
Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements

The purpose of the *Scheme of Priority for Affordable Dwelling Purchase Arrangements* (scheme of priority) is to set out the manner in which affordable home purchase arrangements are to be made available by Dublin City Council and the process that will be applied to determine the order of priority to be given to eligible applicants where the demand for affordable homes exceeds the number of affordable homes available for purchase.

Background

The Affordable Housing Act 2021 (“the Act”) (No. 25 of 2021), enacted on 21st July 2021, provides for, inter alia, the provision of dwellings for the purpose of sale under affordable dwelling purchase arrangements. The legislation furthermore set out a requirement for the establishment of a scheme of priority by which affordable dwelling purchase arrangements are made available by Local Authorities.

The making of a scheme of priority or the amendment of such a scheme is a reserved function. Dublin City Council’s Housing Department prepared a draft scheme of priority, which was submitted to the Housing SPC at their meeting of December 2022 and considered and discussed at workshops in both March and July 2023 where the following Scheme of Priorities for Affordable Dwelling Purchase Arrangements was agreed:

In relation to 30 per cent of the dwellings for which applications will be accepted under Regulation 5(1) and 5(2) of the Affordable Housing (No 2) Regulations 2023, Dublin City Council will prioritise households where the number of applicants exceeds the number of affordable dwellings for sale, and subject to application of the regulations:

- Priority to be given to eligible households based on any person making the application being or having been resident in the administrative area of Dublin City Council for a minimum of three years.
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- Where having applied the above criteria (in section 5.1 and 6.2.1, of the Scheme) the number of eligible applicants still exceeds the number of dwellings for which applications were made, priority shall be given to the eligible applicants following the assignment of a randomised and verifiable order of priority.

Sections 11(7) and 11(8) of the Act set out the conditions whereby before making or amending a scheme of priority, a housing authority shall provide a draft of the scheme or amendment to the scheme, as the case may be, to the Minister, and that the Minister may, as he or she considers necessary and appropriate, direct a housing authority to amend a scheme of priority, and the housing authority shall comply with any such direction within such period as may be specified by the Minister.

Following the agreement of the Housing SPC at their July SPC meeting the executive submitted the draft scheme of priorities to the Minister and subsequently received confirmation that, in accordance with Section 11 of the Affordable Housing Act 2021 and S.I. No. 21/2023, the Minister has reviewed the proposed scheme of priority for affordable dwelling purchase arrangements for Dublin City Council and is satisfied the attached scheme of priority is consistent with the provisions and that it be adopted

Resolution:

That Dublin City Council notes the contents of Repot No 250/2023 and hereby approves the adoption of the Scheme of Priority for Affordable Dwelling Purchase Arrangements.

Following the adoption of the Scheme, provisions of the Act require that a housing authority make a copy of its Scheme of Priority available to view by members of the public on the authority website and within its offices.

Michelle Robinson
A/ Executive Manager
Housing and Community
31st October 2023



Scheme of Priority for Affordable Dwelling Purchase Arrangements

The purpose of the Scheme of Priority is to set out the manner in which affordable home purchase arrangements are to be made available by Dublin City Council and the process that will be applied to determine the order of priority to be given to eligible applicants where the demand for affordable homes exceeds the number of affordable homes available for purchase.

DUBLIN CITY COUNCIL SCHEME OF PRIORITY FOR AFFORDABLE DWELLING PURCHASE ARRANGEMENTS

The Affordable Housing Act 2021 (“the Act”) (No. 25 of 2021) was enacted on 21st July 2021. Part 2 of the (“the Act”), and regulations (S.I. No. 20 of 2023) Affordable Housing Regulations 2023 and (S.I. No. 21 of 2023) Affordable Housing (No.2) Regulations 2023 refers.

As adopted by Dublin City Council on _____ 2023.

The purpose of this Scheme of Priority is to set out the manner in which affordable dwelling purchase arrangements are made available by Dublin City Council (hereafter referred to as the Council) and the methodology that will be applied to determine the order of priority to be accorded to eligible households where the demand for such arrangements exceeds the dwellings or resources available. This Scheme of Priority is made under Section 11 of the Act.

Eligibility of households will be assessed in accordance with Section 10 of the Affordable Housing Act 2021 and the Affordable Housing Regulations 2023 (S.I. No.20 of 2023).

Part 1: Manner in which Affordable Dwellings will be made Available

1. Where the Council intends to make dwellings available or facilitate the provision of dwellings in a particular location or locations for the purpose of sale to eligible applicants under affordable dwelling purchase arrangements in accordance with the Act, it will:



- 1.1. Calculate, in accordance with relevant legislation, the relevant income limits for the purposes of determining a household's eligibility for each type of dwelling that will be made available.
- 1.2. In advance of the date when the particular dwellings are scheduled to be completed, the Council will advertise the availability of the dwellings in at least one newspaper circulating within the administrative area and on a website maintained by the Council.
- 1.3. The information to be provided in the advertisement shall include:
 - 1.3.1 the location, number and type of dwellings to be sold;
 - 1.3.2 that the dwelling shall generally only be available to first-time buyers, subject to certain exceptions;
 - 1.3.3 that the dwellings will be sold at a price that is lower than market value (such price to be determined in accordance with the income of the purchaser), and that the Council will take a percentage equity share in the dwelling equal to the difference between market value of the dwelling and the price paid by the purchaser, to be expressed as a percentage of the market value of the dwelling;
 - 1.3.4 that the Council's equity may subsequently be redeemed by the purchaser by making payments to the Council. Minimum repayment amounts, in accordance with section 16 (1) of the Act and Regulation 7 of the Affordable Housing (No.2) Regulations 2023, shall apply;
 - 1.3.5 that dwellings will be made available to eligible applicants in accordance with the Council's Scheme of Priority; date and time of application will be one of the criteria on which eligible applications will be prioritised. The public will be informed where the scheme may be obtained;
 - 1.3.6 the minimum prices to be paid by eligible purchasers for dwellings and the typical gross income limits for eligibility for each type of dwelling;
 - 1.3.7 the manner in which an application can be made, including where the application form and further details may be obtained, the date from which the Council will accept applications and the documentation required to accompany the application form. The closing date for receipt of such applications will be stated.



2. Applications will only be considered for the dwellings which are the subject of the advertisement. A household must submit a separate application for each advertisement where it wishes to be considered for the dwelling in that particular advertisement.

Part 2: Order of Priority for Eligible Households

- 3 In cases where the number of eligible applicants exceeds the number of dwellings available for purchase, this Scheme of Priority shall be used to determine the order of priority for all applicants.
- 4 An order of application will be assigned to applications received before the closing date. Applications that appear to meet the eligibility criteria, based on the information supplied by the applicant household, will be considered eligible for the purpose of applying the Scheme of Priority, in accordance with the Affordable Housing (No 2) Regulations 2023 (S.I. No. 21 of 2023). This is subject to later confirmation through the production of documentary evidence in relation to eligibility.
- 5 The Council will then decide which of the available types of dwelling would adequately cater for the housing needs of the applicant households. More than one type of dwelling might be deemed to cater adequately to the accommodation needs of a household, so that an applicant household may be prioritised for more than one type of dwelling where they indicated such interest in their application form.
 - 5.1 Should the number of eligible applicants exceed the number of affordable dwellings for which applications have been accepted, the priority as to which type of dwelling is deemed to adequately cater to the accommodation needs of a household, will be made on the following basis:

Dwelling Type	Adequately Caters for Accommodation Needs of:
3-Bed Dwelling	2 or more Person Household
4-Bed Dwelling	3 or more Person Household

- 5.2. Where having applied the criteria in Section 5.1, the number of eligible applications still exceeds the number of dwellings for which applications were made, priority shall be given to the eligible applicants in the date and time order that their applications were received.



- 5.3 In addition to submitting evidence in relation to a household's eligibility criteria, additional documentation may be requested from applicants to assess their place in the order of priority under the criteria set out in the Scheme of Priority. This request to be made and satisfied prior to an Affordable Dwelling Purchase Arrangement being offered.
6. Furthermore, in relation to 30 per cent of the dwellings for which applications have been accepted under Regulation 5(1) and 5(2) of the Affordable Housing (No 2) Regulations 2023, Dublin City Council will prioritise households in the following order;
- 6.1 Where the number of applicants exceeds the number of affordable dwellings for sale, the housing authority shall in relation to any particular type of dwelling, give priority to households whose accommodation needs would be adequately catered for by the type of dwelling in question, as per section 5.1 above.
- 6.2 If, following the prioritisation of applicants based on household size, it remains that the number of prioritised applicants still exceeds the number of affordable dwellings for sale, the Council will further prioritise households as follows:
- 6.2.1 Priority to be given to eligible households based on any person making the application being or having been resident in the administrative area of Dublin City Council for a minimum of three years.
- 6.2.2 Where having applied the above criteria in Section 5.1 and Section 6.2.1, the number of eligible applications still exceeds the number of dwellings for which applications were made, priority shall be given to the eligible applicants following the assignment of a randomised and verifiable order of priority.