation works upon completion, by both the contractor and competent building professional.

Payment of remediation option grant

14. (1) An application for the payment of a remediation option grant pursuant to section 18(1) of the Act of 2022 shall be in the form set out in Schedule 5.

(2) An interim valuation certificate required by section 18(2) of the Act of 2022 shall be in the form set out in Schedule 6 and shall be accompanied by the following:

- (a) an invoice prepared by the contractor concerned, detailing in an itemised manner, in respect of the elements of the approved remediation works, the cost of each such element in respect of which the relevant owner is seeking payment;
- (b) an invoice prepared by the competent building professional concerned, detailing in an itemised manner, his or her fees for the professional oversight of the approved remediation works in respect of which the relevant owner is seeking payment;
- (c) a detailed description of the works completed, prepared by the competent building professional concerned with supporting evidence since the date of commencement of the works or since the previous interim valuation certificate was provided in respect of which the relevant owner is seeking payment;
- (d) proof that the dwelling concerned is a relevant dwelling with reference to the application made under Regulation 8;
- (e) proof that the applicant is a relevant owner with reference to the application made under Regulation 8;
- (f) a certificate of remediation completed in accordance with section 20 of the Act of 2022, where the application is for the final part payment of the remediation grant or payment of the whole of the grant;
- (g) such other information as the relevant local authority may require verifying that a tax clearance certificate has been issued to the relevant owner, competent building professional and contractor.

(3) The form and content of a post works remedial works plan prepared by a competent engineer or competent building professional, as the case may be, in accordance with section 18(6)(b) of the Act of 2022, who designed, inspected

and certified the works for the approved remediation option or combination of remediation options, including any revised remediation option, and shall include the following:

- (a) detailed construction drawings such as plans, elevations and sections of the approved remediation works demonstrating compliance with the Second Schedule to the Building Regulations;
- (b) where applicable, detailed drawings identifying the location of retained concrete blockwork;
- (c) where applicable, details of the treatment of any retained blockwork;
- (d) details of the specification of materials such as concrete blocks, steel, insulation and external render used into the remediation works;
- (e) where applicable, details of the identification of dwelling specific risks such as services;
- (f) detailed programme for the works, as implemented;
- (g) inspection plan, as implemented, in accordance with the form as set out in Schedule 4;

(4) In the case of an application, other than an application for payment of the total amount or an application for payment of a final payment, where –

- (a) the payment to be made does not exceed 90 per cent of the approved cost, or
- (b) a payment has, or payments have, previously been made under these Regulations,

in respect of the relevant dwelling concerned, the cumulative amount of the payment or payments previously made and the payment to be made in respect of the application concerned, shall not exceed 90 per cent of the approved cost.

Notifications and applications pursuant to section 19 of the Act of 2022 relating to percentage payment of remediation option grant

15. (1) A notice shall be given by the applicant under subsection (2) of section 19 of the Act of 2022 in accordance with the form set out at Schedule 7.

(2) A request may be made by the applicant under subsection (3) of section 19 of the Act of 2022 in accordance with the form set out at Schedule 8.

(3) A local authority shall grant an extension under subsection (3) of section 19 of the Act of 2022 where it is satisfied that the exceptional circumstances apply under that subsection for the purposes of an extension of the periods referred to in paragraph (a) or (b) of subsection (1) of that section having regard to the information submitted by the applicant under paragraph (2) of this Regulation.

(4) A local authority may specify the documents or information which may be considered evidence under subsection (4)(b)(i) of section 19 of the Act of

2022 and may require the applicant to provide such documents or information if they do not accompany the application, and where required, the applicant shall provide the documents or information before the application concerned may proceed.

(5) A review under subsection (10) of section 19 of the Act of 2022 may be requested by the applicant in accordance with the form set out in Schedule 9.

(6) A local authority shall have regard to the information in the form pursuant to paragraph (5) of this Regulation, if submitted by the applicant, in conducting a review under subsection (10) of section 19 of the Act of 2022.

Certificate of remediation

16. A certificate of remediation pursuant to section 20(2)(c) of the Act of 2022 shall be in accordance with the form set out in Schedule 10.

Letter of assurance

17. A letter of assurance pursuant to section 21 of the Act of 2022 shall be in accordance with the form set out in Schedule 11.

Ancillary grant applications

18. (1) Applications made under section 22 of the Act of 2022 shall be in accordance with the form set out in Schedule 12.

(2) An application under section 22 of the Act of 2022 shall be accompanied by a receipt for the amount or amounts claimed.

(3) Notwithstanding paragraph (2), an application under section 22(5) of the Act of 2022 may be accompanied by an estimated invoice in place of a receipt where relevant, and the receipt thereafter shall be furnished to the local authority following completion of the immediate repairs.

(4) In addition to the documents or information which are required to accompany the application form in accordance with section 22(3)(a) and (b) of the Act of 2022, and this paragraph, a local authority may specify such other documents or information which may be required to accompany the application form set out in Schedule 12 and may require the applicant to provide such documents or information if they do not accompany the application.

Application for revised approval

19. An application for revised approval under section 23(1) of the Act of 2022 shall consist of a report from the applicant's competent engineer submitted to the designated local authority that shall contain but not limited to the following information:

- (a) details of the applicant, including his or her name, address and Eircode;

- (b) unique application identifier provided by the local authority for the initial application for the relevant dwelling, the subject of this revised approval application;
- (c) the approved remediation option or combination options relating to the first approval;
- (d) the date on which the first approval issued;
- (e) the dates of the works of the first approval commenced;
- (f) the date the damage to the retained concrete blockwork was first identified;
- (g) a statement from the competent engineer outlining the reasons for the revised application;
- (h) a detailed description of the damage evident to the retained concrete blockwork of the dwelling caused by the use of defective concrete blocks;
- (i) detailed sketches and photographic evidence of the damage to the retained concrete blockwork;
- (j) a signed and dated declaration from the competent engineer that he or she exercised reasonable skill and care in preparing the report.

Change of relevant owner

20. (1) Subject to paragraph (2), where the relevant owner of a dwelling dies, a legal personal representative of the individual concerned shall notify, in writing, the designated local authority to inform them of the death pursuant to section 24(1) of the Act of 2022.

(2) The legal personal representative of a relevant owner who has died shall provide such evidence as the designated local authority specifies to accompany the notification in paragraph (1).

(3) A notification by the applicant under section 24 of the Act of 2022 shall be in accordance with the form set out in Schedule 13.

(4) A local authority may also specify such other documents or information which may be required to accompany the application form set out in Schedule 13 and may require the applicant to provide such documents or information if they do not accompany the application.

Application for second remediation option grant

21. (1) Regulation 8 shall apply to an application for a second grant including using the application form as also provided in accordance with that Regulation.

(2) In addition to the requirements set out at paragraph (1), applications shall also be accompanied by the following:

- (a) a letter of assurance pursuant to Regulation 17;
- (b) a building condition assessment report pursuant to Regulation 4;
- (c) a certificate of remediation pursuant to Regulation 16.

(3) In advance of any decision in respect of an application made under paragraph (1), a local authority may take into account the maintenance level of the dwelling.

Recovery of payment under section 18 of the Act of 2022

22. (1) Where a local authority issues a notice of recovery of payments under section 27(1) of the Act of 2022, that notice shall be in accordance with the form set out in Schedule 14.

(2) A relevant owner who receives a notice issued under section 27(1) of the Act of 2022, shall respond in accordance with section 27(4) of that Act no later than 28 days from date of receipt of notice mentioned in paragraph (1).

(3) A local authority shall not make its decision under section 27 of the Act of 2022 –

- (a) without taking into account the submission of the person under section 27(4) of the Act of 2022, or
- (b) earlier than the date of expiry of the period mentioned in paragraph (2) without receipt of a response from the person concerned.

Provisions consequential on charging orders

23. (1) A charging order pursuant to section 31(1) of the Act of 2022 shall be in a form to the satisfaction of the designated local authority concerned.

(2) An affidavit sworn by the applicant pursuant to section 31(4)(c) of the Act of 2022 may be in a form to the satisfaction of the applicant's legal adviser.

(3) The local authority may specify the documents which may be considered evidence of the matters referred to in section 31(4) of the Act of 2022.

(4) A local authority, where it is considering the determination under section 33(1)(c) of the Act of 2022 as to the validity of information shall write to the applicant setting out their proposed reasons and give the relevant owner the opportunity to make representations in accordance with section 33(5) of the Act of 2022.

(5) An applicant shall make a response in accordance with section 33(5) no later than 28 days from date of receipt of notice under paragraph (3).

(6) A local authority shall not make its decision under section 33(1)(c) of the Act of 2022 –

- (a) without taking into account the submission of the person under section 33(5), or
- (b) earlier than the date of expiry of the period mentioned in paragraph (3) without receipt of a response from the person concerned.

Conduct of Appeals

24. (1) A notice of appeal by a person or applicant pursuant to section 39(1) of the Act of 2022 shall be made in accordance with the form set out in Schedule 15.

(2) A person or applicant making an appeal shall –

- (a) submit the completed notice of appeal to the Appeals Panel, which shall include any documentation supporting the grounds of the appeal, and
- (b) submit a copy of the completed notice of appeal to the relevant designated local authority, which shall include any documentation supporting the grounds of the appeal.

(3) The Appeals Panel shall set out the procedures pursuant to section 40(2) for the purpose of efficient conduct of appeals.

Standards of test, classes of persons responsible for testing and form and content of certificates

25. (1) The standards by reference to which inspections, examinations and tests may be carried out under subsection (2) of section 43 of the Act of 2022 are the following:

- (a) where necessary, an authorised officer of the Housing Agency may inspect and examine a dwelling for one or more of the following purposes:
 - (i) to verify the damage recorded in the building condition assessment report prior to a decision of the Housing Agency under section 15(1) of the Act of 2022;
 - (ii) verify the damage in a request from a local authority under section 5(7) of the Act of 2022;
 - (iii) conduct a non-invasive visual inspection of the exterior, interior and below ground (insofar as possible) of a relevant dwelling to record damage consistent with defective concrete blocks and to record other visible blockwork damage arising from other structural defects under –
 - (I) section 16(1) of the Act of 2022, or
 - (II) section 5(7) of the Act of 2022,in accordance with I.S. 465:2018;
 - (iv) verify the damage recorded in a competent engineer's report under section 23(2) of the Act of 2022.
- (b) where necessary, an authorised officer of a local authority may inspect and examine a dwelling for one or more of the following purposes:

- (i) view the works carried out, or being carried out, to the relevant dwelling under section 18(10) of the Act of 2022;
- (ii) consider whether an application is valid under section 13(3)(b) of the Act of 2022;
- (iii) consider an incremental increase under section 31(5) of the Act of 2022.

(2) Testing, under the Act of 2022, shall be in accordance with I.S. 465:2018 while taking into consideration other appropriate relevant standards for such testing which shall include, but shall not be limited, to the following:

- (a) physical testing of concrete block samples;
- (b) chemical testing of concrete block samples;
- (c) petrographic analysis of concrete block samples and render samples.

(3) The classes of persons who shall be responsible for the carrying out of tests of samples taken under subsection (2) of section 43 of the Act of 2022, shall be the following:

- (a) competent engineers;
- (b) chartered geotechnical engineers;
- (c) professional geologists;
- (d) petrographers.

(4) In this Regulation –

“chartered geotechnical engineer” means a person possessing sufficient training, relevant experience, and knowledge appropriate to the nature of the work to be undertaken having regard to the task he/she is required to perform and taking into account the complexity of the work;

“professional geologist” means a person possessing sufficient training, relevant experience, and knowledge appropriate to the nature of the work to be undertaken having regard to the task he/she is required to perform and taking into account the complexity of the work;

“petrographer” means a person possessing sufficient training, relevant experience, and knowledge in petrographic analysis.

PART 5

SHARING OF PERSONAL DATA AND INFORMATION

Data processing

26. (1) Subject to paragraphs (2) and (3), the bodies mentioned in subsection (1) of section 46 of the Act of 2022, in so far as it is necessary and proportionate, may process personal data in the following:

- (a) all completed application forms submitted pursuant to these Regulations;
- (b) building condition assessment reports;

- (c) remedial works plans;
- (d) post remediation works reports;
- (e) certificates of remediation.

(2) In so far as it is necessary and proportionate, personal data may be processed in the following circumstances:

- (a) processing applications;
- (b) carrying out assessments;
- (c) issuing decisions;
- (d) sharing the items mentioned in subparagraphs (a) to (c) with bodies prescribed under paragraph (3) for research purposes.

(3) The persons to whom the personal data may be disclosed under the Act of 2022 shall include the following:

- (a) designated local authorities;
- (b) the Housing Agency;
- (c) the Appeals Panel;
- (d) the Appeal Board;
- (e) the Minister;
- (f) The Sustainable Energy Authority of Ireland;
- (g) The National Standards Authority of Ireland;
- (h) Geological Survey Ireland.

Information sharing

27. (1) The information that may be shared under subsections (1) and (2) of section 47 of the Act of 2022 shall be all the information contained in the following documents:

- (a) all completed application forms submitted pursuant to these Regulations;
- (b) building condition assessment reports;
- (c) remedial works plans;
- (d) post remediation works reports;
- (e) certificates of remediation.

(2) Information may be shared under subsections (1) and (2) of section 47 of the Act of 2022 only for the following purposes:

- (a) processing applications made under the Act of 2022;
- (b) carrying out assessments under the Act of 2022;
- (c) issuing decisions under the Act of 2022;

- (d) sharing the documents mentioned in paragraph (1) with the bodies prescribed in paragraph (3) for research purposes.
- (3) The persons with whom the information may be shared under subsections (1) and (2) of section 47 of the Act of 2022 may include the following:
- (a) The designated local authorities;
 - (b) The Housing Agency;
 - (c) the Appeals Panel;
 - (d) the Appeal Board;
 - (e) the Minister;
 - (f) The Sustainable Energy Authority of Ireland;
 - (g) The National Standards Authority of Ireland;
 - (h) Geological Survey Ireland.

PART 6

FINAL PROVISIONS

Disqualification for providing false or misleading information

28. A local authority, where it is considering making a determination under section 53(1) of the Act of 2022 as to the validity of applications shall carry out the following steps:

- (a) the local authority shall write to the person concerned setting out reasons for their proposed determination and give the person the opportunity to make representations in writing in accordance with section 53(2) of the Act of 2022;
- (b) the person concerned shall provide representations in writing in accordance to section 53(2) of the Act of 2022 not later than 28 days from date of receipt of a notice under paragraph (a).
- (c) the local authority shall not make their determination under section 53(1) of the Act of 2022 without taking into account the representations of the person concerned under section 53(2) of the Act of 2022 or unless the period in paragraph (b) has elapsed without receipt of any response from the person.

Regulations for purposes of sections 56 and 57 of the Act of 2022

29. (1) An engineer is considered to be engaged by the eligible applicant or individual for the purposes of section 56(1) of the Act of 2022 following written agreement of the engagement between the two parties.

(2) Where the circumstances mentioned in paragraph (2) of section 56 of the Act of 2022 apply, the designated local authority shall, without delay, after the date of the coming into operation of that Act, notify the applicant in writing that their application will be revised in accordance with that paragraph.

- (3) (a) Where the circumstances mentioned in paragraph (1) of section 57 of the Act of 2022 apply, the designated local authority shall, without delay, after the date of the coming into operation of that Act, notify the applicant in writing that their application will be revised in accordance with that paragraph.
- (b) Where the circumstances mentioned in paragraph (2) of section 57 of the Act of 2022 apply, the designated local authority shall, without delay, after the date of the coming into operation of that Act -
- (i) notify the applicant in writing that their application will be revised in accordance with section 57(2)(a) of the Act of 2022,
 - (ii) notify the applicant that they may be eligible to apply for an ancillary grant in accordance with section 10(2) of the Act of 2022,
 - (iii) where the approved remediation option did not result in the demolition of the relevant dwelling and the reconstruction of the dwelling, notify the applicant in writing that a letter of assurance may issue in accordance with section 21 of the Act of 2022, and
 - (iv) notify the applicant that an appeal under Regulation 13 of the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) Regulations 2020 (S.I. No. 25 of 2020) may be made not later than 28 days after the date of the coming into operation of section 55, of the Act of 2022.
- (4) Subject to section 58(3) of the Act of 2022, the payment of the cost of the engineer's report referred to in section 56 of the Act of 2022 shall be vouched with a receipt from the engineer and shall not exceed the lesser of the following:
- (a) the expenditure of the person in respect of the engineer's report;
 - (b) €7,000.

SCHEDULE 1

Regulations 4 & 7

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")

Building condition assessment report to be completed pursuant to section 12 of
the Act

The form specified in the schedule shall be completed by a competent building professional in the assessment of a dwelling to identify if the dwelling is exhibiting damage consistent due to the use of defective concrete block containing excessive amounts of deleterious material and to quantify the extent and significance of such damage.

The dwelling -

- (a) must be constructed or acquired prior to 31st January 2020,
- (b) must not be an unauthorised structure, and
- (c) must be the applicant's principal private residence or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located

**BUILDING CONDITION ASSESSMENT
REPORT TEMPLATE**

A. Competent Building Professionals Details

Name: _____ Company: _____

Address: _____ Qualifications: _____

Registration Number of the Competent Building Professional:

B. Building Information

Date of Inspection: _____ Weather: _____

Inspection Address: _____ Eircode: _____

Site Description _____ Please confirm if property is currently occupied (Y/N): _____


Current Owner: _____ Phone Number of Owner/Applicant: _____

Contact address (if different to Inspection Address): _____ Planning Ref Number/s: _____

MPRN Number: _____

Site plan

Site Description;



Location Map

Exposure Condition Sheltered Moderate Severe

Orientation: (front) _____

Type;

Detached Semi-detached Terraced Bungalow Dormer Other _____

Breakdown;

Number of floors: Ground _____ m2 First _____ m2 Second _____ m2 Total Floor Area* _____

Year Of Construction: _____ Extension: YES NO Year Of Construction. (Extn). _____

Extension Planning

Ref. Number/s: _____ (otherwise, the Certificate of Compliance with Planning Permission will address any extensions or conversions. Refer to Question 5(b) of the Application form at Schedule 2)

**Total floor area is the internal floor area of the authorised structure (comprising permitted internal floor area plus the internal floor area of any exempted development extensions or conversions).*

Year Defects Appeared:
Brief Description.

Ground Floor Structure;

Ground Bearing Suspended Concrete Other;_
Slab _____

First Floor Structure;

Timber Suspended Concrete Other;_ _____

Attic

Conversion: YES NO

External Wall Construction;

Block-Cavity-Block Timber frame Other;_ Movement Joints;
YES NO

Cavity Insulation Type at Original Construction; _____ Thickness; _____ mm.

Retrofit Insulation; YES NO Type; Thickness Year Inst;

C. Brief History of Damage / Relevant Information

D. Circumstantial Evidence


<i>Is there information that the blocks in the dwelling came from manufacture(s) reported to have supplied blocks to other dwellings exhibiting damage likely to have arisen from deleterious materials in concrete blocks?</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>Comments;</i>		
<i>Is there documented information (e.g. Competent Building Professional Report) that the other dwellings in the same area/estate have exhibited signs of damage likely to have arisen from deleterious material in concrete blocks?</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>Comments;</i>		
<i>Are other houses in the same area/estate exhibiting signs of damage likely to have arisen from deleterious materials in concrete blocks?</i>	YES <input type="checkbox"/>	NO <input type="checkbox"/>
<i>Comments;</i>		

E. External Damage

Front Elevation;


Orientation; _____

	YES	NO
<i>Web like cracking:</i>		
<i>Pattern like cracking (combined horizontal and vertical):</i>		
<i>Disintegrated blocks leaving void in external leaf:</i>		
<i>Outward bowing of external leaf:</i>		
<i>Wide vertical crack, typically 200mm from corner:</i>		
<i>Displacement at window/door reveals:</i>		
<i>Render blown or missing:</i>		
<i>Horizontal cracks (possibly attributable to day joint in blockwork):</i>		

<i>Sketches / Descriptions</i>	<div style="text-align: center; margin-bottom: 10px;">  </div> <p><i>Insert Photos & Provide Key;</i></p>
--------------------------------	--

Rear Elevation;
Orientation; _____


	YES	NO
<i>Web like cracking:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Pattern like cracking (combined horizontal and vertical):</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Disintegrated blocks leaving void in external leaf:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Outward bowing of external leaf:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Wide vertical crack, typically 200mm from corner:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Displacement at window/door reveals:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Render blown or missing:</i>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Horizontal cracks (possibly attributable to day joint in blockwork):</i>	<input type="checkbox"/>	<input type="checkbox"/>

<p><i>Sketches / Descriptions</i></p>	<p> 1 <i>Insert Photos & Provide Key;</i></p>
---------------------------------------	---

Side 1 Elevation;

Orientation; _____


	YES	NO
<i>Web like cracking:</i>		
<i>Pattern like cracking (combined horizontal and vertical):</i>		
<i>Disintegrated blocks leaving void in external leaf:</i>		
<i>Outward bowing of external leaf:</i>		
<i>Wide vertical crack, typically 200mm from corner:</i>		
<i>Displacement at window/door reveals:</i>		
<i>Render blown or missing:</i>		
<i>Horizontal cracks (possibly attributable to day joint in blockwork):</i>		

<p><i>Sketches / Descriptions</i></p>	<div style="text-align: center;">  </div> <p><i>Insert Photos & Provide Key;</i></p>
---------------------------------------	---

Side 2 Elevation;


Orientation; _____

	YES	NO
Web like cracking:		
Pattern like cracking (combined horizontal and vertical):		
Disintegrated blocks leaving void in external leaf:		
Outward bowing of external leaf:		
Wide vertical crack, typically 200mm from corner:		
Displacement at window/door reveals:		
Render blown or missing:		
Horizontal cracks (possibly attributable to day joint in blockwork):		

<p><i>Sketches / Descriptions</i></p>	<p style="text-align: center;">  </p> <p>Insert Photos & Provide Key;</p>
---------------------------------------	---

F. Internal Damage

Room ID; _____

<i>Sketches / Descriptions</i>	 <i>Insert Photos & Provide Key;</i>
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Note; Append additional sheets as necessary.

G. Building Grouping & Damage Threshold*(As per Table 1 - I.S. 465:2018)*

<i>Building Grouping</i>			
<i>Group 1</i>		<i>Group 2</i>	
<i>Group 3</i>		<i>Group 4</i>	

Damage Threshold*(For entry into the grant scheme)*

Sketch / Description / Photos / Crack Width

Pattern like cracking (combined horizontal and vertical), in the wall of a dwelling house, mentioned in the second defect set out in the key to Figure 2 of I.S. 465:2018 on at least one elevation, externally or internally, in which a crack width equal to, or greater than, 1 millimetre is present;

Competent Building Professional's Statement Regarding Damage Threshold

Has the building met the damage threshold? ***Yes*** ***No***

H. Declaration.

(Declaration by Competent Building Professional)

I have exercised reasonable skill and care in the completion of this dwelling inspection and Building Condition Assessment Report.

Signature: _____ Date: _____

SCHEDULE 2

Regulation 8

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 ("the Act")

Application form to be completed pursuant to section 13(1) of the Act

The form specified in the schedule is prescribed for the purposes of making an application to a designated local authority for a remediation option grant to carry out remediation work on a dwelling that is damaged due to the use of defective concrete block containing excessive amounts of deleterious material.

The dwelling -

- (a) must be constructed or acquired prior to 31st January 2020,
- (b) must not be an unauthorised structure,
- (c) is a dwelling in respect of which an application for a remediation option grant under section 13 of the Act shall not be made more than 15 years after the date of the coming into operation of the Act, in accordance with section 14(1) of the Act, and
- (d) must be the applicant's principal private residence or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

For Official Use Only

Application validated by:

Date:

Unique Ref:

Please complete form in block letters

Applicants are asked to complete all Parts of this form

Part 1

Relevant Dwelling Details

1. Relevant dwelling address:
(The dwelling which you are applying for grant assistance under the Act).

2. Eircode of relevant dwelling:

3. Meter Point Reference Number (MPRN) of relevant dwelling:

4. Is the relevant dwelling compliant with planning regulations and not an unauthorised structure?
Yes No

5. **If you answered 'Yes' to Question 4:**
 - (a) a copy of Planning Permission in respect of the relevant dwelling is required to be submitted with this application, and

 - (b) a Certificate of Compliance with Planning Permission to be prepared by a competent building professional is also required to be submitted with this application (which shall include both the permitted structure and any exempted development, if relevant).

6. In what year was the relevant dwelling constructed?

7. Name(s) of builder, developer, or other person involved in the design, inspection, supervision or certification, of the construction of this dwelling*:

*(*where known and this information may be available to you)*

8. Have you submitted a copy of the Building Condition Assessment (BCA) Report of the relevant dwelling, with this application?

Yes No

9. With reference to the Building Condition Assessment Report, does it provide evidence of damage consistent with the use of defective concrete blocks in its construction to the dwelling, in line with I.S. 465:2018?

Yes No

10. Is this an application for a second grant², for a relevant dwelling which was previously issued with a letter of assurance?

Yes No

11. **If you answered 'Yes' to Question 10**, you must submit the following documentation with the application for a second grant:

- (a) Letter of Assurance
- (b) Certificate of remediation

² An application for a second grant may be made within the period of 40 years beginning on the date of the Letter of Assurance.

Part 2

Applicant's Details

12. Applicant's Name:
 - (a) proof of identity of the applicant is required, such proof being, a copy of:
 - (i) a valid passport, or
 - (ii) a valid driving license, or
 - (iii) a Public Service Card issued by the Department of Social Protection

13. Applicant's Address (if different to address of relevant dwelling):

14. Eircode (if different to address of relevant dwelling):

15. Email Address:

16. Contact Phone Number:

17. Personal Public Service Number (PPSN):

18. Tax Clearance Access Number:

Part 3

Ownership of Relevant Dwelling

19. Are you the owner of the relevant dwelling?

Yes No

20. **If you answered 'Yes' to Question 19:**

(a) Proof that the applicant is the owner of the relevant dwelling is required, such proof being-

(i) a copy of title deed for the relevant dwelling,

(ii) a registration of title,

(iii) other legal documents proving proof of ownership.

21. On what date did you become the owner of the relevant dwelling?

22. Are there other joint owners of the relevant dwelling?

Yes No

23. **If you answered 'Yes' to Question 22:**

Where the applicant is a joint owner of the relevant dwelling, the person(s) other than the applicant **consent to the following:**

(a) to the inclusion of the relevant dwelling in the Act for the payment of grants; and in particular

(b) to the making by the applicant of this application and any such further applications for grant approval and payment of grant;

as may be applicable in respect of the dwelling concerned.

(i) Print Name: _____ Signature: _____ Date: _____

(ii) Print Name: _____ Signature: _____ Date: _____

(iii) Print Name: _____ Signature: _____ Date: _____

(iv) Print Name: _____ Signature: _____ Date: _____

Part 4

Principal Private Residence

24. Is the relevant dwelling your principal private residence?

Yes No

25. **If you answered ‘Yes’ to Question 24, you will be required to provide at least two of the following, as supporting documents:**

- details on Register of Electors;
- bank statement - dated within the last 6 months;
- a current car or home insurance policy that shows your address;
- a document issued by a Government Department that shows your address;
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;
- a social insurance document (that shows your address).

26. Is the relevant dwelling currently occupied by you?

Yes No

27. If No, please state reasons:

Part 5

Residential Tenancy

28. Are you the landlord of a dwelling, which dwelling stood registered in the Residential Tenancies Board Register on or before 1 November 2021?

Yes No

29. **If you answered ‘Yes’ to Question 28, you must **provide proof of tenancy** with your application. We will accept a certificate of registration in the residential tenancies register (including details of registered landlord number and registered tenancy number);**

30. **If you answered ‘Yes’ to Question 28**, have you submitted an application for a remediation grant in respect of any other dwelling that you are a landlord of the registered tenancy?

Yes No

31. **If you answered ‘Yes’ to Question 28**, you must provide the following, as supporting documents;

- a certificate of registration in the residential tenancies register (including details of registered landlord number and registered tenancy number);
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;

Part 6

Applicant's Declarations – Please tick, as appropriate:

32. I give my consent to inspection of the relevant dwelling by a suitably qualified person, authorised in that regard by the Housing Agency or relevant local authority, at such time or times as the Housing Agency or relevant local authority may consider necessary.

Yes No

33. I give my consent for the local authority to share information with the Housing Agency and any other public body for the purposes of assessment of the remediation option grant.

Yes No

34. Has an application previously been made under the Act or the previous scheme (S.I. 25 of 2020) in respect of the relevant dwelling, that is the subject of this application?

Yes No

35. **If you answered ‘Yes’ to Question 34**, you **must provide proof** of your previous application.

(a) With this application you are required to submit:

- (i) the Application Reference Number from the previous application;
- (ii) a copy of the previous application under the Act or the previous scheme (S.I. 25 of 2020);

- (iii) any correspondence received from the designated local authority or Housing Agency, or relevant local authority in relation to the previous application;
- (iv) any notification received by you regarding approval or refusal of the application for a remediation option grant under the Act;
- (v) a copy of any decision in relation to the previous application under the previous scheme (S.I. 25 of 2020) which you have received.

36. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling received a payment e.g. insurance, compensation etc., in respect of damage to the relevant dwelling arising out of, or in connection with, the use of defective concrete blocks in its construction?

Yes No

37. **If you answered ‘Yes’ to Question 36**, please specify the amount of the payment made to you/joint owner(s) and to any other person who has a legal or beneficial interest in the dwelling:

€

38. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling made a claim against a person arising from damage to the dwelling caused by the use of defective concrete blocks in its construction?

Yes No

39. **If you answered ‘Yes’ to Question 38**, you must provide details of the/these claim(s) below:

40. Where a payment otherwise than under the Act, is made to or for my benefit or any other person who has a legal or beneficial interest in the dwelling in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I will notify the relevant local authority of the details of the payment, and the amount thereof, within 28 days of the making of that payment.

Yes No

41. Where I have received or receive in the future, a non-scheme payment otherwise than under the Act, made to or for my benefit in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I confirm that I will refund the local authority the lesser of the following:

- total payments made to me or for my benefit by the local authority under the Act;

or

- the amount equal to the non-grant payment(s)

Yes No

42. I confirm that, Local Property Tax (LPT) affairs in respect of the relevant dwelling are in order and I consent to the verification of my LPT compliance by the local authority.

Yes No

43. I confirm that, to the best of my knowledge, my tax affairs are in order and I consent to the verification of my tax compliance by the local authority.

Yes No

44. I confirm that I have not received a payment under the Act in respect of another dwelling (except in the event of a tenancy under section 25(4) of the Act).

Yes No

45. I confirm that I intend to reside in the relevant dwelling as my principal private residence, following completion of the remedial works (except in the event of a tenancy under section 25(4) of the Act).

Yes No

46. I confirm that, as landlord of the relevant dwelling, having received legal advice on this matter, should I dispose of this dwelling or that I cease to be a landlord registered on the residential tenancies register, that I consent to a charge being made on the relevant dwelling in favour of the local authority under charging order provisions (section 31(1) of the Act).

Yes No

48 [347]

47. Declaration

I, the undersigned, declare that the information provided in, and attached to this form is true, complete and not misleading.

Signed.....

Date.....

Part 7

Data Protection

Any personal data you provide will be processed in accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR). A Privacy Notice explaining how your personal data will be used, and information on your rights as a data subject, is available from your Local Authority.

48. Applicant's Signature:

49. Date:

50. Print Name:

Information to be enclosed with application form

- Proof of identity of the applicant (copy of a valid passport, copy of a valid driving license or copy of a Public Services Card issued by the Department of Social Protection are the only acceptable documents)
- Proof of ownership of relevant dwelling which is the subject of the application for remediation grant (copy of title deed for the relevant dwelling or copy of registration of title for the relevant dwelling or copy of other legal documents proving proof of ownership of the relevant dwelling or copy of the lease of the relevant dwelling are the only acceptable documents)
- The building condition assessment report in respect of the relevant dwelling
- Copy of Planning Permission in respect of the relevant dwelling
- **If this is an application for a second grant**, (a) the letter of assurance; and (b) the certificate of remediation which were issued in respect of the relevant dwelling.

SCHEDULE 3

Regulation 12

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")

Notification of the decision under Section 16(9) of the Act to be completed by
the designated local authority in respect of application submitted under Section
13(1) of the Act

The forms specified in the schedule are prescribed for the purposes of
notification to the applicant by the designated local authority of the decision to:

- (a) grant approval to an application for a remediation option grant,
and where applicable, of a reduction under Section 16(8) of the
Act;
- (b) refusal to grant approval to an application for a remediation
option grant;

and the reasons for the decision.

Instruction to designated local authority:

**Form A to be used when decision is to approve application for remediation
option grant**

**Form B to be used when decision is to refuse application for remediation
option grant**

**Delete 'Form A' or 'Form B' also from top-left hand corner before issuing
to applicant**

Included for ease of identification purposes for local authority only

Relevant Owner Name and Address Details

1. Relevant dwelling address:

2. Eircode of the relevant dwelling:

3. Application Reference Number:

4. Applicant's Address (if different to address of relevant dwelling):

5. Eircode (if different to address of relevant dwelling):

Form A

Notification of approval regarding remediation option grant

You are hereby notified under Section 16(9) of the Act that your application for a remediation grant has been approved.

The remediation option that you have been approved for is as follows:

- i) [insert remediation option number/or combination of remediation options];
- ii) [insert amount of grant payment approved]

The remediation option approved is subject to the following conditions:

- i) a remedial works plan which must describe the works the relevant owner proposes to carry out to satisfy the approved remediation option;
- ii) the remedial works plan must contain any additional work that the relevant owner intends to carry out.

[The following text is to be included by local authority only if applicable]

The approved remediation grant has been reduced by **[insert amount]**.

The reason for this reduction is as a result of section 16(8) of the Act, which states the following:

Where an applicant states in their application form for a remediation grant that he or she, or any other person who has a legal or beneficial interest in the relevant dwelling, received a payment from another person, other than under

the Act, in respect of damage to the relevant dwelling caused by the use of defective concrete blocks in its construction, the designated local authority shall reduce the remediation option grant approved under subsection (4)(a)(ii) of the Act in respect of the dwelling by the amount of the payment.

To enable payment of the approved remediation grant you must comply with Section 17 of the Act. You are therefore now required to provide the following documentation to **[insert name of designated local authority]**:

- (a) a remedial works plan;
- (b) a copy of any application for an Ancillary Grant (if applicable)

You may appeal the decision made under Section 16(4)(a) of the Act. Appeals must be submitted in writing, in the prescribed form, to the Appeals Panel c/o the Department of Housing, Local Government and Heritage, Custom House, Dublin 1, within 28 days of receipt of this notification.

Form B

Notification of decision regarding remediation option grant

You are hereby notified under Section 16(9) of the Act that your application for a remediation grant has been refused as it has not been satisfied that there has been damage to the relevant dwelling caused by the use of defective concrete blocks in its construction.

You may appeal the decision made under Section 16(4)(b) of the Act. Appeals must be submitted in writing, in the prescribed form, to the Appeals Panel c/o the Department of Housing, Local Government and Heritage, Custom House, Dublin 1, within 28 days of receipt of this notification.

SCHEDULE 4

Regulations 13 & 14

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks

Act 2022 ("the Act")

Inspection Plan to be completed as part of the Remedial Works Plan pursuant to section 17 of the Act

The form specified in the schedule shall be completed by a competent building professional who should use professional judgement to determine the risk associated with the remedial option in developing the inspection plan for the implementation of the remedial works plan on a dwelling that is damaged due to the use of defective concrete block containing excessive amounts of deleterious material. The dwellings must be-

- (a) the applicant's principal private residence or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling, and
- (b) the dwelling was constructed/acquired prior to 31st January 2020.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Table 1 Sample inspection plan (as implemented)		
Stage of work	Inspections by the competent building professional	
	Confirmation of inspection of priority elements as identified in the Inspection Plan and other appropriate checks, as deemed necessary	
	Elements inspected	Date of inspection by competent building professional
NOTE: The contractor must supervise ALL elements as work progresses.		

SCHEDULE 5

Regulation 14

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 (“the Act”)

Application form for Payment of a Grant pursuant to section 18(1) of the Act

The form specified in the schedule is prescribed for the purposes of making an application for payment of a remediation option grant approved under section 16(4)(a) of the Act for the purposes of carrying out remediation work on a dwelling that is damaged due to the use of defective concrete block containing excessive amounts of deleterious material. The dwellings must be –

- (a) the applicant’s principal private residence or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling, and
- (b) the dwelling was constructed/acquired prior to 31st January 2020.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Please complete form in block letters

Applicants are asked to complete all parts of this form

PART 1

Relevant Dwelling Details

1. Relevant dwelling address:

(The dwelling which you are applying for grant payment under the Act).

2. Eircode of relevant dwelling:

3. Meter Point Reference Number (MPRN) of relevant dwelling:

4. Is the relevant dwelling compliant with planning regulations and not an unauthorised structure?

Yes

No

5. **If you answered 'Yes' to Question 4:**

(a) a copy of Planning Permission in respect of the relevant dwelling is required to be submitted with this application, and

(b) a Certificate of Compliance with Planning Permission, to be prepared by a competent building professional, is also required to be submitted with this application (which shall include both the permitted structure and any exempted development, if relevant).

6. The applicant must submit proof that the dwelling is a relevant dwelling under the Act and provide confirmation of grant approval from the relevant local authority for remediation works. Proofs to include-

- (i). Reference Number of application submitted to the local authority in respect of the relevant dwelling under section 13(2)(a) of the Act.
- (ii). Copy of document(s) received by the applicant from the local authority of the confirmation of grant approval for remediation works to the relevant dwelling.
- (iii). The remediation option approved for grant assistance.
- (iv). Set out the costs approved by the local authority for remediation works on the relevant dwelling.

Applicant's Details

7. Applicant's Name:

- (a) proof of identity of the applicant is required, such proof being, a copy of:
 - (i) a valid passport, or
 - (ii) a valid driving license, or
 - (iii) a Public Service Card issued by the Department of Social Protection

8. Applicant's Address (if different to address of relevant dwelling):

9. Eircode (if different to address of relevant dwelling):

10. Email Address:

11. Contact Phone Number:

12. Personal Public Service Number (PPSN):

13. Tax Clearance Access Number:

Ownership of Relevant Dwelling

14. Are you the owner of the relevant dwelling?

Yes No

15. **If you answered 'Yes' to Question 14:**

(a) Proof that the applicant is the owner of the relevant dwelling is required, such proof being-

(i) a copy of title deed for the relevant dwelling,

(ii) a registration of title,

(ii) other legal documents proving proof of ownership.

16. On what date did you become the owner of the relevant dwelling?

17. Are there other joint owners of the relevant dwelling?

Yes No

18. **If you answered ‘Yes’ to Question 17:**

Where the applicant is a joint owner of the relevant dwelling, the person(s) other than the applicant **consent to the following:**

- (a) to the inclusion of the relevant dwelling in the Act for the payment of grants; and in particular
- (b) to the making by the applicant of this application and any such further applications for grant approval and payment of grant;

as may be applicable in respect of the dwelling concerned.

(i) Print Name: _____ Signature: _____ Date: _____

(ii) Print Name: _____ Signature: _____ Date: _____

(iii) Print Name: _____ Signature: _____ Date: _____

(vi) Print Name: _____ Signature: _____ Date: _____

Principal Private Residence

19. Is the relevant dwelling your principal private residence?

Yes No

20. **If you answered ‘Yes’ to Question 19, you will be required to provide at least two of the following, as supporting documents:**

- details on Register of Electors;
- bank statement - dated within the last 6 months;

- a current car or home insurance policy that shows your address;
- a document issued by a Government Department that shows your address;
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;
- a social insurance document (that shows your address).

21. Is the relevant dwelling currently occupied by you?

Yes No

22. **If No, please state reasons:**

Residential Tenancy

23. Are you the landlord of a dwelling, which dwelling stood registered in the Residential Tenancies Board Register on or before 1 November 2021?

Yes No

24. **If you answered ‘Yes’ to Question 23**, you must provide proof of tenancy with your application. We will accept the following as supporting documents:

- a certificate of registration in the residential tenancies register (including details of registered landlord number and registered tenancy number);
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;

25. **If you answered ‘Yes’ to Question 23**, have you submitted an application for a remediation grant in respect of any other dwelling that you are a landlord of the registered tenancy?

Yes No

PART 2

Payment of Remediation Grant

The applicant (relevant owner) may apply for a payment in whole or in parts of a remediation option grant approved by the designation local authority, subject to any reduction made for payments the applicant has already received (other than under the Act) in respect of –

- (a) Damage to the relevant dwelling caused by defective concrete blocks in its construction, or
- (b) Where the approved remediation grant is for the demolition and reconstruction of the relevant dwelling, and the remedial works plan provided to the local authority indicates that the internal floor area of the dwelling the relevant owner reconstructs is a reduction of the internal floor area demolished, the remediation grant option will be reduced proportionately.

Application for Part Payment of Grant

(to be completed where the applicant is applying for a **part payment** of approved remediation grant)

An application under this section must include the following documents-

- (a) An interim valuation certificate that describes the works completed since the commencement of the works notified to the designated local authority or where a previous interim valuation certificate has been provided to the local authority since the date of that previous interim valuation certificate, and
- (b) The interim valuation certificate must be carried out by a competent engineer or competent building professional who designed and inspected the works described in the certificate, and
- (c) Evidence of the expenditure incurred by the relevant owner in carrying out the works described in the interim valuation certificate including invoices detailing in an itemised manner the elements of the works carried out and the cost of each element the applicant is seeking payment.
- (d) The interim valuation certificate should be completed by the competent building professional in the form set out in Schedule 6.
- (e) BIC and IBAN details to facilitate payment by the local authority.

Application for Final Payment or for payment

of the total amount of Grant

(to be completed where the applicant is applying for a **final part payment or the total amount** of approved remediation grant)

An application under this section must include the following documents-

- (a) A post works remedial works plan that describes the works completed since the commencement of the works notified to the designated local authority.
- (b) The post works remedial works plan must be carried out by a competent engineer or competent building professional who designed and inspected the works described in the plan.
- (c) A certificate of remediation in respect of the relevant dwelling concerned.
- (d) Evidence of the expenditure incurred by the relevant owner in completing the works described in the post works remedial work plan, including invoices detailing in an itemised manner the elements of the works carried out and the cost of each element the applicant is seeking payment.
- (e) The post works remedial works plan as outlined in Regulation 14 and the certificate of remediation should be completed by the

27. (a) Have you been approved and received payment for Ancillary Grant Payments under the Act?

Yes No

- (b) **If you answered Yes to Question 27(a)**, please complete the following table setting out the payment received from the designated local authority for costs incurred for each Ancillary Grant option.

Ancillary Grant Options	Amount of Ancillary Grant received to date (where applicable)	Cost
Storage		
Alternative Accommodation		
Immediate Repairs		
Total		

Note: Ancillary grants are calculated in accordance with the Remediation Option grant under Section 10 of the Act of 2022, the total amount of a Remediation Option Grant and an ancillary grant shall not exceed the amount of €420,000.

Competent Building Professional

(Section to be completed by the Applicant)

28. Competent Building Professional Details or Engineer's Name:

29. Registration Number:

30. Engineer's Employer (if different):

31. Engineer's Address:

32. Engineer's Email Address:

33. Engineer's Contact Phone Number:

34. Tax Reference Number:

35. Tax Clearance Access Number:

Contractors Details

(Section to be completed by the Applicant)

36. Contractor's Details Contractor's Name:

37. Contractor's Address:

46. Have you received any payments towards the costs of essential immediate repair works in Stage 1 under the previous scheme (S.I. 25 of 2020)?

Yes No

47. If Yes, please specify the amount received:

Engineers Report €

Cost of Immediate Repair Works €

48. Has an application previously been made under the Act or the previous scheme (S.I. 25 of 2020) in respect of the relevant dwelling subject of this application?

Yes No

49. **If you answered ‘Yes’ to Question 48**, you must provide proof of your previous application:

- (a) Application Reference Number (from previous application):
- (b) You **must** submit a copy of any previous application under the Act or the previous scheme (S.I. 25 of 2020), with this application.

50. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling received a payment e.g. insurance, compensation etc., in respect of damage to the relevant dwelling arising out of, or in connection with, the use of defective concrete blocks in its construction?

Yes No

51. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling made a claim against a person arising from damage to the dwelling caused by the use of defective concrete blocks in its construction?

Yes No

52. **If you answered ‘Yes’ to Question 51**, you must provide details of the/these claim(s) below:

53. Where a payment otherwise than under the Act, is made to or for my benefit or any other person who has a legal or beneficial interest in the dwelling

in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I will notify the relevant local authority of the details of the payment, and the amount thereof, within 28 days of the making of that payment.

Yes No

54. Where I have received or receive in the future, a non-scheme payment otherwise than under the Act, made to or for my benefit in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I confirm that I will refund the local authority the lesser of the following:

- total payments made by the local authority under the Act;

or

- the amount equal to the non-grant payment(s)

Yes No

55. I confirm that, Local Property Tax (LPT) affairs are in order and I consent to the verification of my LPT compliance by the local authority.

Yes No

56. I confirm that, to the best of my knowledge, my tax affairs are in order and I consent to the verification of my tax compliance by the local authority.

Yes No

57. I confirm that I have not received a payment under the Act in respect of another dwelling (except in the event of a tenancy under Section 25(4) of the Act).

Yes No

58. I confirm that the dwelling, subject of this application, has not previously received a confirmation of grant approval.

Yes No

59. I confirm that I intend to reside in the relevant dwelling as my principal private residence, following completion of the remedial works (except in the event of a tenancy under Section 25(4) of the Act).

Yes No

60. I confirm that, as landlord of the relevant dwelling, should I dispose of this dwelling or that I cease to be a landlord registered on the residential

tenancies register, that I consent to a charge being made on the relevant dwelling in favour of the local authority under charging order provisions (Section 31(1) of the Act).

Yes No

61. Declaration

I, the undersigned, declare that the information provided in, and attached to this form is true, complete and not misleading.

Signed.....

Date.....

Part 3 (b) - **Data Protection**

Any personal data you provide will be processed in accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR). A Privacy Notice explaining how your personal data will be used, and information on your rights as a data subject, is available from your Local Authority.

62. Applicant's Signature:

63. Date:

64. Print Name:

SCHEDULE 6*Regulation 14*

Remediation of Dwellings Damaged by the Use of Defective Concrete

Blocks Act 2022 ("the Act")

Interim Valuation Certificate to be completed pursuant to section 18(2)(a) of the Act

The form specified in the schedule, part A shall be completed by a competent building professional or where the remediation option is the demolition of the relevant dwelling, a competent engineer, and describe the works completed since the date of commencement of works notified to the local authority under Section 19(2) of the Act or where a previous interim valuation has been provided since the date of that previous interim certificate.

The dwelling must be –

- (a) the applicant's principal private residence or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling,
- (b) the dwelling was constructed/acquired prior to 31st January 2020, and
- (c) the dwelling is not an unauthorised structure.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Part A

(To be filled out by a competent building professional¹)

Competent Building Professionals Details

Building Professionals Name: _____

Registration Number: _____

Building Professionals Employer (if different): _____

Address: _____

Email Address: _____

Contact Phone Number: _____

Tax Reference Number: _____

Tax Clearance Access Number: _____

NOTE: Where the building professional is to perform their role, for or on behalf of, an employer or partnership, the employer's or partnership's tax details should be supplied and not those of the individual building professional.

Remediation Option²:

Payment Details

The total cost for which this Interim Valuation Certificate relates: _____

Total Value of Remediation Option Grant (A)	Payment Stage	Amount of Grant Received to Date (B)	Payment Required per Interim Valuation Cert (C)	Professional Fees per Interim Valuation Cert	Contractor Fees per Interim Valuation Cert	Remaining Balance (A-B-C)

Competent Building Professionals Declarations

1. I confirm that I am the competent building professional appointed by the following dwelling owner:

Dwelling owner's name:

at the following address:

Eircode:

to prepare a remedial works plan for the dwelling, which included a plan for the design, specification and inspection of the works required to be carried out to the dwelling.

2. I confirm that I am a person named on a register pursuant to Section 7, Part 2 of the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 and that I am competent to carry out my design for the remediation works plan.

3. I confirm that the qualifying remediation works to the dwelling concerned, for which this payment is being sought, have been completed to my satisfaction and in accordance with the remedial works plan concerned, and the works comply with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the remedial works concerned.

4. I have inspected the remedial works, at the stages outlined in the Inspection Plan (as implemented to date) appended to this interim valuation certificate. I have detailed and described the qualifying works to the dwelling concerned, for which this payment is being sought including photographic evidence appended to this interim valuation certificate.

5. I confirm that I have attached my invoice for my professional services, for which this payment of grant is sought.

6. I consent to the verification of my/my employer's/my partnership's tax compliance by the relevant local authority.

Signature: _____³

Date: _____

Data Protection

Any personal data you provide will be processed in accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR). A Privacy Notice explaining how your personal data will be used, and information on your rights as a data subject, is available from your Local Authority.

Part B

(To be filled out by the contractor)

Contractor Details

Contractors Name: _____

Contractors Address: _____

Contactors Phone Number: _____

Construction Industry Register Ireland Registration Number (where applicable): _____

Tax Reference Number: _____

Tax Clearance Access Number: _____

Confirm the cost of carrying out these works for which this payment of grant relates (including VAT): _____

Note: An original itemised invoice for these works is required to process this application.

Contractors Declarations

1. I confirm that I am the contractor appointed by the following dwelling owner:

Dwelling owner's name: _____

At the following address: _____

Eircode: _____

to carry out, supervise and certify the remedial works further to the remedial works plan, and that I am competent to undertake the remedial works concerned.

2. I certify, having exercised reasonable skill, care and diligence that the qualifying remediation works to the dwelling concerned, for which this payment is being sought have been carried out, under my supervision, in accordance with the remedial works plan.

3. Reliant on the foregoing, I certify that the remedial works, for which this payment is being sought are in compliance with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the remedial works concerned.

4. I confirm that I have attached my invoice for the remedial works carried out by me, for which this payment of grant is sought.

5. I consent to the verification of my tax compliance by the relevant local authority.

Signature: _____

Date: _____

Data Protection

Any personal data you provide will be processed in accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR). A Privacy Notice explaining how your personal data will be used, and information on your rights as a data subject, is available from your Local Authority.

Explanatory Notes:

¹ A “competent building professional” means a competent building surveyor, competent engineer or competent architect – As defined in; Section 7, Part 2 of the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 (the Act of 2022)

² Insert the detail of the approved remediation option or a combination of remediation options

³ The Interim Valuation Certificate shall be signed by –

where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the competent building professional who designed and inspected the works the subject of this certificate, or for any other approved remediation option, the competent engineer who designed and inspected the works the subject of this certificate

SCHEDULE 7

Regulation 15

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")

Notification of the date of commencement of the works necessary to carry out
the approved remediation under Section 19(2) of the Act

The form specified in the schedule is prescribed for the purposes of notification of the designated local authority by the relevant owner of the date of commencement of the works necessary to carry out the approved remediation. The notification must-

- (a) not be more than 14 days; and
- (b) not less than 7 days before,

the date of commencement of the works.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Please complete form in block letters
Applicants are asked to complete all parts of this form

Part 1

Relevant Owner Name and Address Details

1. Relevant dwelling address:
(The dwelling for which you have applied for grant assistance under the Act)

2. Eircode of the relevant dwelling:

3. Application Reference Number:

4. Date of notification of approval of remediation option grant from the designated local authority (please append a copy of this notification with this notice).

5. Applicant's Address (if different to address of relevant dwelling):

6. Eircode (if different to address of relevant dwelling):

7. Email Address:

8. Contact Phone Number:

Part 2

Notification of date commencement of works to the relevant dwelling

9.

I, [insert Relevant Owner's name], notify [insert Relevant Designated Local Authority] County Council that (insert DATE/MONTH/YEAR) will be the date of commencement of the works necessary to carry out the approved remediation option on the relevant dwelling stated at Question 1 in Part 1 of this form.

- (a) The date stated above should not be more than 14 days, or not be less than 7 days, of the actual date of commencement of the works.

10.

Declaration

I, the undersigned, declare that the information provided in, and attached to this form is true, complete and not misleading.

Signed.....

Date.....

SCHEDULE 8*Regulation 15***Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")**

Request for extension of period for commencement of the works necessary to carry out the approved remediation under Section 19(3) of the Act.

The form specified in the schedule is prescribed for the purposes of notification of the designated local authority by the relevant owner of a request to extend the period referred to in paragraph (a) or (b) of subsection (1) of Section 19 of the Act, by a further period where, due to exceptional circumstances beyond the control of, and the exercise of all due diligence

by, the relevant owner, there is a delay—

- (a) in commencing the works within that period, or
- (b) in making an application under Section 18 of the Act within that period.

This request shall be made more than 12 weeks before the expiry of the period referred to in paragraph (a) or (b) of subsection (1) of Section 19 of the Act, and be accompanied by—

- (a) a statement of the reasons for the delay, and
- (b) evidence of the exercise of due diligence by the relevant owner in seeking to avoid the delay.

The completed form and supporting documentation should be submitted to the designated local authority in whose administrative area the dwelling is located.

Please complete form in block letters
Applicants are asked to complete all parts of this form

Part 1

Relevant Owner Name and Address Details

1. Relevant dwelling address:
(The dwelling for which you have applied for grant assistance under the Act)

2. Eircode of the relevant dwelling:

3. Application Reference Number:

4. Date of notification of approval of remediation option grant from the designated local authority (please append a copy of this notification with this notice).

5. Applicant's Address (if different to address of relevant dwelling):

6. Eircode (if different to address of relevant dwelling):

7. Email Address:

8. Contact Phone Number:

Part 2

Prescribed Periods

Pursuant to Section 19 of the Act the works necessary to carry out the approved remediation option must be commenced within 78 weeks from:

- (a) the date of the notification under Section 16(9) of the Act, or
- (b) where the relevant owner has made an appeal under Part 5 in respect of a decision under Section 16(4) of the Act, and the Appeal Board has under Section 39 of the Act affirmed the decision or annulled the decision and replaced the decision with such other decision as it considers appropriate, the date of the decision of the Appeal Board to affirm or annul and replace the decision,
and
- (c) where an application is made under Section 18 of the Act within 65 weeks from the date of commencement of the works notified under Section 19(2) of the Act.

Where an extension has been granted it shall not exceed 24 weeks from the expiry of the period referred to in paragraph (a) or (b) of Section 19(1) of the Act in respect of which the request is made.

Part 3

Statement of reasons for delay/Request for extension

9.

I, [insert Relevant Owner's name], make a request to [insert Relevant Designated Local Authority] County Council to extend the period for commencement of the works necessary to carry out the approved remediation under Section 19(12)(b) of the Act to the relevant dwelling listed at Question 1 in Part 1 of this form, on the grounds that:

If you require more space to set out your grounds, please append the additional pages to this form.

This request shall be made more than **12 weeks before the expiry of the period referred to in paragraph (a) or (b) of subsection (1) of Section 19 of the Act.**

To support your statement for reasons for delay, **you must submit** evidence of the exercise of due diligence in seeking to avoid this delay.

The designated local authority, for the purpose of considering a request, **may** require a relevant owner to provide further information or documents within a specified period.

10.

Declaration

I, the undersigned, declare that the information provided in, and attached to this form is true, complete and not misleading.

Signed.....

Date.....

SCHEDULE 9

Regulation 15

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")

Notification, under Section 19(10) of the Act, for a request for review.

The form specified in the schedule is prescribed for the purposes of notification of the designated local authority by the relevant owner of request to conduct a review of a decision made under Section 19(5)(b) of the Act to refuse a request to extend the period referred to in paragraph (a) or (b) of Section 19(1) of the Act. The request for conduct of review must be made within 28 days of the date of notification received from the designated local authority.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Please complete form in block letters
Applicants are asked to complete all parts of this form

Part 1

Relevant Owner Name and Address Details

1. Relevant dwelling address:
(The dwelling for which you have applied for grant assistance under the Act)

2. Eircode of the relevant dwelling:

3. Application Reference Number:

4. Date of notification received from the designated local authority regarding the refusal of request for the extension of the period for commencement of works (please append copy of this notification with this request).

5. Applicant's Address (if different to address of relevant dwelling):

6. Eircode (if different to address of relevant dwelling):

7. Email Address:

8. Contact Phone Number:

Part 2

Request for a review of the decision under Section 19(5)(b)

9.

I request a review of the decision under Section 19(5)(b) of the Act, to refuse to extend the period referred to in paragraph (a) or (b) Section 19(1) of the Act, for the following reason(s):

If you require more space to set out your reason(s) for appeal, please append any additional pages to this form.

10.

Declaration

I, the undersigned, declare that the information provided in, and attached to this form is true, complete and not misleading.

Signed.....

Date.....

SCHEDULE 10

Regulation 16

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 ("the Act")

Certificate of remediation to be completed pursuant to Section 20 of the Act

The form specified in the schedule shall be signed by the contractor who carried out and supervised the works the subject of the certificate, and where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the competent building professional who designed and inspected the works the subject of the certificate, or for any other approved remediation option, the competent engineer who designed and inspected the works the subject of the certificate.

The dwelling must be –

- (a) the applicant's principal private residence, or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling,
- (b) the dwelling was constructed/acquired prior to 31st January 2020, and
- (c) the dwelling is not an unauthorised structure.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Part A - Certificate signed by the contractor

1. I confirm that I am the contractor appointed by the following dwelling owner:

Dwelling owner's name:

at the following dwelling address:

Eircode:

to carry out, supervise and certify the remedial works further to the remedial works plan, and that I am competent to undertake the remedial works concerned.

2. I certify, having exercised reasonable skill, care and diligence that the remedial works as completed have been carried out, under my supervision, in accordance with the remedial works plan.

3. Reliant on the foregoing, I certify that the remedial works are in compliance with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the remedial works concerned.

Signature: _____

(to be signed by a Principal or Director of a Contactor Company only)

Date:

Name (BLOCK CAPITALS):

On behalf of:

Address:

Contact Phone Number:

Email Address:

Construction Industry Register Ireland Registration Number (where applicable):

Part B - Certificate signed by a Competent Building Professional⁽¹⁾

4. I confirm that I am the competent building professional appointed by the following dwelling owner:

Dwelling owner's name:

at the following dwelling address:

Eircode:

to prepare a remedial works plan for the dwelling, which included a plan for the design, specification and inspection of the works required to be carried out to the dwelling.

5. I confirm that I am a person named on a register pursuant to Section 7, Part 2 of the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 and that I am competent to carry out my design for the remediation works plan.

6. I confirm that I have prepared a remedial works plan for⁽²⁾

7. I confirm that the design of the remedial works has been prepared exercising reasonable skill, care and diligence by me, and by other members of the design team and specialist designers whose design activities I have coordinated, to demonstrate compliance with the requirements of the Second Schedule to the Building Regulations insofar as they apply to the remedial works concerned.

8. I confirm that, having exercised reasonable skill, care and diligence, I prepared an inspection plan for the remedial works and accordingly, I have

inspected the remedial works, at the stages outlined in the post remedial works plan appended to this Certificate.

9. Based on the above, I now certify, having exercised reasonable skill, care and diligence, that the remedial works have been completed in accordance with the post remedial works plan, as implemented, and that the remedial works are in compliance with the requirements of the Second Schedule to the Building Regulations, insofar as they apply to the remedial works concerned.

10. I confirm that the post remedial works plan, as implemented, is included in the appendix to this Certificate and that I have advised the dwelling owner to seek professional advice from a competent building professional, if any future works to the dwelling are planned.

11. I understand that where this Certificate relates to remedial works other than the demolition of the relevant dwelling and the reconstruction of the dwelling it is noted that the dwelling may be eligible for a second grant⁽³⁾ under the Defective Concrete Blocks Grant Scheme, where subsequent damage consistent with defective concrete blocks within the relevant dwelling occurs.

Signature ⁽⁴⁾:

Date:

Name (BLOCK CAPITALS):

Registration Number:

Where the signatory is performing the role for, or on behalf of, an employer or partnership please provide the name, address and contact details of the employer/partnership.

Name:

Address:

Contact Phone Number:

Email Address:

APPENDIX

Post remedial works plan (as implemented), Inspection Plan (as implemented), Ancillary Certificates are attached hereto.

Explanatory Notes:

(1) A “competent building professional” means a competent building surveyor, competent engineer or competent architect – As defined in; Section 7, Part 2 of the Act

(2) Insert the detail of the approved remediation option or a combination of remediation options

(3) Qualification for a second grant shall be confirmed by the local authority to the relevant owner following receipt and validation of this certificate of remediation and post remedial works plan. This confirmation will take the form of a “Letter of Assurance” in accordance with Section 21 of the Act for the second grant and will apply to the relevant dwelling

(4) The certificate of remediation shall be signed by –

where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling, the competent building professional who designed and inspected the works the subject of this certificate, or for any other approved remediation option, the competent engineer who designed and inspected the works the subject of this certificate

SCHEDULE 11

Regulation 17

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 ("the Act")

Letter of assurance in accordance with section 21 (4) of the Act.

Name of relevant owner:

Address 1:

Address 2:

Address 3:

Eircode:

Date: [] of [insert month] of 2023

Letter of assurance pursuant to Section 21(1) of the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 ("the Act")

This letter is to confirm that [name of local authority] has received a post works remedial plan and a certificate of remediation under Section 18(3) of the Act in respect of the relevant dwelling at:

[Address of relevant dwelling, including Eircode, to be entered here].

This letter also confirms that the approved remediation option, or any additional works completed by the relevant owner, did not result in the demolition of the relevant dwelling and the reconstruction of the dwelling, and that [insert name of local authority] is satisfied that the certificate of remediation is in accordance with Section 20 of the Act.

An application for a second grant may be made, with respect to the relevant dwelling, within the period of 40 years beginning on the date of this letter of assurance.

In accordance with Section 25 of the Act, this letter of assurance allows the relevant owner to apply for a second remediation option grant, and an ancillary

SCHEDULE 12*Regulation 18***Remediation of Dwellings Damaged by the Use of Defective Concrete****Blocks Act 2022 (“the Act”)****Application form for an Ancillary Grant to be completed pursuant to Section 22(1) of the Act**

The form specified in the schedule is prescribed for the purposes of making an application to a designated local authority for an Ancillary Grant where a remediation option grant approved under Section 16(4)(a) of the Act is less than €420,000. Ancillary grants are calculated in accordance with the Remediation Option grant under Section 10, or such other figure as is provided for by order under Section 11, of the Act, the total amount of a Remediation Option Grant and an ancillary grant shall not exceed the amount of €420,000. The Ancillary Grant may refer to costs incurred by a relevant owner before or after the making of an application for a remediation grant for the purposes of carrying out remediation work on a dwelling that is damaged due to the use of defective concrete block containing excessive amounts of deleterious material.

The dwelling must be –

- (a) the applicant’s principal private residence or, alternatively, the applicant is a landlord of a tenancy in the relevant dwelling,
- (b) the dwelling was constructed/acquired prior to 31st January 2020, and
- (c) the dwelling is not an unauthorised structure.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

If required this form may be used initially for an application for immediate repairs only. Thereafter a duplicate of this form may be used to apply for alternative accommodation and storage costs, in which case the total amount of ancillary grants received shall be included in the ‘Ancillary Grant Details’ table at the end of Part 2 of this form.

Please complete form in block letters
Applicants are asked to complete all Parts of this form

Part 1

Relevant Dwelling Details

1. Relevant dwelling address:
(The dwelling which you are applying for an ancillary grant assistance under the Act).

2. Eircode of relevant dwelling:

3. Meter Point Reference Number (MPRN) of relevant dwelling:

4. Is the relevant dwelling compliant with planning regulations and not an unauthorised structure?
Yes No

5. **If you answered 'Yes' to Question 4, a copy of Planning Permission in respect of the relevant dwelling is required to be submitted with this application.**

6. In what year was the relevant dwelling constructed?

Applicant's Details

7. Applicant's Name:
 - (a) proof of identity of the applicant is required, such proof being a copy of:
 - (i) a valid passport, or
 - (ii) a valid driving license, or
 - (iii) a Public Service Card issued by the Department of Social Protection

8. Applicant's Address (if different to address of relevant dwelling):

9. Eircode (if different to address of relevant dwelling):

10. Email Address:

11. Contact Phone Number:

12. Personal Public Service Number (PPSN):

13. Tax Clearance Access Number:

Approved Application

14. Please provide reference number of application, the date submitted to Local Authority, and any correspondence applicant received from Local Authority or Housing Agency in respect of that application.

15. Please provide details or copy of notification from the designated local authority of remediation grant approval for the relevant dwelling.

16. Please specify the amount of remediation grant approved?
€

Ownership of Relevant Dwelling

17. Are you the owner of the relevant dwelling?

Yes No

18. If you answered 'Yes' to Question 17:

- (a) Proof that the applicant is the owner of the relevant dwelling is required, such proof being-
 - (i) a copy of title deed for the relevant dwelling,
 - (ii) a registration of title,
 - (ii) other legal documents proving proof of ownership.

19. On what date did you become the owner of the relevant dwelling?

20. Are there other joint owners of the relevant dwelling?

Yes No

21. If you answered 'Yes' to Question 20:

Where the applicant is a joint owner of the relevant dwelling, the person(s) other than the applicant **consent to the following:**

(a) to the inclusion of the relevant dwelling in the Act for the payment of grants; and in particular

(b) to the making by the applicant of this application and any such further applications for grant approval and payment of grant;

as may be applicable in respect of the dwelling concerned.

(i) Print Name: _____ Signature: _____ Date: _____

(ii) Print Name: _____ Signature: _____ Date: _____

(iii) Print Name: _____ Signature: _____ Date: _____

(iv) Print Name: _____ Signature: _____ Date: _____

Principal Private Residence

22. Is the relevant dwelling your principal private residence?

Yes No

23. **If you answered 'Yes' to Question 22**, you will be required to provide at **least two** of the following, as supporting documents:

- details on Register of Electors;

- bank statement - dated within the last 6 months;
- a current car or home insurance policy that shows your address;
- a document issued by a Government Department that shows your address;
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;
- a social insurance document (that shows your address).

24. Is the relevant dwelling currently occupied by you?

Yes No

25. If no, please state reasons:

Residential Tenancy

26. Are you the landlord of a dwelling, which dwelling stood registered in the Residential Tenancies Board Register on or before 1 November 2021?

Yes No

27. **If you answered ‘Yes’ to Question 26, you must provide** the following, as supporting documents;

- a certificate of registration in the residential tenancies register (including details of registered landlord number and registered tenancy number);
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue.

28. **If you answered ‘Yes’ to Question 26, have you submitted an application for an ancillary grant in respect of any other dwelling that you are a landlord of the registered tenancy?**

Yes No

Part 2

Ancillary Grant

Ancillary grants are calculated in accordance with the Remediation Option grant under Section 10 of the Act, the total amount of a Remediation Option Grant and an ancillary grant shall not exceed the amount of €420,000.

Alternative Accommodation

Section to be completed where the applicant (relevant owner) must pay for accommodation alternative to the relevant dwelling where-

- (a) the relevant dwelling is no longer habitable due to damage caused by defective concrete blocks in construction or
- (b) the alternative accommodation is necessary during the carrying out of a remediation option under the Act.

Please complete the following details and submit a schedule of costs in support of application for alternative accommodation:

29. Please provide a description of the Alternative Accommodate:

30. Please provide the location of the Alternative Accommodation:

31. Please provide the total Cost including VAT (where applicable):

32. Are the remediation works anticipated to take longer than one-month duration?

Yes No

33. **If you answer 'Yes' to Question 32**, you are required to complete the addendum form and submit to the local authority in respect of costs incurred for each month that alternative accommodation is required.

34. A grant approved under this section shall be of an amount not exceeding €15,000.00.

Storage Costs

Section to be completed in relation to Storage Costs for the contents of a relevant dwelling while remediation works are ongoing.

35. Please provide a description of the Storage Facility:
36. Please provide the location of Storage Facility:
37. Please provide the monthly Cost of the Storage Facility (including VAT):
38. A grant approved under this section shall be of an amount not exceeding €5,000.00

Immediate Repairs

Section to be completed to allow the applicant (relevant owner) to complete immediate repairs to the relevant dwelling.

- (a) A grant approved under this section shall be of an amount not exceeding €5,000.00
- (b) The applicant must provide a copy of a report from a competent building professional.
39. Have you received any payments towards the costs of essential immediate repair works in Stage 1 under the previous scheme (S.I. 25 of 2020)?
- Yes No

40. **If Yes**, please specify the amount received and provide a report that describes the immediate repairs carried out:

Cost of Immediate Repair Works: € _____

Please provide the date payment was received: _____

41. Please provide a report completed by a Competent Building Professional stating that in his/her opinion–
- (a) the immediate repairs to the relevant dwelling were necessary
- (b) describe the immediate repairs completed that the relevant owner proposes to complete

- (c) the estimate or actual cost of the immediate repairs
- (d) if the repairs have been completed, an invoice for the costs must accompany this application.

42. Competent Building Professional Details

- (a) Registration Number:

- (b) Competent Building Professional Employer (if different):

- (c) Competent Building Professional Address:

- (d) Competent Building Professional Email Address:

- (e) Competent Building Professional Contact Phone Number:

- (f) Tax Reference Number:

- (g) Tax Clearance Access Number:

Ancillary Grant Details:

Please complete the following summary table setting out the costs incurred for each Ancillary Grant option subject of this application:

Ancillary Grant Options	Total amount of Ancillary Grant received to date	Estimated Cost (€)	Actual Cost (€)

Alternative Accommodation			
Storage			
Immediate Repairs			
Total			

Part 3

Applicant's Declarations – Please tick, as appropriate:

43. I give my consent to inspection of the relevant dwelling by a suitably qualified person, authorised in that regard by the Housing Agency or relevant local authority, at such time or times as the Housing Agency or relevant local authority may consider necessary.

Yes No

44. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling received a payment e.g. insurance, compensation etc., in respect of damage to the relevant dwelling arising out of, or in connection with, the use of defective concrete blocks in its construction?

Yes No

45. **If you answered ‘Yes’ to Question 44**, please specify the amount of the payment made to you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling:

€

46. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling made a claim against a person arising from damage to the dwelling caused by the use of defective concrete blocks in its construction?

Yes No

47. **If you answered ‘Yes’ to Question 46**, you must provide details of the/these claim(s) below:

48. Where a payment otherwise than under the Act, is made to or for my benefit or any other person who has a legal or beneficial interest in the dwelling

in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I will notify the relevant local authority of the details of the payment, and the amount thereof, within 28 days of the making of that payment.

Yes No

49. Where I have received or receive in the future, a non-scheme payment otherwise than under the Act, made to or for my benefit in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I confirm that I will refund the local authority the lesser of the following:

- total payments made by the local authority under the Act;

or

- the amount equal to the non-grant payment(s)

Yes No

50. I confirm that, Local Property Tax (LPT) affairs are in order and I consent to the verification of my LPT compliance by the local authority.

Yes No

51. I confirm that, to the best of my knowledge, my tax affairs are in order and I consent to the verification of my tax compliance by the local authority.

Yes No

52. I confirm that I have not received a payment under the Act in respect of another dwelling (except in the event of a tenancy under Section 25(4) of the Act).

Yes No

53. I declare that, to the best of my knowledge, the information provided within this application and with this application form is true and is in no way misleading.

Signature: _____

Date: _____

Data Protection

Any personal data you provide will be processed in accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR). A Privacy Notice explaining how your personal data will be used, and information on your rights as a data subject, is available from your Local Authority.

54. Applicant's Signature: _____

55. Date: _____

56. Print Name: _____

<i>Unique Reference No:</i>

Addendum to Application for Ancillary Grant with respect to recurring costs for Alternative Accommodation

Applicant's Name:

Applicant's Address:

Type of Alternative Accommodation:

Address and Eircode of Alternative Accommodation:

Please complete the following table and state the vouching document that you are submitting in support of your claim for accommodation costs:

Ancillary Grant	Monthly Cost (€)	Amount Claimed to date (€)	Vouching Document
Alternative Accommodation			
Period Claim relates to:			

A vouching document in the form of a receipt including VAT in respect of alternative accommodation one of the following must be submitted in support of your claim:

If a vouching document is not available, a statement outlining the costs relating to the previous month must be submitted.

SCHEDULE 13

Regulation 20

Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")

Notification of change of relevant owner form to be completed under section
24(1) of the Act

The form specified in the schedule is prescribed for the purposes of notification of the designated local authority by the legal personal representative of the relevant owner of the death of the relevant owner after the making of a decision under Section 13(7) of the Act, and to notify the designated local authority that a person who has inherited or will inherit the dwelling wishes to be considered the relevant owner of the dwelling for the purposes of the Act.

The dwelling -

- (a) must be constructed or acquired prior to 31st January 2020, and
- (b) must not be an unauthorised structure.

The completed form should be submitted to the designated local authority in whose administrative area the dwelling is located.

Please complete form in block letters
Applicants are asked to complete all parts of this form

Part 1

Relevant Dwelling Details

1. Relevant dwelling address:
(The dwelling for which you wish to be considered the relevant owner of for the purposes of the Act and are applying for grant assistance under the Act).

2. Eircode of relevant dwelling:

3. Meter Point Reference Number (MPRN) of relevant dwelling:

4. In what year was the relevant dwelling constructed?

Part 2

Previous Applicant's Details

5. Previous Applicant's Name:

6. Previous Applicant's Address (if different to address of relevant dwelling):

7. Eircode (if different to address of relevant dwelling):

8. Previous application Unique Reference No:

Part 3

New Applicant's Details

(The individual who inherited, or will inherit, the relevant dwelling)

9. Applicant's Name:
 - (a) proof of identity of the applicant is required, such proof being, a copy of:
 - (i) a valid passport, or
 - (ii) a valid driving license, or
 - (iii) a Public Service Card issued by the Department of Social Protection

10. Applicant's Address (if different to address of relevant dwelling):

11. Eircode (if different to address of relevant dwelling):

12. Email Address:

13. Contact Phone Number:

14. Personal Public Service Number (PPSN):

15. Tax Clearance Access Number:

Part 4

Ownership of Relevant Dwelling

16. Do you wish to be considered the relevant owner of the relevant dwelling for the purposes of the Act?

Yes No

17. **If you answered ‘Yes’ to Question 16:**

- (a) Proof that the applicant is entitled to own the relevant dwelling is required, such proof being-
 - (i) a copy of title deed for the relevant dwelling (in new applicant’s name),
 - (ii) a registration of title (in new applicant’s name),
 - (iii) a copy of the Grant of Probate or Letters of Administration,
 - (iv) other legal documents proving beneficial interest in the relevant dwelling.

18. On what date did/will you become the owner of the relevant dwelling?

Date:

19. Are there/will there be other joint owners of the relevant dwelling?

Yes No

20. **If you answered ‘Yes’ to Question 19:**

Where the applicant is/will be a joint owner of the relevant dwelling, the person(s) other than the applicant **consent to the following:**

- (a) to the inclusion of the relevant dwelling in the Act for the payment of grants; and in particular
- (b) to the making by the applicant of this application and any such further applications for grant approval and payment of grant;

as may be applicable in respect of the dwelling concerned.

- (i) Print Name:_____ Signature:_____ Date:_____
- (ii) Print Name:_____ Signature:_____ Date:_____
- (iii) Print Name:_____ Signature:_____ Date:_____
- (iv) Print Name:_____ Signature:_____ Date:_____

Part 5

Principal Private Residence

21. Is/will the relevant dwelling (be) your principal private residence?

Yes No

22. **If you answered ‘Yes’ to Question 21**, you will be required to provide **at least two** of the following, as supporting documents:

- details on Register of Electors;
- bank statement - dated within the last 6 months;
- a current car or home insurance policy that shows your address;
- a document issued by a Government Department that shows your address;
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;
- a social insurance document (that shows your address).

23. Is the relevant dwelling currently occupied by you?

Yes No

24. If No, please state reasons:

Part 6

Residential Tenancy

25. Are you the landlord of a dwelling, which dwelling stood registered in the Residential Tenancies Board Register on or before 1 November 2021?

Yes No

26. **If you answered ‘Yes’ to Question 25**, you **must provide proof of tenancy** with your application. We will accept a certificate of registration in the residential tenancies register (including details of registered landlord number and registered tenancy number);

27. **If you answered ‘Yes’ to Question 25**, have you submitted an application for a remediation grant in respect of any other dwelling that you are a landlord of the registered tenancy?

Yes No

28. **If you answered ‘Yes’ to Question 25**, you must provide the following, as supporting documents;

- a certificate of registration in the residential tenancies register (including details of registered landlord number and registered tenancy number);
- a copy of your Tax Credit Certificate (TCC);
- a Statement of Liability (previously P21) from Revenue;

Part 7

Applicant's Declarations – Please tick, as appropriate:

29. I declare that I have a beneficial interest in the relevant dwelling that is the subject of this notification.

Yes No

30. I give my consent to inspection of the relevant dwelling by a suitably qualified person, authorised in that regard by the Housing Agency or relevant local authority, at such time or times as the Housing Agency or relevant local authority may consider necessary.

Yes No

31. I give my consent for the local authority to share information with the Housing Agency and any other public body for the purposes of assessment of the remediation option grant.

Yes No

32. Has an application previously been made under the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 or the previous scheme (S.I. 25 of 2020) in respect of the relevant dwelling subject of this application?

Yes No

33. **If you answered ‘Yes’ to Question 32**, you must provide proof of your previous application:

- (a) Application Reference Number (from previous application):
- (b) You **must submit** a copy of any previous application under the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 or the previous scheme (S.I. 25 of 2020), with this notification.

34. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling received a payment e.g. insurance, compensation etc., in respect of damage to the relevant dwelling arising out of, or in connection with, the use of defective concrete blocks in its construction?

Yes No

35. **If you answered ‘Yes’ to Question 34**, please specify the amount of the payment made to you/joint owner(s):

€

36. Have you/joint owner(s) or any other person who has a legal or beneficial interest in the dwelling made a claim against a person arising from damage to the dwelling caused by the use of defective concrete blocks in its construction?

Yes No

37. **If you answered ‘Yes’ to Question 36**, you must provide details of the/these claim(s) below:

38. Where a payment otherwise than under the Act, is made to or for my benefit or any other person who has a legal or beneficial interest in the dwelling in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I will notify the relevant local authority of the details of the payment, and the amount thereof, within 28 days of the making of that payment.

Yes No

39. Where I have received or receive in the future, a non-scheme payment otherwise than under the Act, made to or for my benefit in respect of damage to the relevant dwelling subject of this application, arising out of or in connection with defective concrete blocks, I confirm that I will refund the local authority the lesser of the following:

- total payments made by the local authority under the Act;
- or
- the amount equal to the non-grant payment(s)

Yes No

40. I confirm that, Local Property Tax (LPT) affairs are in order and I consent to the verification of my LPT compliance by the local authority.

Yes No

41. I confirm that, to the best of my knowledge, my tax affairs are in order and I consent to the verification of my tax compliance by the local authority.

Yes No

42. I confirm that I have not received a payment under the Act in respect of another dwelling (except in the event of a tenancy under Section 25(4) of the Act).

Yes No

43. I confirm that I intend to reside in the relevant dwelling as my principal private residence, following completion of the remedial works (except in the event of a tenancy under Section 25(4) of the Act).

Yes No

44. I confirm that, as landlord of the relevant dwelling, should I dispose of this dwelling or that I cease to be a landlord registered on the residential tenancies register, that I consent to a charge being made on the relevant dwelling in favour of the local authority under charging order provisions (Section 31(1) of the Act).

Yes No

45. Declaration

I, the undersigned, declare that the information provided in, and attached to this form is true, complete and not misleading.

Signed.....

Date.....

Part 8
Data Protection

Any personal data you provide will be processed in accordance with the Data Protection Acts 1988 to 2018 and the General Data Protection Regulation (GDPR). A Privacy Notice explaining how your personal data will be used, and information on your rights as a data subject, is available from your Local Authority.

46. Applicant's Signature:

47. Date:

48. Print Name:

SCHEDULE 14*Regulation 22***Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks
Act 2022 ("the Act")****Notification to be completed under section 27(1) of the Act**

The form specified in the schedule is prescribed for the purposes of notification, by the designated local authority to the relevant owner, of recovery of payment previously made to the relevant owner under Section 18 of the Act where the following circumstance(s) has/have arisen:

- (a) the relevant owner fails to provide a certificate of remediation to the designated local authority under Section 18 of the Act;
- (b) the designated local authority determines that—
 - (i) the relevant owner has not complied with a condition of the remediation option grant referred to in Section 17(8) of the Act, or
 - (ii) it has made a payment to the relevant owner which it would not have made but for the submission of information to the designated local authority by the relevant owner which he or she knew to be false or misleading, or in relation to which he or she was reckless as to whether it was false or misleading;
- (c) the relevant owner refuses notwithstanding the consent referred to in Section 13(2)(a)(xi) of the Act to consent to entry to the relevant dwelling by an authorised officer of the designated local authority or the Housing Agency for the purposes of the Act;
- (d) the relevant owner has been deemed to have knowingly submitted false and misleading information;
- (e) the relevant owner is convicted of an offence under Section 52(1) of the Act.

Insert Date Here

Part 1

Relevant Owner Name and Address Details¹

1. Relevant dwelling address:

2. Eircode of the relevant dwelling:

3. Application Reference Number:

4. Applicant's Address (if different to address of relevant dwelling):

5. Eircode (if different to address of relevant dwelling):

Part 2

Notification of recovery of payment

As relevant owner of the relevant dwelling named at Question 1 in Part 1, you are hereby notified under Section 27(1) of the Act of intention of recovery by **[Insert name of designated local authority]** of payment/payments totaling **[Insert amount]** previously made to you under Section 18 of the Act.

The following circumstances have arisen to effect recovery of this payment:

[designated local authority to set out reasons here, in line with circumstances set out in Section 27(2) of the Act]

The amount set out above is required to be paid to [Insert name of designated local authority] within 21 days of the date of this notice.

If the amount stated above is not paid to, and received by, **[Insert name of designated local authority]** within 21 days of this notice it shall be recoverable by [Insert name of designated local authority] from you as a simple contract debt in any court of competent jurisdiction.

¹ To be completed by the designated local authority in whose administrative area the relevant dwelling is located. Footnote to be removed by designated local authority before issue.

If you wish to make a representation against this notification you must clearly set out your reasons in writing and submit them to **[Insert name of designated local authority]** within 28 days of the date of this notice.

[Insert signature of relevant staff member of designated local authority]

SCHEDULE 15

Regulation 24

Remediation of Dwellings Damaged by the Use of Defective

Concrete Blocks Act 2022 (“the Act”)

Notice of Appeal form to be completed under section 39(1) of the Act

The form specified in this schedule is prescribed for the purposes of making an appeal following a decision by a local authority under Section 13(7)(b), 15(1)(b), 16(4) and subsections (7), (8) and (9) of Section 18 of the Act.

Part A

Appellant’s Details

Name:

Address:

Eircode:

Email Address:

Contact Phone Number:

Personal Public Service Number (PPSN):

Tax Clearance Access Number:

Relevant Dwelling Address and Eircode the subject of this appeal if different to the applicant’s address:

Part B

1. Please set out in the table below the following details:
 - (a) Date notification received from the designated local authority;
 - (b) The section of the Act that you wish to rely on for your appeal;
and
 - (c) The grounds upon which the appeal is made.

--

If you require additional pages please append to this form.

2. Please include with this notice any further documentation in support of your appeal. Please note only documents which were previously submitted to, and considered by, the designated local authority or the Housing Agency should accompany this notice of appeal.

3. If providing further documentation under point 2, please list the documents in the table below.

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If you require additional pages please append to this form.

This appeal must be lodged with the Appeals Panel, the following address, not more than 28 days after receipt of the notification of the decision:

Defective Concrete Blocks Appeals Panel,
c/o The Department of Housing, Local Government and Heritage,
Custom House,
Dublin 1.

Signed:

Dated:

The Minister for Public Expenditure and Reform consents to the making of the foregoing Regulations.



GIVEN under my Official Seal,
29 June, 2023.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
29 June, 2023.

DARRAGH O'BRIEN,
Minister for Housing, Local Government and Heritage.

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation).

The purpose of these Regulations is to provide for all matters within the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Act 2022 which are to be, or may be, prescribed by the Minister. The Act provides for an enhanced scheme of financial assistance to owners to carry out the necessary remedial works to dwellings that have been damaged due to defective concrete blocks further to the application of I.S. 465:2018.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
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