



Rialtas na hÉireann
Government of Ireland

Enhanced Grant Scheme for the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks in their Construction

Your Questions Answered

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Prepared by the Department of
Housing, Local Government and Heritage
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Table of Contents

A. Background and Context	6
B. Questions	8
General	8
1. To whom will the Enhanced Grant Scheme apply?	8
2. What costs are covered by the Enhanced Grant Scheme?	8
3. What is the maximum grant amount that can be recouped under remediation options 1 to 5 under the Enhanced Grant Scheme?	9
4. What counties are covered by the Enhanced Grant Scheme?	9
5. Will other counties be added to the Enhanced Grant Scheme?	9
6. How do I establish if my dwelling is damaged due to defective concrete blocks?	10
7. Do Homeowners fund the initial Building Condition Assessment (BCA) report?	10
8. To whom should the application form and BCA be submitted?	11
9. What are the changes being made in the Enhanced Grant Scheme?	11
10. When is the Enhanced Grant Scheme open for applications?	12
11. To whom do I apply when the Enhanced Grant Scheme opens for applications?	12
12. What can I do to ensure that I am in a position to apply to the Enhanced Grant Scheme?	12
Eligibility	13
13. What type of dwelling qualifies for the Enhanced Grant Scheme?	13
14. What type of dwelling does not qualify for the Enhanced Grant Scheme?	13
15. I live in an apartment block. Can I apply?	14
16. I live in a semi-detached house. Can I apply?	14
17. I own a property which is rented. Can I apply?	14
18. Can I get grant assistance for both my Principal Private Residence (PPR) and a Rental Property?	15

19. An extension to my home is impacted. Can I apply?	15
20. My dwelling is semi-detached and the adjoining house is also affected. Can we apply together?	15
21. What happens if I inherit a house after 31 January 2020?	15
22. What happens if I buy a house after 31 January 2020?	16
23. Who can I speak to about suspected damage to my home arising from the use of defective concrete blocks in its construction?	16
24. What is the 'Damage Threshold' and what is its purpose?	16
25. What happens if my home does not meet the damage threshold?	17
26. Who sits on the Independent Appeals Panel?	18
27. What if I moved out of my principal private residence due to damage caused by defective concrete blocks?	18
Role of the Local Authority	18
28. What role does the local authority play in the administration of the Enhanced Grant Scheme?	18
Role of the Housing Agency	19
29. What role does the Housing Agency play in the Enhanced Grant Scheme?	19
The Qualifying Works	19
30. What remedial options will be available under the Enhanced Grant Scheme?	19
31. What works do not qualify for grant assistance under the Enhanced Grant Scheme?	20
32. Are remedial works to my detached garage, boundary walls etc. allowable under the Enhanced Grant Scheme?	21
33. Does the Enhanced Grant Scheme cover temporary accommodation and other costs (such as furniture storage) in the event that I have to move out when works are ongoing?	21
34. Can I recoup remedial works costs that I have already incurred prior to getting approval under the Enhanced Grant Scheme?	21

35. Can I deal with immediate concerns I may have right now about the structural integrity or safety of parts of my home without jeopardising any future grant application?	22
36. What is the position with existing house foundations?	22
37. What research is being undertaken in relation to I.S. 465:2018 standards?	23
38. Do I have to reuse existing house components such as windows and doors, stairs, heating system, roofing materials etc.?	24
Grant Approvals.....	24
39. How will grants be calculated and what is meant by the cost per square metre rate I often hear mentioned?	24
40. How much grant funding am I likely to get?.....	25
41. How soon will I received funding?	26
42. When can I make an application for an ancillary grant payment?	26
43. Will my approved grant be index linked?.....	26
44. How long do I have to start and complete approved works?	26
45. If approved for demolition and rebuild can I build a smaller home (downsize) and how will this affect my grant?	27
46. If I am approved for an Option 1 and wish to rebuild a smaller home on a bigger footprint will this qualify under the terms of the Enhanced grant scheme?.....	27
47. Can I rebuild my home to current building regulations standards and energy performance?	28
48. Can I appeal decisions made in respect of my grant application?.....	28
49. Can I sell my home if I have grant approval and transfer the approval to the subsequent owner?	29
Executing the Approved Works.....	29
50. Will I have to vacate my house while the work is being done?.....	29
51. How long will I have to apply for a grant?.....	30

52. What building professionals are available to complete a Building Condition Assessment Report for me?	30
53. Who will design and inspect the approved remediation works for me?	30
54. Who will carry out and supervise the approved remediation works for me?	31
55. What proof will I have that the remedial work has been satisfactorily completed?	32
56. How or when will an approved grant be paid?	32
57. What happens if the problem subsequently emerges in the original blockwork which was retained?	32
58. What is meant by the State Guarantee in respect of remediation works?	33
Transitional Arrangements (Applicable to homes in Donegal and Mayo)	33
59. Will my current application benefit from the enhancements under the new scheme and if so what do I need to do?	33
60. Transitional Scenario 1	33
61. Transitional Scenario 2	34
62. Transitional Scenario 3	35
63. Transitional Scenario 4	35
64. Transitional Scenario 5	36
65. Transitional Scenario 6	37
Planning Permission	38
66. Do I require Planning Permission for approved works?	38
67. What do I do if I am unsure if I can avail of the planning exemption?	39
68. Can the Department of Housing, Local Government and Heritage assist me with planning matters?	39
Building Control matters	40
69. Am I required to submit a Commencement Notice under the Building control Regulations?	40
70. What Building Standards apply to the remediation works approved?	41

Property Tax	42
71. Am I liable for property tax for the period my dwelling has been affected?	42
Other Questions	42
72. Is grant funding available from SEAI for homeowners affected by defective concrete blocks?	42
73. What other financial supports may be available to me?	43
74. Can I carry out a higher order remediation option than that approved by my local authority?	43
75. To whom can I submit queries I may have?	43
76. My mental health has been impacted by this issue. Is help available?.....	43
77. What is the position with the insurance aspects of underwriting houses that have been subject to certified remediation works?	43
C. Enhanced Defective Concrete Blocks Grant Scheme Workflow	46

A. Background and Context

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

Following on from the Government decision of the 30 November 2021 to significantly enhance the defective concrete blocks grant scheme, the Government approved the Remediation of Dwellings Damaged by the Use of Defective Concrete Blocks Bill 2022 on 21 June, 2022. The Bill passed through both Houses of the Oireachtas and was subsequently signed into law by the President, thereby becoming an Act, on the 23 July, 2022.

The purpose of the Act is to implement and give legislative underpinning to a series of measures to improve and enhance the scheme as agreed by Government on 30 November 2021. Full details can be found at <https://www.gov.ie/en/press-release/e365e-minister-obrien-announces-enhancements-to-the-defective-concrete-block-scheme/>. The Act was commenced on 22 June 2023.

b) Regulations

Following the commencement of the Act, Regulations were also commenced on the same day, which Regulations are necessary to provide for the finer details around which the new and enhanced scheme will operate.

The Regulations provide for all matters within the Act which are to be, or may be, prescribed by the Minister e.g. the grant rates, damage threshold, and the form and content of various reports, certificates, forms, declarations etc. Grant rates in the Regulations are based upon regional 2023 figures provided by the Society of Chartered Surveyors Ireland.

Guidelines to facilitate, promote and support a consistent approach to the operation and administration of the Enhanced defective concrete blocks grant scheme by designated local authorities were also drafted by the Department.

c) Applications made under the Regulations of 2020

Prior to the commencement of the Enhanced defective concrete blocks grant scheme in 2023, applications continued to be made to designated local authorities and processed under the previous Defective Concrete Blocks Grant Scheme which relates to counties Donegal and Mayo, This was underpinned by the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) Regulations, 2020 as amended by the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) (Amendment) Regulations 2022 and by the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) (Amendment) (No.2) Regulations 2022. As the previous scheme has now closed transitional arrangements are in place for these applications moving from the previous scheme to the Enhanced scheme. Please see transitional scenarios as outlined in this YQA document.

d) 'Your Questions Answered' for New and Enhanced Scheme

This 'Your Questions Answered' document relates only to the Enhanced Grant Scheme and should not be confused with the previous defective concrete blocks grant scheme which ceased upon commencement of the Enhanced scheme. This document's purpose is to address queries stakeholders may have in respect of the new Enhanced scheme underpinned by the 2022 Act and how it will operate. This 'Your Questions Answered' document does not purport to be a legal interpretation of national legislation, and homeowners are advised to obtain appropriate advice from qualified professionals.

B. Questions

General

1. To whom will the Enhanced Grant Scheme apply?

The Enhanced Grant Scheme applies to the owners of dwellings located in Clare, Donegal, Limerick and Mayo, which dwellings are damaged due to the use of defective concrete blocks containing excessive amounts of mica or pyrite or such other deleterious materials or combination of deleterious materials as may be prescribed by the Minister.

The Housing Agency will, in their analysis and deliberations, take into consideration the presence of pyrrhotite.

The dwelling must be:

- a) the individual's principal private residence, that is, a house which an individual owns (or co-owns) and occupies as his or her only or main residence.
- b) a rented dwelling with a registered tenancy that was registered with the Residential Tenancies Board (RTB) on or before 1 November 2021 subject to a maximum of one rental property per household and the introduction of a clawback mechanism upon re-sale within a set time period depending on the remediation option used.

2. What costs are covered by the Enhanced Grant Scheme?

The grant scheme covers 100% of the costs of the remediation works approved subject to the grant rates and overall grant cap of €420,000. The grant and the grant rates set by the Minister include for;

- Professional fees
- Building Condition Assessment Report
- The approved remediation works
- Alternative accommodation costs

- Removal and Storage costs
- Essential Immediate Repair Works
- Cost of disconnection and reconnection of services and utilities
- Value Added Tax

3. What is the maximum grant amount that can be recouped under remediation options 1 to 5 under the Enhanced Grant Scheme?

There are five remedial options available under the Enhanced Grant Scheme. The maximum grant approved for each remedial option was determined by the grant rates approved by the Minister subject to the overall grant cap of €420,000.

The 2023 rebuild rates for the North West region (Donegal/Mayo) and for the Mid-West region (Clare/Limerick) have been prescribed in the regulations following receipt of Construction Cost figures updated by the Society of Chartered Surveyors of Ireland (SCSI), and consideration and review by the Minister's Expert Group.

4. What counties are covered by the Enhanced Grant Scheme?

Clare, Donegal, Limerick and Mayo are covered by the Enhanced scheme.

5. Will other counties be added to the Enhanced Grant Scheme?

The Minister for Housing, Local Government and Heritage may, with Government approval, extend the scheme, beyond Clare, Donegal, Limerick and Mayo, to additional counties as appropriate and required.

The Minister will exercise his powers in this regard following on from any recommendation received from the Housing Agency that confirms that homes damaged by defective concrete blocks are located in counties not already in the scheme at that time.

A local authority can request the Minister at any time to ask the Housing Agency to determine if homes within their functional area have been damaged by defective concrete blocks with a view to having the scheme extended to include any such county or part of such county.

6. How do I establish if my dwelling is damaged due to defective concrete blocks?

Where it is suspected that a dwelling has been damaged due to the use of defective concrete blocks in its construction, the homeowner should engage a competent building professional to carry out a 'Building Condition Assessment' report as prescribed by the Minister, which will broadly be in accordance with the template in the Irish Standard I.S. 465:2018.

If the damage to the home is consistent with defective concrete blocks as per I.S. 465:2018, and your building professional considers that it will meet the prescribed damage threshold, the homeowner should make an application under the Defective Concrete Blocks Grant Scheme to the relevant local authority.

A "Competent Building Professional" means a building surveyor, engineer or architect whose name is entered in that professional bodies statutory register and who has completed the prescribed training in relation to damage caused to dwellings by the use of defective concrete blocks (in the event that specialised training is prescribed).

7. Do Homeowners fund the initial Building Condition Assessment (BCA) report?

Yes. If determined that there is damage to the dwelling caused by the use of defective concrete blocks in its construction homeowners can recoup the cost of their BCA report at payment of remediation grant stage. BCA reports are estimated in the region of €500 to €750 depending on the size of the dwelling and extent of damage to be recorded, from within the overall grant cap of €420,000. .

However, homeowners applying under the Enhanced Grant Scheme will no longer have to engage and pay an engineer to complete a full I.S. 465:2018 report and undertake sampling and testing at a cost of approximately €7,000.

8. To whom should the application form and BCA be submitted?

In accordance with the Enhanced scheme, a Building Condition Assessment report to determine the level of damage to a dwelling can be completed by a competent building professional engaged by a dwelling owner. This which must be submitted, with the full application, to the relevant local authority, who in turn sends it to the Housing Agency for assessment. The Housing Agency will assess the Building Condition Assessment report to determine if the dwelling has met the damage threshold. The applicant will be informed of the decision of the Housing Agency through the local authority.

9. What are the changes being made in the Enhanced Grant Scheme?

Significant enhancements to the previous scheme include:

- The extension of the scheme to RTB registered rented properties. Total allowed is one principle private residence and one RTB rented property.
- Exempt development status for 'like for like'.
- The previous 90% maximum grant rate increased to a 100% grant for all remediation options 1 to 5 subject to the overall cap and grant rates.
- The maximum grant cap for grant assistance under the scheme has been increased from €247,500 to €420,000.
- A Government guarantee in regard to remediation works other than full demolition and rebuild (Options 2-5) through eligibility for a second grant if required for a period of 40 years.
- Alternative accommodation and storage costs and immediate repair works to a maximum value of €25,000 within the overall grant cap.
- The Housing Agency playing a key role under the Enhanced scheme by taking on the financial cost of testing and assessing homes and determining on behalf of the local authorities the appropriate remediation option and grant rate for each dwelling.
- The extension of the scheme to Clare and Limerick and other counties as required.
- The introduction of a new independent appeals process.

- The introduction of a scheme to Exchequer fund local authority and approved housing body owned social homes which have been damaged by defective concrete blocks.

10. When is the Enhanced Grant Scheme open for applications?

Following the commencement of the Act, Regulations were also commenced on the same day, in other words, the Enhanced scheme is now open for applications from the designated counties.

The Regulations provide for all matters within the Act which are to be prescribed including but not limited to the grant rates, damage threshold, and the form and content of various reports, certificates, forms, and declarations. Guidelines to facilitate, promote and support a consistent approach to the operation and administration of the Enhanced defective concrete blocks grant scheme by designated local authorities were also provided by the Department.

11. To whom do I apply when the Enhanced Grant Scheme opens for applications?

Applications to the Enhanced Grant Scheme should be made by homeowners to their relevant designated local authority e.g. if the dwelling is located in Clare the application is made to Clare County Council.

12. What can I do to ensure that I am in a position to apply to the Enhanced Grant Scheme?

Where it is suspected that a dwelling has been damaged due to the use of defective concrete blocks in its construction, the homeowner should engage a competent building professional (Engineer or Architect or Building Surveyor) to carry out of a 'Building Condition Assessment' (BCA) report on the home, as well as providing Certificates of compliance with Planning Permission and/or Exemption from Planning Control (otherwise known as opinions on compliance).

A "competent building professional" means a building surveyor, engineer or architect whose name is entered in that professional bodies statutory register

and who has completed the prescribed training in relation to damage caused to dwellings by the use of defective concrete blocks (in the event that specialised training is prescribed).

If the BCA report concludes that the damage to the home is consistent with defective concrete blocks and the building professional considers that the damage to the home is likely to meet the damage threshold, the homeowner may then be eligible to submit an application.

Eligibility

13. What type of dwelling qualifies for the Enhanced Grant Scheme?

It is a matter for the relevant local authority to determine whether a dwelling is a relevant dwelling for the purposes of this grant scheme and will require such evidence as deemed necessary in making such a determination.

The relevant dwelling must be a house that:

- is located in the administrative area of a relevant local authority i.e. currently Clare County Council, Donegal County Council, Limerick City & County Council or Mayo County Council only, however, this may be extended;
- the construction of which was completed prior to 31 January 2020;
- defective concrete blocks containing excessive amounts of mica or pyrite were used in its construction, and damage was caused to the dwelling as a result of the use of those blocks;
- it is not an unauthorised structure; and
- is either an owner occupied principal residence purchased prior to 31/01/2020 or a property registered with the Residential Tenancies Board on or before the 1st November, 2021

14. What type of dwelling does not qualify for the Enhanced Grant Scheme?

- Holiday Homes
- Vacant residential properties
- Apartment, maisonette and duplex dwellings (see question 15 below)

- Any structure on land appurtenant to the dwelling in the construction of which defective concrete blocks were used, unless the Housing Agency is satisfied that damage may be caused to the dwelling, after the completion of a remediation option, by the failure to include the structure, or
- A building that provides multi-occupancy accommodation under conditions specified by the provider of the accommodation, including a nursing home, boarding school, hotel or hostel.

15. I live in an apartment block. Can I apply?

Under the Enhanced DCB scheme apartments are not included for remediation. However, with respect to defective apartments, on 18 January 2023 Government approved the drafting of legislation to support the remediation of fire safety, structural safety and water ingress defects in purpose-built apartment buildings, including duplexes, constructed between 1991 and 2013. This legislation will provide a statutory basis for the establishment of a remediation scheme aimed at protecting the safety and welfare of those living in apartments or duplexes. It is intended that only works relating to defects that are attributable to defective design, defective or faulty workmanship or defective materials (or any combination of these) and were in contravention of the Building Regulations applicable at the time of construction will be eligible for inclusion in that scheme.

The legislative approach proposed for remediating defects in apartments may also be applicable to apartment buildings affected by defective concrete blocks and this will be considered further in tandem with the development of the legislation.

16. I live in a semi-detached house. Can I apply?

Yes, if the conditions set out in Question 13 above are fulfilled.

17. I own a property which is rented. Can I apply?

Yes, a rented dwelling with a Residential Tenancies Board (RTB) registered tenancy on or before 1 November 2021 is eligible. A maximum of one rental property per household is eligible for funding under the scheme.

18. Can I get grant assistance for both my Principal Private Residence (PPR) and a Rental Property?

The priority must be to ensure that homes being occupied as PPRs are remediated and Government has therefore prioritised owner occupied PPRs and rental properties which were RTB registered on or before the 1 November 2021.

The Enhanced Grant Scheme provides for a maximum of one application in respect of a principal private residence and one rented dwelling registered with the RTB on or before the 1 November, 2021 per household.

19. An extension to my home is impacted. Can I apply?

Yes, homeowners with extensions affected by defective concrete blocks may apply provided the homeowner and the dwelling meet the eligibility requirements.

20. My dwelling is semi-detached and the adjoining house is also affected. Can we apply together?

No, each relevant owner of a relevant dwelling must apply separately. However, it is prudent that the two houses are remediated at the same time.

21. What happens if I inherit a house after 31 January 2020?

Where the owner of a relevant dwelling dies after an application for a remediation option grant has been submitted to the designated local authority, and the designated local authority have considered and determined the validity of the application the legal personal representative of the relevant owner is required to notify the designated local authority of:

- the death of the relevant owner; and
- the name and details of the person who has inherited or will inherit the dwelling and who wishes to be considered the owner of the relevant dwelling.

The Regulations include, at Schedule 13, the “Notification of change of relevant owner form” to be completed in these circumstances.

22. What happens if I buy a house after 31 January 2020?

Individuals who purchase a dwelling on or after 31 January 2020 will generally not be eligible for a grant. However, in certain limited circumstances, as an exception to the general rule, a relevant local authority may consider an application from an individual applying in good faith, on the honest belief that they either did not know, or could not have known that defective concrete blocks were used in the construction of the dwelling.

It is a matter for the relevant local authority (which is independent in the exercise of its functions), to determine based on facts and evidence in each individual case whether an applicant is, or is not entitled to apply for inclusion into the scheme.

23. Who can I speak to about suspected damage to my home arising from the use of defective concrete blocks in its construction?

The homeowner should engage a competent building professional to inspect their home; and where appropriate on the advice of that professional to have them carry out a 'Building Condition Assessment' (BCA). See answer to Question 12 above.

24. What is the 'Damage Threshold' and what is its purpose?

The 'damage threshold' is the minimum level of damage which must be present in a home in order for that dwelling to be allowed access into the Enhanced Grant Scheme.

Once a valid application is lodged, and once a dwelling has met the damage threshold for entry to the scheme, which threshold is to be specified in the Regulations, the Housing Agency will arrange for the assessment, sampling testing and categorisation of the dwelling on a priority basis in accordance with

the national standard I.S. 465:2018 and thereafter determine the appropriate remediation option and grant amount.

The damage itself must be linked to the suspected presence of defective concrete blocks in the home and will be considered as part of the Building Condition Assessment process.

The purpose of having a damage threshold is to ensure that the worst affected homes are prioritised first. In removing any damage threshold, this would have a significant negative impact on the capacity of the statutory process to address the worst affected houses first.

25. What happens if my home does not meet the damage threshold?

The Minister for Housing, Local Government and Heritage prescribed the type and amount of damage which constitutes the damage threshold. This allows the competent building professional carrying out an inspection to assess if your home meets the damage threshold required for entry to the scheme.

Where a competent building professional does not believe the home has met the damage threshold an application for the grant scheme should not be submitted.

In such a scenario the home should continue to be monitored and the application made to the relevant local authority when your competent building professional is satisfied that the home meets the damage threshold.

The Housing Agency will make the final determination on whether a dwelling has met the damage threshold. Where the Housing Agency determine that a dwelling which has been put forward under the Enhanced Grant Scheme has not met the damage threshold that determination can be appealed to the independent appeals panel. Where a homeowner has been refused entry to the scheme on the grounds that their dwelling did not meet the damage threshold they may reapply to the scheme in the future.

This is when their competent building professional has formed the opinion that the dwelling has met the damage threshold.

26. Who sits on the Independent Appeals Panel?

The Independent Appeals Panel recruitment process was managed by the Public Appointments Service (PAS). The assessment panel identified suitable candidates from which the Minister shall select a maximum of 10 members upon commencement of the Enhanced DCB Grant Scheme. This selection process is ongoing.

27. What if I moved out of my principal private residence due to damage caused by defective concrete blocks?

A dwelling may be deemed the individual's principal private residence where the dwelling previously had been, but ceased to be such solely by virtue of the damage to the dwelling arising out of, or in connection with, the use of defective concrete blocks in its construction.

Role of the Local Authority

28. What role does the local authority play in the administration of the Enhanced Grant Scheme?

Local authorities have responsibility for the administration of the Enhanced Defective Concrete Blocks Grant scheme. This includes the initial validation of applications, notifying homeowners of the Housing Agency's determinations on damage threshold, the appropriate remediation option and grant amount, determination of the grant payable for alternative accommodation and storage costs and immediate repair works and the subsequent payment of grants to successful applicants. The Local Authority will notify homeowners of all the Housing Agency's determinations.

Role of the Housing Agency

29. What role does the Housing Agency play in the Enhanced Grant Scheme?

The Housing Agency act as technical agents on behalf of the local authorities under the Enhanced Grant Scheme. Applications received by a local authority will be referred to the Housing Agency to review the 'Building Condition Assessment Report' and determine if the home has met the 'damage threshold' for entry to the scheme.

Once a home has met the damage threshold for entry to the scheme, the Housing Agency will engage its Framework Chartered Engineers to undertake the assessment, survey, sampling, testing and categorisation of the dwelling thereafter on a priority basis in accordance with the national standard I.S. 465:2018 and thereafter determine the appropriate remediation option and grant amount.

The Qualifying Works

30. What remedial options will be available under the Enhanced Grant Scheme?

There are five remedial options available under this grant scheme. The maximum grant approved for each remedial option is determined by the grant rates approved by the Minister and will be sufficient to cover 100% of the necessary works subject to the grant rates and overall grant cap of €420,000. The maximum grant payable will be 100% of the approved grant amount or 100% of the actual vouched cost of the qualifying works carried out, whichever is the lesser. As the remedial works progress, the homeowner will be eligible to apply for grant payments in stages on submission of interim valuation certificates by their competent building professional.

Remedial Option	Remedial Works Description
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Option 1	Demolish entire dwelling and rebuild (in the exact position on the land on which the relevant dwelling was situated before it was demolished).
Option 2	Demolish and rebuild external walls (both outer and inner leafs) down to foundation on a phased basis and re-render
Option 3	Demolish and rebuild external walls (both outer and internal leafs) down to top of rising wall on a phased basis and re-render
Option 4	Demolish and rebuild external walls (outer leaf only) down to top of rising wall on a phased basis and re-render.
Option 5	Demolish and rebuild outer leaf of affected walls only and re-render.

31. What works do not qualify for grant assistance under the Enhanced Grant Scheme?

Homeowners are not precluded from carrying out works to their home which do not qualify for grant assistance. The cost of any such work must however be borne by the homeowner. A non-exhaustive list of non-qualifying works, which are outside the scope of this grant scheme are listed hereunder:

- the cost of remedial works undertaken prior to grant approval other than costs associated with immediate repair works
- costs associated with works outside of the grant scheme or beyond the scope of the approved remediation option;
- costs associated with any works that are not required for or ancillary to the remediation of damage to the dwelling arising out of, or in connection with the use of defective concrete blocks in its construction e.g. energy upgrades beyond the requirements of the Building Regulations applicable to the dwelling;
- remedial works to foundations, and associated ground works;

32. Are remedial works to my detached garage, boundary walls etc. allowable under the Enhanced Grant Scheme?

No. A building or part of a building or out office that is not attached to a dwelling are excluded from this grant scheme unless the Housing Agency is satisfied that damage may be caused to the dwelling, after the completion of a remediation option, by the failure to include any such structure in the approved remediation works.

33. Does the Enhanced Grant Scheme cover temporary accommodation and other costs (such as furniture storage) in the event that I have to move out when works are ongoing?

Alternative vouched accommodation costs are an allowable cost, subject to a maximum of €15,000 (within the overall maximum grant cap of €420,000).

Removal of contents/house components and their temporary storage and reinstatement on completion are an allowable cost, subject to a maximum €5,000 (within the overall maximum grant cap of €420,000).

34. Can I recoup remedial works costs that I have already incurred prior to getting approval under the Enhanced Grant Scheme?

Generally no, however any costs associated with essential immediate repair works related to the structural stability of any part of an affected home, which are recommended on foot of a competent building professional's recommendation as part of the 'Building Condition Assessment' process, will be an allowable cost, subject to a maximum expenditure cap of €5,000 (within the overall maximum grant cap of €420,000).

With respect to works carried out prior to the commencement of the previous scheme, the principle of retrospection has also been agreed since the Apartment Defect scheme was agreed by Cabinet in January 2023 and will be reflected in later legislation. Multi-unit developments impacted by deleterious materials will also be included in the Apartment defect scheme, which is currently being developed.

35. Can I deal with immediate concerns I may have right now about the structural integrity or safety of parts of my home without jeopardising any future grant application?

Yes, an ancillary grant not exceeding €5,000, within the total grant cap allowable of €420,000, is available to homeowners to enable them to complete essential immediate repairs to their homes e.g. bracing of walls, chimney repairs/removal, works to ensure safe access and egress, safety fencing etc. See also Question 34.

36. What is the position with existing house foundations?

Foundations can be left in situ and built upon and this is the approach recommended. The issue of foundations is under review by the National Standards Authority of Ireland and should the current position change provision will be made to provide for foundations within the Enhanced Grant Scheme.

There is nothing in the Enhanced Grant Scheme to prevent homeowners providing new or strengthened foundations as part of the remedial works they carry out however such works are not grant funded and may give rise to additional planning and building control requirements for homeowners.

It is also the case, where the approved remediation option is the demolition of the relevant dwelling and the reconstruction of the dwelling. The scheme does not preclude, on a cost saving or cost neutral basis, subject to compliance with any planning or building regulation issues, the construction of a smaller dwelling (in terms of internal floor area) on a larger footprint.

The Act requires rebuilding on the exact position on the land of the existing dwelling. It does not allow rebuilding on a separate position within the same site. However, there is flexibility in terms of footprint of a rebuild and exact rebuild on the footprint is not required, subject to compliance with Building Regulations and compliance with planning. In this regard, it should be noted that the planning exemption for a rebuild as set out in section 28 of the Act is for a dwelling, which is not inconsistent with, or materially different from, the appearance and character of the original dwelling.

However, the construction of revised dwellings in this case must comply with any planning requirements (in which case planning permission may be required), and the amount of the remediation option grant approved will be reduced proportionately with respect to the reduced internal floor area.

The Enhanced Grant Scheme facilitates the remediation of existing houses that have been damaged by the use of defective concrete blocks, but not the construction of separate additional houses on adjoining sites.

The construction of new separate additional houses is not grant funded and would be subject to the normal requirements of the planning system (see also Questions 65-68).

37. What research is being undertaken in relation to I.S. 465:2018 standards?

The National Standards Authority of Ireland (NSAI) was tasked by the Government with delivering a programme of work to address the following technical items:

- A review of I.S. 465:2018+A1:2020 - Assessment, testing and categorisation of damaged buildings incorporating concrete blocks containing certain deleterious materials and its application (including foundations).
- A review by NSAI Masonry Committee of the Irish Standard for Concrete Blocks (including aggregates).
- A review of the impact of pumped cavity wall insulation on cavity wall construction and within homes susceptible to or impacted by defective concrete blocks.

NSAI is an autonomous body under the aegis of the Minister for Enterprise, Trade and Employment, and, as such, detail on its programme of work is a matter for the NSAI and its parent Department.

An interagency Defective Concrete Blocks – Technical Matters Steering Group has been established to support and inform the NSAI Standardisation Program in relation to technical issues. The steering group includes representatives from NSAI, Geological Survey Ireland (GSI), Sustainable Energy Authority of Ireland,

the Housing Agency (observer), and representatives from the Department of Housing, Local Government and Heritage.

38. Do I have to reuse existing house components such as windows and doors, stairs, heating system, roofing materials etc.?

The reuse of house components, where feasible, is important in minimising the waste impacts from the scheme, contributing to the circular economy and saving money for homeowners thereby making their grant go further.

Whilst this is encouraged there is no requirement on homeowners to reuse house components and the approved grant is not influenced or affected by a homeowners' decision in this regard.

Grant Approvals

39. How will grants be calculated and what is meant by the cost per square metre rate I often hear mentioned?

The grant amounts are determined in accordance with the Act and the Regulations

Rebuilding a Home

In the case of a remediation option which requires the home to be demolished and rebuilt the grant will be calculated by reference to the size of your home.

Your grant will be calculated as follows:

A x B = C Where-

A is the internal authorised floor area in square metres of your home

B is the square metre rate

C is the Demolition and Rebuild Grant Amount (Subject to Overall Cap)

Remediation Option Where Blockwork is to be replaced

In the case of a remediation option which requires the blockwork in the home to be removed and replaced the grant will be calculated by reference to the amount of blockwork being removed and replaced. Your grant will be calculated

as follows:

D x E = F Where-

D is the square metres of blockwork to be removed and replaced in your home

E is the square metre rate

F is the Replacement Blockwork Grant Amount (Subject to Overall Cap)

The rates per square metre for demolition and rebuild and blockwork removal and replacement set by the Minister is in keeping with the construction cost report prepared by the Society of Chartered Surveyors Ireland (SCSI).

The 2023 rebuild rates for the North West region (Donegal/Mayo) and for the Mid-West region (Clare/Limerick) have been prescribed in the regulations following receipt of Construction Cost figures updated by the Society of Chartered Surveyors of Ireland (SCSI), and consideration and review by the Minister's Expert Group.

In addition to the grant for actual construction works homeowners may also be eligible, within the overall grant cap for an ancillary grant of up to €25,000 for alternative accommodation and storage costs and the cost of immediate repair works.

40. How much grant funding am I likely to get?

The maximum grant allowable, including the ancillary grants of €25,000, is €420,000 under the Enhanced Grant Scheme.

The specific amount granted will vary from home to home depending on the determination by the Housing Agency of the appropriate remediation option and the calculation of the relevant grant amount.

Under the Enhanced Grant Scheme the maximum grant allowable or the total amount of a remediation option grant and an ancillary grant payable shall not exceed €420,000. Ancillary funding for alternative accommodation released in advance of commencement of the enhance scheme will be

deducted from any grants (remediation option grant and ancillary grants) payable within the overall grant cap of €420,000.

41. How soon will I received funding?

Local authorities will process completed valid claims as soon as practicable and while all will be done to process them as soon as possible the process must take into account the volume of applications received by any one local authority.

42. When can I make an application for an ancillary grant payment?

Where a remediation option grant approved under the Enhanced DCB Grant Scheme is less than the maximum cap of €420,000, as set out in the 2022 DCB Act, the relevant owner concerned may apply to the designated local authority for an ancillary grant.

43. Will my approved grant be index linked?

No. Approved grants amounts are not index linked.

The Department will however on an annual basis monitor movement in construction costs and adjust the cost per square metre rates as set out in the Regulations as required to account for changes.

The 2022 DCB Act also, if necessary, allows the Government to increase or decrease the overall grant scheme cap of €420,000 a year after the Act has been commenced by no more than 10%, in accordance with the conditions of Section 11 of the Act.

44. How long do I have to start and complete approved works?

The Act provides that an applicant has 78 weeks to commence work after approval before the grant approval is deemed withdrawn. The applicant must also have submitted their final grant payment application following the completion of works within 65 weeks of having commenced works.

A relevant owner may request the designated local authority to extend the periods referred to above (by no more than 24 weeks) where, due to

exceptional circumstances beyond the control of, and the exercise of all due diligence by, the relevant owner, there is a delay.

45. If approved for demolition and rebuild can I build a smaller home (downsize) and how will this affect my grant?

Yes, you may rebuild a smaller home (subject to any planning requirements). However, because the grant is calculated by reference to the size of the original home the grant may be revised downwards if a smaller home is being built. This is necessary to ensure that the grant awarded to an applicant under the Enhanced Grant Scheme will be appropriate to the size of home they intend to build and that homeowners building the same size home are awarded the same grant amount.

Homeowners can also build a larger home (also subject to any planning requirements) but the additional costs will have to be borne by the homeowner.

46. If I am approved for an Option 1 and wish to rebuild a smaller home on a bigger footprint will this qualify under the terms of the Enhanced grant scheme?

The scheme does not preclude, on a cost saving or cost neutral basis, subject to compliance with any planning or building regulation issues, the construction of a smaller dwelling (in terms of internal floor area) on a larger footprint.

The Act requires rebuilding on the exaction position on the land of the existing dwelling. It does not allow rebuilding on a separate position within the same site. However, there is flexibility in terms of footprint of a rebuild and exact rebuild on the footprint is not required, subject to compliance with Building Regulations and compliance with planning. In this regard, it should be noted that the planning exemption for a rebuild as set out in section 28 of the Act is for a dwelling, which is not inconsistent with, or materially different from, the appearance and character of the original dwelling. In such scenarios homeowners should engage with their Competent Building Professional to consider the possible impact on any energy retrofit work they may be

considering and the effect a different footprint may have on such works and/or associated grants

47. Can I rebuild my home to current building regulations standards and energy performance?

Yes you can. However the Enhanced Grant Scheme funding is for rebuilding or remediation to the current standard of the home. Homeowners may carry out such upgrades under the scheme but the marginal cost of such works must be paid for by the homeowner, in the same way as non-defective concrete block affected homeowners must pay for upgrades to their homes. Grant assistance for home upgrades may however be available to homeowners from other schemes in existence, such as the SEAI's Home Energy Grants.

Officials from the Department of the Environment, Climate and Communications have been working with the Sustainable Energy Authority Ireland (SEAI) and relevant local authorities to share understanding of how their separate energy efficiency retrofitting grant scheme will apply to DCB housing and to explore how DCB Scheme homeowners can receive SEAI supports in a seamless manner.

Full details of grants available to DCB homeowners are on the SEAI's website which can be accessed at: <https://www.seai.ie/grants/> or by calling 01 808 2100.

48. Can I appeal decisions made in respect of my grant application?

Yes. A new and independent appeal process is being established to consider Appeals. An appeal can be made on all of the key decisions under the grant scheme. That is, the validation of an application by the local authority, the determination on whether a home has met the damage threshold, the determination on the appropriate remediation option and grant amount and any refusal by a local authority to make a grant payment pursuant to a grant approval.

49. Can I sell my home if I have grant approval and transfer the approval to the subsequent owner?

The Enhanced Grant Scheme confirms that an individual who purchased a relevant dwelling on or after 31 January 2020, other than a dwelling in respect of which a letter of assurance has been issued (in which case remediation works have already been carried out), shall not be a relevant owner where he or she knew or ought to have known that defective concrete blocks were used in the construction.

The Act provides for a letter of assurance which attaches to a dwelling and confers an entitlement to apply for a second grant under the scheme in respect of that dwelling, in specific circumstances and where the remediation works are completed. Where a person purchases a dwelling on or after the 31 January 2020, other than a dwelling to which a letter of assurance is attached, they are not considered a relevant owner under the terms of the scheme.

The Act also deals with a change of relevant owner in limited circumstances related to the death of a relevant owner who has been approved for grant assistance. No provision is made for a change of relevant owner in any other circumstance.

Executing the Approved Works

50. Will I have to vacate my house while the work is being done?

This is something you will need to discuss with your competent building professional and contractor. It is likely to depend on the nature of works required, as specified in the remedial works plan and health and safety advice and requirements.

The Health and Safety Authority publish a useful "Guide for Homeowners Getting Construction Work Done Safely" which you should find helpful. The guide is available at the following link:

https://www.hsa.ie/eng/Publications_and_Forms/Publications/Construction/homeowners_guidance.pdf

51. How long will I have to apply for a grant?

The Enhanced Grant Scheme will be open for receipt of applications for a first remediation option for a period of 15 years from commencement of the scheme.

52. What building professionals are available to complete a Building Condition Assessment Report for me?

A "competent building professional", as set out below, can complete a Building Condition Assessment Report.

- Competent architect, meaning a person whose name is entered in the register for architects established under Part 3 of the Building Control Act 2007, and who has completed such training that may be prescribed in relation to damage caused to dwellings by the use of defective concrete blocks in their construction; or
- Competent building surveyor meaning a person whose name is entered in the register for building surveyors established under Part 5 of the Building Control Act 2007, and who has completed such training that may be prescribed in relation to damage caused to dwellings by the use of defective concrete blocks in their construction; or
- Competent engineer meaning 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 that may be prescribed in relation to damage caused to dwellings by the use of defective concrete blocks in their construction.

53. Who will design and inspect the approved remediation works for me?

The homeowner must engage a competent building professional to design the remediation works approved or being carried out and prepare a remedial works plan in that regard. The designated local authority, as administrators to the enhanced scheme, can set the timescale within, or request when, the Remedial Works Plan is to be submitted.

The homeowner will be required to retain the services of their competent building professional throughout the project and they will inspect the works as they progress, prepare interim valuation certificates to allow for stage payment

requests to be lodged with the relevant local authority and sign off on the Certificate of Remediation on completion of the remediation works.

In the case of remediation works involving full demolition and rebuild of the original home (i.e. Option 1) the competent building professional can be either a competent Architect, Engineer or Building Surveyor.

In the case of remediation works involving the removal and replacement of sections of blockwork (i.e. Options 2 to 5) the competent professional must be a Chartered Engineer.

The Act requires designated local authorities to carry out a series of administrative and confirmation checks. At no stage does an authority have to make any adjudication in relation to already certified engineering decisions. The role of ensuring engineering compliance is, depending on the stage of the process, within the remit of the Housing Agency and/or the homeowners' Competent Building Professional (CBP).

54. Who will carry out and supervise the approved remediation works for me?

It is recommended that the homeowner engage a tax compliant building contractor to carry out the remediation works in accordance with the remedial works plan. The contractor will supervise the works and jointly sign off on the Certificate of Remediation with the competent building professional, also hired by the homeowner, on completion of the works.

Where a homeowner intends to self-build, they effectively step into the shoes of the contractor and assume all contractor responsibilities for the execution and supervision of the works and will have to jointly sign off on the Certificate of Remediation with the competent building professional on completion of the works.

55. What proof will I have that the remedial work has been satisfactorily completed?

In order to secure the final grant payment, a homeowner must obtain a Certificate of Remediation, signed by your contractor and competent building professional, certifying that the remediation works to the dwelling which were carried out and supervised by the contractor, and which were designed and inspected by the competent building professional, are compliant with the requirements of the Building Regulations and all other statutory consents as required.

56. How or when will an approved grant be paid?

A homeowner may apply to the designated local authority for a payment of a remediation option grant approved either in whole or by way of stage payments as works progress. The form and content of interim valuation certificates is prescribed in the Regulations and must be furnished by your competent building professional when you are seeking stage payments for the remediation work. The number of stage payments which can be applied for will depend upon the scale and cost of the approved remediation works.

57. What happens if the problem subsequently emerges in the original blockwork which was retained?

A second grant option, under a letter of assurance, for options 2 to 5 will be available where original blockwork retained in the dwelling after the first remediation subsequently proves defective in accordance with the I.S. 465 protocol. The second grant option, under the letter of assurance, should be retained with the deeds / legal ownership documents for the home to facilitate any future conveyance of the home.

Section 21 (2) (b) of the Act refers that “the designated local authority is satisfied that the certificate of remediation is in accordance with section 20.” Section 20 (1)(c) refers that “the approved remediation option and any additional works are completed in compliance with the requirements of the Second Schedule to the Building Regulations 1997 (S.I. No. 497 of 1997).” It

should be understood that these 1997 Regulations are the minimum required under the remediation options.

Certificates of remediation signed by the competent building professional can be taken as prima facie evidence of compliance.

58. What is meant by the State Guarantee in respect of remediation works?

A government guarantee is provided, by way of a letter of assurance to be provided by the relevant local authority, in regards to remediation works other than full demolition and rebuild (Options 2 to 5 - see table in Question 30) through eligibility for a second grant if required for a period of 40 years.

Transitional Arrangements (Applicable to homes in Donegal and Mayo)

59. Will my current application benefit from the enhancements under the new scheme and if so what do I need to do?

Yes, the decision from Government is that existing applicants under the previous grant scheme will not be disadvantaged from being early movers. You will benefit retrospectively from the increased grant amounts and allowances which will be available under the Enhanced scheme. You may be required to submit additional information in order to benefit from the enhancements.

In these cases your local authority will contact you after the Enhanced scheme commences setting out what steps you need to take and what additional information they may require.

60. Transitional Scenario 1

A homeowner has engaged an engineer to complete a report pursuant to the previous scheme, however the homeowner has not submitted an application under the previous scheme. The following will apply in relation to the Enhanced scheme.

The application submitted by the homeowner, after the commencement of the Enhanced scheme, including the engineer's report as required by the previous

scheme will be considered to be an application under the Enhanced scheme by the designated local authority.

The engineer's report may also be considered in place of the building condition assessment report by the Housing Agency.

The Housing Agency will carry out the remediation option and grant assessment and submit to the designated local authority per the Enhanced scheme.

Following notification by the designated local authority of approval of the remediation grant option and amount, the homeowner may submit an application for payment of the grant (Part/Full Payment) to the designated local authority, which may include payment towards the cost of the engineer's fee, all under the maximum cap of €420,000 as relevant.

A homeowner will now also be eligible to apply for ancillary grants for alternative accommodation and storage.

61. Transitional Scenario 2

A homeowner has applied under the previous scheme but has not received a decision regarding eligibility prior to the commencement of the Enhanced scheme:

The designated local authority shall write to the applicant informing them that their application will be dealt with under the provisions of the enhanced scheme.

The determination of the remediation grant option and amount will be assessed by the Housing Agency under the provisions of the Enhanced scheme subject to various modifications which may allow the previous scheme engineering reports to be considered by the Housing Agency under the Enhanced scheme.

The Housing Agency shall use the remediation options and grant rate provided for in the Enhanced scheme.

The designated local authority will write to the homeowner, informing them of the determination of the Housing Agency. The homeowner may now submit a remedial works plan to the designated local authority in line with the enhanced

scheme. The submission of the Remedial Works Plan should include the Certificate of Compliance with Planning and the additional information which is required for an application under the enhanced scheme to be considered valid.

As in scenario 1, the applicant may seek to recoup the costs of the engineer's report as part of the application for the remediation grant.

A homeowner will now also be eligible to apply for ancillary grants for alternative accommodation and storage.

62. Transitional Scenario 3

A homeowner has received confirmation of eligibility under the previous scheme from the designated local authority before the Enhanced scheme commenced. However, they have not received a grant approval under the previous scheme before the Enhanced scheme commenced:

The designated local authority shall write to the applicant to inform them that their application will be dealt with under the terms of the Enhanced scheme. In this case, the remedial option issued under the confirmation of eligibility by the designated local authority shall be considered as if it had been a determination of a remediation option or options by the Housing Agency. In other words, the approved remedial option issued under the previous scheme shall be considered to be an approval under the Enhanced scheme.

The designated local authority shall calculate the grant amount from the rates provided for in the Enhanced scheme, and notify the homeowner of the grant amount and that the homeowner may now submit a remedial works plan to the designated local authority in line with the Enhanced scheme.

A homeowner will now also be eligible to apply for ancillary grants for alternative accommodation and storage.

63. Transitional Scenario 4

A homeowner has received confirmation of eligibility and grant approval from the designated local authority under the previous scheme before the Enhanced scheme commenced.

The designated local authority shall write to the applicant to inform them that their application will be dealt with under the terms of the Enhanced scheme.

The designated local authority shall recalculate the grant amount from the rates provided for in the Enhanced scheme and ensure that any amendment to the grant amount is notified to the homeowner and that the homeowner may now submit a remedial works plan to the designated local authority in line with the Enhanced scheme.

There may be instances where the remediation grant approval under the Enhanced scheme is less than the grant approved under the previous scheme, however the Enhanced grant approval will not be amended if it was lower than the original/previous grant approved.

A homeowner will now also be eligible to apply for ancillary grants for alternative accommodation and storage.

64. Transitional Scenario 5

A homeowner has received confirmation of grant approval, has fully completed all remediation works and has received final payment of remediation grant prior to commencement of the Enhanced scheme.

The designated local authority shall contact the homeowners to invite them to submit invoice(s) outlining the additional necessary expenditure incurred by the homeowner to fully complete the remediation option grant in compliance with the remedial works plan.

The designated local authority shall recalculate the grant amount from the rates provided for in the Enhanced scheme and ensure that any amendment to the grant amount is notified to the homeowner to cover the cost of the approved remediation work that exceeded the grant approved in the previous scheme (and therefore was paid for by the applicant themselves), and was less than the new grant approval in the Enhanced scheme. In this scenario, for example, the previous scheme will only have covered 90% of the cost of the approved remedial works whereas the Enhanced scheme allows for 100% of the cost of the approved remedial works subject to the maximum cap of €420,000. In this

case, the designated local authority will issue a payment on such additional invoiced costs, as applicable.

There may be instances where the remediation grant approval under the Enhanced scheme is less than the grant rate approved under the previous scheme, however the Act provides that the Enhanced grant rate will not be amended if it was lower than the original/previous grant rate.

A homeowner will now also be eligible to apply for ancillary grants for alternative accommodation and storage.

65. Transitional Scenario 6

A homeowner has not commenced necessary remediation work following grant approval under the previous scheme. The homeowner is not satisfied that the remediation option grant approved under the previous scheme will adequately address the DCB damage.

The following options are available to them:

- The homeowner can proceed with the approved remediation option grant, commence the remediation works and, can submit an 'application for revised approval' to the designated local authority, subject to a report from a competent engineer. This report must state that, in the opinion of the competent engineer, there has been, since the date of the first approval, an unforeseen and material deterioration in the condition of the blocks which were to be retained in the relevant dwelling. However, the revised remediation option cannot include 'Option 1' - demolition of the relevant dwelling and the reconstruction of the dwelling. The designated local authority will refer the competent engineers report to the Housing Agency to consider whether revised approval is warranted.
- Or not proceed with the approved remediation option grant and submit a new application under the Enhanced scheme.
Should a homeowner proceed with this option it should be noted that a remediation option granted under the Enhanced scheme:

- may result in a similar option to the option that was approved under the previous grant scheme; and
 - there is no guarantee that that an 'Option 1 - demolition of the relevant dwelling and the reconstruction of the dwelling' will be given.
- Appeal the approved remediation option decision through the Enhanced scheme. This appeal will only likely be successful if, for example, there are errors of fact within their appointed engineer's original engineer's report for which the Confirmation of Eligibility and Grant Approval issued.

Planning Permission

66. Do I require Planning Permission for approved works?

The Act makes provision for exempt development status to apply to remediation works approved under the Enhanced grant scheme subject to the provisions of section 4(4) of the Planning and Development Act, 2000.

Remediation works shall only be exempt once the Enhanced scheme commences and where on completion of remediation works the dwelling is not inconsistent with or materially different from the appearance and character of the original dwelling. Where a grant scheme participant does not build back on a 'like for like' basis planning permission will be required.

"If you intend to demolish and rebuild your dwelling with a reduced internal floor area in accordance with the requirements in Section 17(5) of the 2022 Act you should firstly consult with you planning authority as to whether you will need planning permission for this works. Applicants should direct their planning queries to their building professional and the relevant Planning Authority".

The construction of new separate additional houses is not grant funded and would be subject to the normal requirements of the planning system. The Enhanced Grant Scheme facilitates the remediation of existing houses that have been damaged by the use of defective concrete blocks, but not the

construction of separate additional houses on adjoining sites (see also Question 36).

67. What do I do if I am unsure if I can avail of the planning exemption?

You should speak with your building professional who should be in a position to advise you on the matter. If the building professional is unsure whether the proposed works can benefit from the planning exemption, they should contact the relevant Planning Authority. Under Section 5 of the Planning and Development Act 2000, as amended, "If any question arises as to what, in any particular case, is or is not development or is or is not exempted development within the meaning of this Act, any person may, on payment of the prescribed fee, request in writing from the relevant planning authority a declaration on that question, and that person shall provide to the Planning Authority any information necessary to enable the authority to make its decision on the matter." In essence, a Planning Authority can be requested on payment of the fee [currently €80], to give a declaration under Section 5 on the development status of the proposed works and if planning permission is required.

The fee for a Section 5 declaration is prescribed under Column 2 of Schedule 10 of the Planning and Development Regulations 2001, as amended.

68. Can the Department of Housing, Local Government and Heritage assist me with planning matters?

The Minister is precluded from commenting on individual planning cases in accordance with Section 30 of the Planning and Development Act 2000, as amended, as the Minister shall not exercise any power or control in relation to any particular case with which a Planning Authority or the Board is or may be concerned. Therefore, it is important that applicants should direct their planning queries to their building professional and the relevant Planning Authority.

Building Control matters

69. Am I required to submit a Commencement Notice under the Building control Regulations?

A Commencement Notice is a notification¹ to a Building Control Authority that a person intends to carry out works or a material change of use to a building, which the Building Regulations apply. This is not to be confused with the separate commencement notice that has to be submitted to the local authority as part of the Enhanced grant scheme (refer to section 19 (2) of the 2022 Act and Regulation 15 (1) of the 2023 DCB Regulations).

In the context of the Defective Concrete Blocks (DCB) Grant Scheme:

- a. Where the dwelling house (subject to the remedial works) is rebuilt on its original foundations, then the works constitute a material alteration to an existing dwelling house. In these cases:
 - i. Where planning permission is required – A Commencement Notice (without accompanying documentation) is required.
 - ii. Where no planning permission is required - A Commencement Notice is not required.

The 2022 Act provides that exempt development (development for which planning permission is not required) status shall automatically apply to remediation works approved under the Enhanced grant scheme subject to the provisions of section 4(4) of the Planning and Development Act, 2000, pursuant to Section 28 of the 2022 Act. Remediation works shall only be exempt once the Enhanced scheme commences and where on completion of remediation works the dwelling house is not inconsistent with or materially different from the appearance and character of the original dwelling house.

¹ The notice must be given to the authority not more than 28 days and not less than 14 days before the commencement of works or the change of use. Once validated by the building control authority, works must commence on site between day 14 and day 28.

- b. Where the dwelling house (subject to the remedial works) is reconstructed on new foundations, then the works constitute a new dwelling house.

From a Building Control legislation perspective, in this scenario, the works must comply with the latest Building Regulations for new dwelling houses. This scenario requires a Commencement Notice and accompanying documentation (S.I. No. 9 of 2014), else an Opt-Out of Statutory Certification (S.I. No. 365 of 2015) in the case of a single unit dwelling house on a single unit development, where such conditions are met. Within the DCB grant scheme, it is essential for the building professional employed by the homeowner/applicant to make a determination on whether the works being carried out require Planning Permission or a Commencement Notice.

A Local Authority may not make a grant payment if the works are unauthorised or commenced without a valid commencement notice, where required.

70. What Building Standards apply to the remediation works approved?

In accordance with Building Control legislation, the Building Regulations apply to certain works to existing buildings e.g. all works in connection with the material alteration or extension of an existing building, a repair and renewal that is likely to affect the structural integrity of the building or building element being repaired or renewed etc.

The requirements of the Building Regulations are set out in 12 parts (classified as Parts A to M). Technical Guidance Documents (TGDs) are published to accompany each part of the Building Regulations indicating how the requirements of that part can be achieved in practice.

Where the dwelling house (subject to the remedial works) is rebuilt on its original foundations, then the works constitute a material alteration to an existing dwelling house. Some Technical Guidance Documents provide specific guidance on works to an existing building e.g. Section 2 of TGD L Conservation of Fuel and Energy. No works shall be carried out to a building which would cause a new or greater contravention in the building of any provision of Building Regulations.

As a result, in general, the reinstatement of building elements in a remediation project is on a 'like for like' performance basis.

Where the dwelling house (subject to the remedial works) is reconstructed on new foundations, then the works constitute a new dwelling house. From a Building Control legislation perspective, in this scenario, the works must comply with the latest Building Regulations for new dwelling houses.

Property Tax

71. Am I liable for property tax for the period my dwelling has been affected?

The Finance (Local Property Tax) (Amendment) Bill 2021 was signed into law in July 2021 and provides a temporary (6 year) exemption from Local Property Tax (LPT) for homes in counties Mayo and Donegal which have been damaged due to the use of defective concrete blocks in their construction and have received a Stage 1 -- Confirmation of Eligibility under the previous Defective Concrete Blocks Grant Scheme.

Similar provisions will apply to the counties of Clare and Limerick.

Other Questions

72. Is grant funding available from SEAI for homeowners affected by defective concrete blocks?

Yes grant assistance may be available from the Sustainable Energy Authority of Ireland (SEAI) for DCB homeowners to cover the costs of energy upgrades under similar terms and conditions as those which apply to all homeowners in the State.

Work is underway with SEAI to ensure as seamless as possible entry for DCB homeowners to existing SEAI grant schemes. Full details of grants available to DCB homeowners are on the SEAI's website which can be accessed at:

<https://www.seai.ie/grants/> or by calling 01 808 2100

73. What other financial supports may be available to me?

There may be other grants available to DCB homeowners on similar terms and conditions as apply to all homeowners in the State e.g. septic tank grant, housing adaptation grants etc. You should enquire with your local authority in relation to such grants.

74. Can I carry out a higher order remediation option than that approved by my local authority?

Under the Enhanced Grant Scheme homeowners may carry out works over and above those approved for funding up to and including Option 1 (demolition and rebuild). No grant funding will be given in respect of those supplementary works meaning the homeowner will have to cover the additional cost.

75. To whom can I submit queries I may have?

Queries should be addressed by homeowners to their relevant designated local authority.

76. My mental health has been impacted by this issue. Is help available?

Yes, further to Government/ Department of Health's commitment to Enhanced mental health supports for individuals and families affected by the defective concrete blocks issue, free counselling sessions are now available to individuals and families in the 4 relevant counties. The Department of Health have worked with the HSE to ensure that mental health supports are available through My Mind and homeowners can visit www.mymind.org and register for the service. There is no requirement for referral from a GP.

77. What is the position with the insurance aspects of underwriting houses that have been subject to certified remediation works?

Oversight of financial institutions is outside the scope and remit of the Department of Housing, Local Government and Heritage, however there has been engagement with Department of Finance on these matters. The

Department of Finance has advised that they do not have any role in relation to the commercial decisions of individual regulated entities.

Notwithstanding this, the Minister for Housing has written to Insurance Ireland requesting that the organisation liaise with their members for feedback on the insurance aspect of underwriting houses that have been subject to certified remediation works pursuant to the previous scheme, or which will be subject to certified remediation works under the enhanced scheme. In this regard, the Minister asked that houses remediated under the previous and enhanced grant schemes, and which will have been certified by competent building professionals, will be underwritten by members of that organisation at standard terms.








In response, Insurance Ireland has confirmed that they have consulted with their members on the insurance aspects of this issue. They stated that their members have the utmost sympathy for those whose homes have been affected by defective concrete blocks and they acknowledge the Government's efforts to help these homeowners. Insurance Ireland also confirms, with regard to the insurance aspects of underwriting houses that have been subject to certified remediation works under the previous or enhanced grant schemes, they would state in the first instance that their members make their own individual underwriting decisions. However, in general terms, once remediation is complete, supporting documentation would be required by the insurer to establish the condition of the property. Assuming the property is structurally sound, is certified as such, and does not pose a higher risk than a standard construction house, their members would generally consider the provision of standard household cover at standard terms. Household insurance policies cover damage by insured perils such as fire, storm, flood etc. Defective materials such as defective concrete blocks are not an insured peril. Furthermore, household insurance policies exclude claims arising from faulty workmanship, defective design and the use of defective materials.

It is to be hoped that the Enhanced Grant Scheme will help to restore affected houses to good repair. This in turn would enable the members of Insurance Ireland to underwrite these risks under household insurance policies at standard terms as outlined above. Insurance Ireland also confirmed that the Enhanced Grant Scheme should help to alleviate matters over the longer term and that their members will engage with the certification process for remediated properties.

Of note, the payment of remediation grants under the enhanced scheme is reliant on a Certificate of Remediation being provided by both the Competent Building Professional and the building contractor certifying that the remediation works to the dwelling which were carried out and supervised by the contractor, and which were designed and inspected by the competent building professional, are compliant with the requirements of the Building Regulations and all other statutory consents as required. It is this certification that should provide assurances to the homeowner.

Note: Whilst every effort has been made to ensure the accuracy at this time of the answers provided to the questions posed in this document, the Department, its servants or agents does not accept any liability whatsoever arising from any errors or omissions. The answers to the questions posed may be subject to change as the regulations for the Enhanced Grant Scheme are developed.

C.Enhanced Defective Concrete Blocks Grant Scheme Workflow

 <p>Homeowner</p>	<ul style="list-style-type: none"> Engages a competent building professional to carry out a Building Condition Assessment (BCA) report prescribed by the Minister but similar to Clause 5 of I.S.465. If the damage to the home is consistent with defective concrete blocks and appears to meet the damage threshold the homeowner should make an application under the Defective Concrete Blocks Grant Scheme to the relevant Local Authority.
 <p>Local Authority</p>	<ul style="list-style-type: none"> The local authority will carry out a validation of the application considering issues such as whether the home is a relevant dwelling, the owner a relevant owner and the development not unauthorised under planning law. They will also ensure that all necessary reports have been submitted and that the application form is fully complete. If the application is validated by the local authority they will refer it to the Housing Agency to consider the merits of the application. If the application cannot be validated by the local authority, the application will be refused. Potential Appeal.
 <p>Housing Agency</p>	<ul style="list-style-type: none"> The Housing Agency will establish a framework of competent Chartered Engineers to assist them with their role. The Housing Agency will review the application and BCA report and inspect the dwelling, if required, to determine if it meets the damage threshold [which will be prescribed by the Minister] for entry to the scheme. If the dwelling does not meet the damage threshold it will be deemed ineligible to progress under the scheme. The Housing Agency will notify the local authority and they will in turn notify the applicant. Potential Appeal. The Housing Agency will prioritise applications which have met the damage threshold so as to inform when an engineer from its framework will be contracted to test the dwelling in accordance with the I.S. 465 standard. Following receipt of the I.S. 465 report from their engineer the Housing Agency will determine the appropriate remediation option and the maximum grant amount available for the dwelling, based on the grant calculation methodology and rates which will be provided for in law and notify the local authority of its determination.
 <p>Local Authority</p>	<ul style="list-style-type: none"> The local authority will notify the applicant of the decision on its application. The decision may be to either approve or refuse the application. Potential Appeal. Where the decision is to refuse an application the local authority will communicate the reasons for the refusal to the applicant and include details of the appeal process. Where the decision is to approve the application the local authority will confirm to the applicant which remediation option has been approved, the maximum level of grant assistance and the conditions of approval and will invite the applicant to apply for the grant funding available for alternative accommodation and storage costs or immediate repair works, if required.
 <p>Homeowner</p>	<ul style="list-style-type: none"> The homeowner may proceed with the remediation option approved or carry out a higher order remediation option, up to and including Option 1, if they are willing to fund the marginal costs of the higher order remediation option themselves. The homeowner engages a competent building professional to prepare a Remedial Works Plan (RWP) for the remediation option being carried out, which must at a minimum be that approved, and submits a copy to the relevant local authority.
 <p>Execution and Certification of the Works and Grant Payments</p>	<ul style="list-style-type: none"> The homeowner appoints a tax compliant Building Contractor and has 18 months to start works and 15 months after the start date to complete works. Extensions to these timelines are facilitated in exceptional circumstances. The homeowners building professional will develop an inspection plan for the implementation of the remedial works. In exceptional cases, after work has commenced and new circumstances come to light, a homeowner approved for remediation works under Options 3-5 may, where it is supported by the engineering evidence and accepted by the Housing Agency, seek a higher order remediation option up to and including Option 2 remediation works. The homeowner can request stage payments from the local authority in the draw down of the grant. All stage payment requests will have to be prepared by the homeowners competent building professional and clearly set out the value of the works completed for which a stage payment is being requested and their compliance with the RWP. The local authority may refuse to pay a grant or make a stage payment where the conditions of grant approval have not been complied with. Potential Appeal. On completion of the works the competent building professional and the contractor will complete the certificate of remediation [which will be prescribed in law] and submit a copy of the Certificate of Remediation, the post works RWP and all relevant ancillary reports and certificates to the local authority with the final grant payment request
 <p>Second Grant Option</p>	<ul style="list-style-type: none"> A second grant application opportunity will be available for a dwelling which is remediated under Options 2 - 5 in the first instance where subsequent damage occurs to the blockwork retained within the dwelling which is consistent with defective concrete blocks, as per I.S. 465. The second grant option will go with the home and should aid any future sale. Upon receipt of a validated Certificate of Remediation, RWP and all relevant ancillary reports and certificates the local authority will issue a letter of assurance to the homeowner, confirming, subject to conditions, the availability of a second grant option for a dwelling remediated under options 2 - 5.

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