



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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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 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/328d7-minister-obrien-welcomes-progress-on-enhanced-defective-concrete-blocks-grant-scheme/>. The Act, whilst on the statute books, has not yet commenced.

b) Preparation of Regulations

The Act will only be commenced after the regulations which are necessary to provide for the finer details around which the new and enhanced scheme will operate have been prepared and signed off by the Minister and Government. The target timeline for finalisation of the regulations is by the end of 2022.

Work on drafting the necessary regulations has commenced and they will 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. 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 will also be drafted by the Department. Ensuring that the regulations and guidance are comprehensive and that all relevant stakeholders have been consulted and that the enhanced scheme will work for everyone, is the main priority.

c) Applications under the current Regulations of 2020

Pending the opening of the Enhanced Grant Scheme, applications can continue to be made to designated local authorities and processed under the current Defective Concrete Blocks Grant Scheme, underpinned by the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) Regulations, 2020 and the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) (Amendment) Regulations 2022.

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 current defective concrete blocks grant scheme which is the subject of separate legal provisions and guidance. This document's purpose is to address at a macro level, pending the finalisation of detailed regulations and guidance, queries stakeholders may have in respect of the new and enhanced scheme and how it is expected to operate. More detailed guidance will be made available by the Department when the finer details of the Enhanced Grant Scheme have been provided for and the scheme is ready to be commenced.

B. Questions

General

1. To whom will the Enhanced Grant Scheme apply?

The Enhanced Grant Scheme will apply to the owners of dwellings located in Clare, Donegal, Limerick and Mayo, which 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 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 which will be set by the Minister include for;

- Professional fees
- 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 counties are covered by the Enhanced Grant Scheme?

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

4. 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.

5. 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 consider engaging 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, 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. Currently, a register of such engineers is maintained by Engineers Ireland and this register is being expanded to include competent architects and building surveyors in time for the enhanced scheme.

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

Significant enhancements to the current 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 current 90% maximum grant 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.

7. When will the Enhanced Grant Scheme open for applications?

Regulations underpinning the Enhanced Grant Scheme are being finalised, following which the scheme will open for applications. In the interim the current scheme remains open for applications from homeowners whose homes are located in either Donegal or Mayo.

8. My damaged home is located in either Mayo or Donegal. Should I apply under the current scheme or wait for the enhanced grant scheme to open for applications?

Pending the opening of the new scheme applications can continue to be made to local authorities in Donegal or Mayo and processed under the current Defective Concrete Block grant scheme, underpinned by the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) Regulations, 2020 and the Dwellings Damaged by the Use of Defective Concrete Blocks in Construction (Remediation) (Financial Assistance) (Amendment) Regulations 2022.

The decision from Government is that existing applicants under the current grant scheme will not be disadvantaged from being early movers and will benefit retrospectively from the increased grant amounts and allowances which will be available under the enhanced scheme.

It is for each individual homeowner to determine if they wish to apply under the current scheme or wait for the Enhanced Grant Scheme to open.

Homeowners should note however that under the Enhanced Grant Scheme the main financial hurdle associated with entry to the current scheme has been removed. Homeowners applying under the Enhanced Grant Scheme will no longer have to engage and pay an engineer to complete a full I.S. 465 report and undertake sampling and testing at a cost of approximately €7,000. Instead a Building Condition Assessment report will be sufficient for an application under the enhanced scheme.

9. To whom will 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.

10. What can I do now to ensure that I am in a position to apply when the Enhanced Grant Scheme opens for applications?

Where it is suspected that a dwelling has been damaged due to the use of defective concrete blocks in its construction, the homeowner could engage a competent building professional (Engineer or Architect or Building Surveyor) to carry out an initial 'Building Condition Assessment' (BCA) report on the home.

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.

Currently, a register of competent Chartered Engineers is maintained by Engineers Ireland. Engineers Ireland will expand the register to include competent architects and building surveyors in time for the new scheme.

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 when the scheme opens.

NB: Homeowners should note that the form and content of the required BCA report has not yet been finalised; along with the damage threshold for application. These will be finalised in the Regulations and homeowners should ensure that the building professional they engage completes the BCA in accordance with the prescribed template within the Regulations.

Eligibility

11. 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 RTB on or before the 1st November, 2021

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

- Holiday Homes
- Vacant residential properties
- 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.

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

Multi unit developments are not currently included in the Enhanced Grant Scheme. Complex issues remain to be resolved to facilitate their inclusion, which it is expected will be worked out in consultation between Department officials and the Office of the Attorney General, following which provision will be made for their inclusion.

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

Yes, if the conditions set out in 11 above are fulfilled.

15. 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.

16. 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.

17. 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.

18. 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.

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

If you inherited the dwelling after the 31st January 2020, you are eligible to apply for the grant. The dwelling must be the individual's principal private residence, and the individual must intend in good faith to reside in the dwelling as his or her principal private residence on completion of the qualifying works to the dwelling.

20. 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.

21. 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 10 above.

22. 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.

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 for entry to the grant scheme is to ensure that the worst affected homes are prioritised and that homes which are not damaged, but may contain defective concrete blocks, are not impacting capacity constraints around alternative accommodation and the construction sector making things even more challenging for homeowners.

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

The Minister for Housing, Local Government and Heritage will prescribe the type and amount of damage which constitutes the damage threshold. This will allow 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.

24. 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

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

Local authorities will 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 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.

26. Can I speak to my local authority now about the Enhanced Grant Scheme?

Work on drafting the regulations is being undertaken by the Department and will apply in respect of all matters within the Act which are to be or may be prescribed by the Minister. Guidelines to facilitate, promote and support a consistent approach to the operation and administration of the Enhanced Grant Scheme will also be drafted by the Department.

When the regulations are in place and the enhanced scheme has been commenced the local authorities, as administrators of the scheme, will be in a position to answer queries on the Enhanced Grant Scheme. The Department aims to have the regulations and guidelines finalised as expeditiously as possible. Pending the finalisation of regulations and administrative guidelines it is unlikely that your local authority will be in a position to provide advice over and above that available within this document or on the website of the Department of Housing, Local Government and Heritage.

Role of the Housing Agency

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

The Housing Agency will act as 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 arrange for the assessment, sampling testing and categorisation of dwellings on a priority basis in accordance with the national standard IS 465 and thereafter determine the appropriate remediation option and grant amount.

The Qualifying Works

28. What remedial options are available under the Enhanced Grant Scheme?

There are five remedial options available under this grant scheme. The maximum grant approved for each remedial option will be determined by the grant rates approved by the Minister which will be sufficient to cover 100% of the necessary works subject to the 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
Option 1	Demolish entire dwelling to foundation level and rebuild.
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.

29. 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;

30. 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.

31. 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.

Removal of contents/house components and their temporary storage and reinstatement on completion are an allowable cost, subject to a maximum €5,000.

32. 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.

33. 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, 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 32.

34. 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.

35. 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

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

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:

$A \times B = C$ Where-

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

B is the square metre rate

C is the 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:

$D \times E = F$ 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 Grant Amount (Subject to Overall Cap)

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

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.

37. 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.

38. 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 required to account for changes.

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

Following approval works must commence within 78 weeks from this date and complete within 65 weeks of the start date.

A relevant owner may request the designated local authority to extend the periods referred to above where, due to exceptional circumstances beyond the control of, and the exercise of all due diligence by, the relevant owner, there is a delay.

40. 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. 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 but the additional costs will have to be borne by the homeowner.

41. 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.

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

Yes. A new and independent appeal process will be 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.

43. 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, 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.

44. How long do I have to carry out any approved works?

The Act provides that an applicant has 18 months to commence work after approval before the grant approval is deemed withdrawn. A further period of 3 months may be granted by the local authority where exceptional circumstances beyond the control of the applicant arise. A second grant application will be available to homeowners for a period of 40 years who carry out remediation works other than full demolition and re-build in the first instance where such a grant is required because the retained blockwork shows damage in accordance with I.S.465.

Executing the Approved Works

45. 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/home_owners_guidance.pdf

46. 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.

47. 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 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 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 in relation to damage caused to dwellings by the use of defective concrete blocks in their construction.

- Currently, a register of chartered engineers with the necessary training is maintained by Engineers Ireland. Engineers Ireland will expand the register to include competent architects and building surveyors in time for the enhanced scheme. The Engineers Ireland register can be accessed at the following link;
<https://www.engineersireland.ie/Registers-and-Panels/10>

48. 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 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 the competent building professional can be any either a competent Architect, Engineer or Building Surveyor.

In the case of remediation works involving the removal and replacement of sections of blockwork the competent professional must be a Chartered Engineer.

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

It is recommended that the homeowner engage a tax compliant 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 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

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

In order to secure the final grant payment, 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.

51. 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 will be prescribed and must be used by your competent building professional when seeking stage payments. The number of stage payments which can be applied for will depend upon the scale and cost of the approved remediation works.

52. 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 IS:465 protocol. The second grant option, under the letter of assurance, remains with the home to facilitate any future conveyance of the home.

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

A government guarantee is provided, by way of a letter of assurance, in regards to remediation works other than full demolition and rebuild (Options 2 to 5 – see table in Q28) through eligibility for a second grant if required for a period of 40 years.

Transitional Arrangements

54. I already have an application lodged with my local authority under the current scheme. What happens to it?

Transitional arrangements have been provided for under the Act and the detail will be provided by way of regulations currently being prepared. See Questions 54- 59 for high level detail on how the transitional provisions are intended to work.

55. 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 current 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.

56. How will the transitional arrangements for existing applications work?

This will depend on what stage of the process the homeowner is at. The Minister for Housing, Local Government and Heritage will make regulations in relation to the application of the transitional arrangements but some high level detail is provided in questions 57-61.

57. I have already engaged an engineer to test my home? What happens now?

Applicants who have not made an application under the current Defective Concrete Blocks Grant Scheme, before the commencement date of the Enhanced Grant Scheme, but have engaged a competent engineer to complete a report in accordance with I.S.465, shall have their application processed under the provisions of the Enhanced Grant Scheme. In these cases the Housing Agency can either accept the I.S.465 report commissioned by the homeowner or engage its own engineer to complete an I.S. 465 report on the relevant dwelling.

The fees you have incurred in getting an I.S. 465 report will be recoupable if your home is subsequently approved for grant assistance.

58. My application is awaiting a Stage 1 approval under the current scheme. What happens now?

Applicants who made an application under the current Defective Concrete Blocks Grant Scheme, before the commencement date of the Enhanced Grant Scheme and have not received a confirmation of eligibility on the commencement of the Enhanced Grant Scheme shall have their application passed to the Housing Agency for determination of the relevant remedial option and grant amount and processed thereafter by the local authority under the provisions of the Enhanced Grant Scheme.

59. My application is Stage 1 approved under the current scheme. What happens now?

Applicants who have received a confirmation of eligibility (stage 1 approval), before the commencement date of the Enhanced Grant Scheme shall have their grant amount calculated, approved and processed to completion by the local authority under the provisions of the Enhanced Grant Scheme.

You will still have to submit a remedial works plan. There will no longer be a requirement for a cost plan, from your contractor, to be submitted.

The grant payable will be calculated by reference to the existing home size in the case of an Option 1 approval or in the case of Option 2-5 approvals the amount of blockwork to be replaced and the grant rates set by the Minister.

60. I have submitted my Remedial Works Plan and Cost Plan to my local authority and am awaiting a Stage 2 approval. What happens now?

The local authority will calculate your grant by reference to the existing home size (subject to the downsizing provisions – question 40) or the amount of blockwork to be replaced and the grant rates set by the Minister. They will no longer be considering the quotation from your contractor or the potential for the reuse of house components in calculating your grant amount.

61. My application is Stage 2 approved under the current scheme. What happens now?

The position for applicants who have received a confirmation of grant approval (Stage 2), before the commencement date of the Enhanced Grant Scheme and have either not yet commenced, have commenced or have completed the remediation works is as follows. Their application will be reviewed/processed under the terms of the current scheme but they will benefit retrospectively from the enhancements under the Enhanced Grant Scheme, where applicable. This includes the €420,000 grant cap: 100% grant funding subject to the grant rates: alternative accommodation and storage costs: the second grant option: and access to the independent appeals process. Your local authority will review your application and make contact with you if additional information is required in order to assess your entitlement to the enhancements.

Planning Permission

62. 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.

63. 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 status of the proposed works as Development 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.

64. 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.

Property Tax

65. 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 current Defective Concrete Blocks Grant Scheme.

Similar provisions will apply to the counties of Clare and Limerick when the enhanced scheme is commenced and the necessary legal provisions have been put in place.

Other Questions

66. 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.

67. 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.

68. 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 additional works so the homeowner will have to cover the marginal cost.

69. To whom can I address queries I may have?

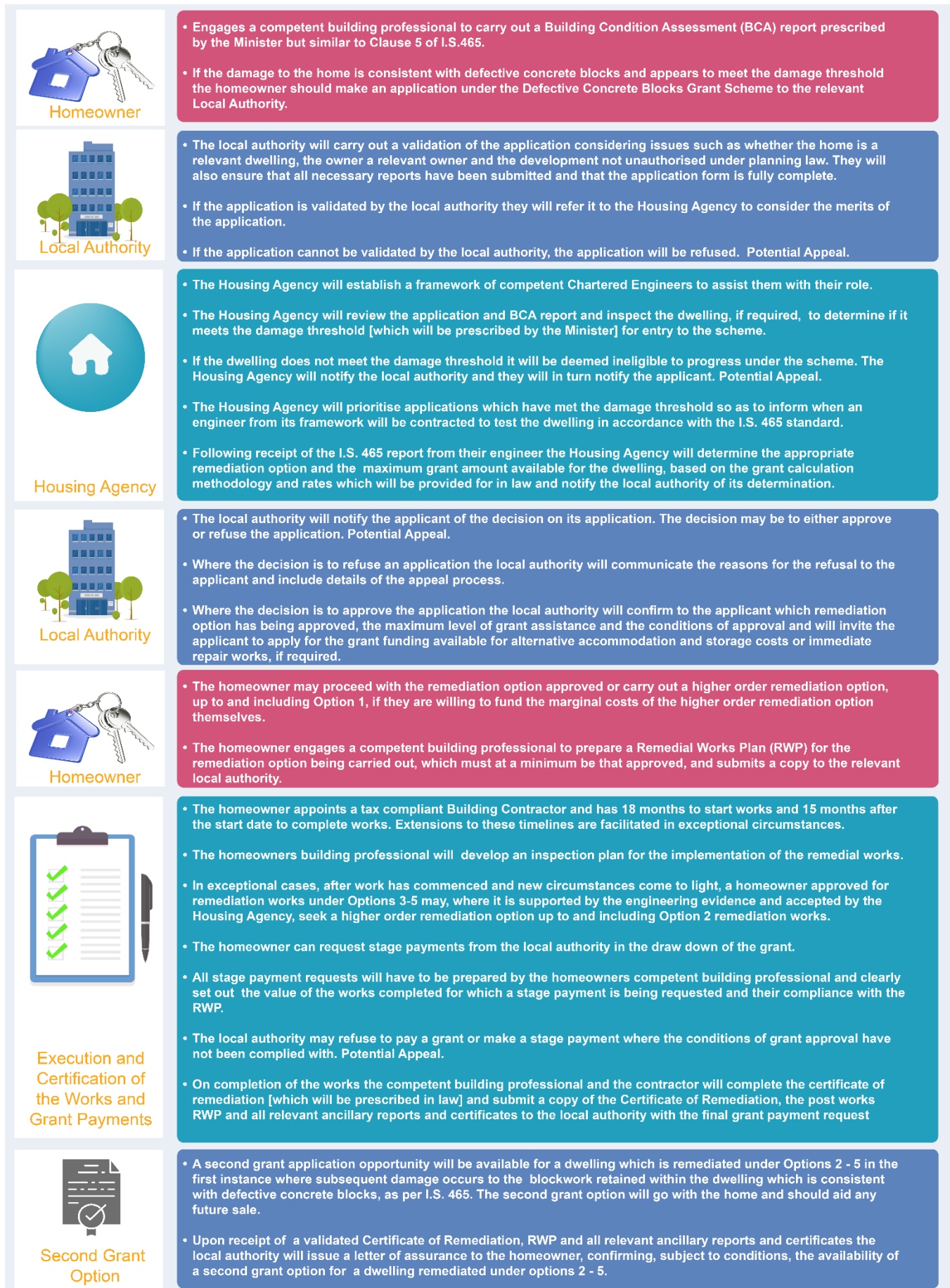
Queries should be addressed by homeowners to their relevant designated local authority. Please note however the response to question 26.

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

Yes, further to Government'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 Mayo and Donegal on a pilot basis. Where there is demand for such a service, extending it beyond those counties, will be considered. Homeowners can visit www.mymind.org and register for the service. There is no requirement for referral from a GP.

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



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Department of Housing, Local Government and Heritage



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