



To: Chief Executives

Directors of Housing

Circular Letter: 16/2021

29th April 2021

Dear Chief Executive,

As you may be aware, the transition from voluntary to statutory regulation for Approved Housing Bodies is well underway, as provided for under the Housing (Regulation of Approved Housing Bodies) Act 2019.

As the AHB sector undergoes this significant change, it is now an opportune time to provide guidance on the current progress. At this time, I wish to draw your attention to three main areas.

i. Approved Housing Bodies Regulatory Authority (AHBRA)

The Approved Housing Bodies Regulatory Authority (AHBRA) was established 1 February 2021 and nine individuals were appointed as members of the Regulator on 11 February 2021. Although it will be early 2022 before being fully operational, the AHBRA have a busy year planned for 2021. The key focus will be to build and implement a new regulatory platform, establishing a registration framework and to communicate with the AHB sector and key stakeholders.

One of the main functions of the AHBRA will be to draft standards with which AHBs must comply. These standards will cover governance; financial management; property and asset management; and tenancy management. The AHBRA will be consulting with stakeholders, including local authorities, in relation to the drafting of standards later this year and we would encourage all to engage with this process.

Further information about the AHBRA, including an FAQ document, can be found at www.ahbregulator.ie.

ii. Funding eligibility for AHBs during the transition period (Ref: Circular 15/2016)

The final assessment cycle under voluntary regulation is in progress and it is anticipated that all assessment reports will have been issued by the end of June 2021. As you are aware, in accordance with Circular 15/2016, AHBs must have received a satisfactory outcome in their most recent assessment under the Voluntary Regulation Code (VRC) to be considered eligible for new funding.

During this transition phase, local authorities are requested to continue to use the most recent



assessment under the VRC in order to determine eligibility when processing AHBs' applications for new funding. Further guidance on the eligibility of AHBs for funding will issue before regulatory assessments under a statutory framework commence.

iii. Applications for new bodies seeking approved status

From 7 May 2021, applications under section 6 of the Housing (Miscellaneous Provisions) Act 1992 are being suspended for new bodies (with no housing units) seeking approved status. In certain circumstances, new applications may be facilitated for bodies which already have units, including existing AHBs who wish to merge and create a new legal entity during the transition phase. If an organisation thinks that they may qualify under these circumstances, they should be encouraged to contact the Department at ahb@housing.gov.ie.

A function of the AHBRA will be to register new bodies as AHBs in accordance with the Housing (Regulation of Approved Housing Bodies) Act 2019. All existing AHBs will be deemed to be registered in the first instance. It is anticipated that new organisations that meet the eligibility criteria may apply to register with the AHBRA in early 2022. The eligibility criteria will be broadly the same as for registration currently, however there will be no longer be a requirement for applicants to provide letters of support from a local authority or the ICSH when applying to register with the AHBRA.

The move to statutory regulation marks an important milestone for the AHB sector. Voluntary regulation has operated successfully over the past seven years and I would like to thank you for your support and co-operation. If you have any queries, please do not hesitate to contact us at ahb@housing.gov.ie.

Yours sincerely,

Rory O'Leary
Principal Officer