DUBLIN TENANCY PROTECTION SERVICE

One Year Preventing Homelessness
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Chairperson’s Statement

Ireland is facing an unprecedented homeless crisis. As of July 2015, 2,234 people (including 1,185 children) were homeless in Dublin. In its first year of operation Threshold’s Dublin Tenancy Protection Service (TPS) succeeded in helping 2,808 people (including 1,625 children) to remain in their homes and to avert homelessness. Without this vital service, the number of homeless families in Dublin would be significantly higher and the homelessness crisis would be almost unmanageable.

Because of Threshold’s TPS, the families we have assisted can maintain family support networks and friendships; their children have not been forced to move school or been subjected to inappropriate homeless accommodation; and they can maintain their dignity and hope for the future. The service is also making an impact in economic terms. Figures in this report show that keeping a family in their home is a much more cost-effective approach than paying for inappropriate emergency accommodation in commercial hotels.

The affordability crisis in the private rented sector is now one of the leading causes of homelessness. Until recently, it was predominantly single people who experienced the most difficulties in securing affordable rental accommodation but this has now extended to families. Competition for family homes has driven up rents and removed the accommodation choices that previously existed for low income families. The widening gap between maximum rent supplement limits and market rents has resulted in an increased vulnerability to homelessness for families. Put simply, hundreds of families just can’t afford to pay their rent, despite receiving a State income support that is supposed to help them do just that. Unfortunately, it will take a number of years before the increased supply of housing to be provided under the Government’s social housing strategy has an appreciable impact on the current housing crisis. More immediate interventions are needed.

Threshold’s Dublin TPS delivered as part of a strong and effective partnership with the four Dublin local authorities and the Department of Social Protection, has been one of the most successful homeless prevention measures undertaken in the last number of years. By targeting additional resources at those most at risk, the TPS is halting the economic evictions that make families homeless. The total additional cost of keeping 2,246 people in their homes by increasing their RS payment is just €0.76m, a fraction of the cost of providing them with emergency accommodation.

Despite the obvious success of the TPS model, homelessness in Dublin has doubled over the first 12 months of the Dublin TPS’s operation. The Dublin TPS and the Cork TPS (which opened in January 2015) only cover existing recipients of rent supplement, but people who live outside these two urban areas or people moving tenancies do not fall within the remit of the service. The TPS model needs to be urgently extended to all areas of the country that are facing unaffordable rent hikes, especially Galway and the commuter counties surrounding Dublin. The service should also be extended to cover new tenancies.

Wider policy responses are also needed to address the structural problems that are making people homeless. Last December, Threshold identified the need for a national strategy to provide Ireland with a modern, affordable and inclusive private rented sector. Unlike the owner occupied and social housing sectors, no strategic response has been put
in place to address the failings of the private rented sector. This sector has doubled in size since the onset of the economic downturn, now accounting for one in five households in Ireland. It could be argued that the absence of a strategic response to the private rented sector has meant that policies put in place for other housing tenures have added to the stresses faced by tenants, and just shifted the problem to this housing tenure.

Creating a framework for the delivery of quality, secure and affordable rental accommodation must be central to such a strategy. However, providing an appropriate framework to address the supply issue will not have any serious impact on family homelessness in the short-term due to the extent of the problem and time needed to finance, plan and actually construct new developments. Other more immediate solutions must be put in place.

The Dublin TPS has demonstrated that the most effective way to prevent homelessness is to keep families in their existing homes. A plan for the rented sector must include actions to bolster this approach. Threshold is advocating that the following measures are put in place:

› Introduce rent certainty measures to moderate and stabilise rent increases into the future;
› Increase rent supplement limits to match market rents;
› Reform the administration of the rent supplement scheme to reflect the realities of the rental market.

Homelessness carries an enormous human cost for the individual or family affected, but it also carries a large budgetary cost for the State. The key lesson of the TPS service is that putting the right resources in the right places can significantly alleviate the human and economic cost of homelessness.

Aideen Hayden
Chairperson
TPS Manager’s Statement

The purpose of the Dublin Tenancy Protection Service (TPS) is to secure people in their current tenancies and to prevent new presentations into homeless services. Over the past twelve months, almost 900 tenant households have remained in their home through the work of the TPS; this includes approximately 1,625 children.

An Interim Tenancy Sustainment Protocol agreed between the Department of Social Protection, the four Dublin local authorities and Threshold enables the TPS to apply for enhanced rent supplement payments to keep families in their homes. Of the 898 tenancies which were protected by the service in its first year of operation, 744 received additional rent supplement payments under this protocol.

It has been deeply fulfilling to be a part of a service that is making such a measurable impact on the homelessness crisis. Families living in rented accommodation contacting the TPS are distressed and worried. The threat of homelessness is terrifying and impacts seriously on a family’s well-being and their relationships.

Many families accessing this service are already dealing with severe stress in their lives – their children may be starting school or sitting important exams, they may be caring for a loved one or they may have medical needs or a disability. The reassurance we can offer them by explaining how the TPS can help to resolve their housing problem is often the first hopeful news they have received in a long time.

This report includes statistics demonstrating the value of the Dublin TPS. Also included are a number of short case studies to help you understand the human experience behind these numbers. I would urge you to read these stories. To understand the true impact of the TPS, I would also ask you to imagine the stories of all 2,808 people helped by this service.

Fionnughla McLoughlin, TPS Manager
Key Achievements

Threshold’s TPS is the key service that is ensuring that tenant households on rent supplement (RS) at risk of homelessness in Dublin can remain in their current accommodation and avoid having to access homeless services. In the first year of operation the TPS assisted 5,483 people in total.

Key successes in the first year:

Since the inception of the service on 16th June 2014, the TPS has achieved the following:

- 2,808 People (including 1,625 children) prevented from becoming homeless
- 898 Tenancies protected
- 5,483 Callers assisted
- 99% Success rate in preventing homelessness

Composition of Tenant Households Protected

- **898** TOTAL HOUSEHOLDS
  - 558 (62%) Number of one parent households
  - 285 (32%) Number of two parent households
  - 38 (4%) Number of single person households
  - 17 (2%) Number of PPTA

- **2,908** Callers advised on their rights
- **5,483** CALLERS
- **2,575** At immediate risk helped
- **1,625** Children remain in their homes

One Year Preventing Homelessness
Rationale for the TPS

Since 2003, Threshold had been running a highly successful Access Housing Unit (AHU) in Dublin that sourced private rented accommodation for people who were homeless or at risk of becoming homeless and supported them in their transition from homelessness into independent living.

Up until 2013/14 single people predominantly accessed the AHU. However, from 2013 family homelessness began to increase at an exponential rate. This rise in family homelessness has been due to rapidly rising rents,\(^1\) coupled with stagnant income levels (whether it be from wages or rent supplement)\(^2\) and negligible availability of new social housing.\(^3\)

Threshold identified that there was a need to bridge the affordability gap between rent supplement limits and rising market rents.

Over the Christmas period in 2013 this situation became so acute that Threshold worked with the Dublin Region Homeless Executive (DRHE) to provide emergency on-call services for families in private rented accommodation at risk of homelessness to resolve tenancy problems and to prevent families presenting at homeless services. The numbers of families becoming homeless continued to rise in 2014 and so in response Threshold’s Dublin AHU started to refocus its work on keeping people in their current accommodation.

In this context, Threshold felt an immediate and sustained approach was needed to support tenants at risk of homelessness due to rising rents, as well as undertaking on-going advocacy work to address the underlying causes of this rise in family homelessness. Threshold identified that there was a need to bridge the affordability gap between rent supplement limits and rising market rents so that tenants could remain in their homes. Threshold brought this proposal to the Dublin Region Homeless Executive, which led to an Interim Tenancy Sustainment Protocol (ITSP) being agreed between the Dublin Region Homeless Executive and the Department of Social Protection “to ensure a speedy intervention preventing families who are in receipt of a rent supplement payment from becoming homeless.”\(^4\)

This protocol also outlined the nature and purpose of the TPS, which was subsequently set-up by Threshold in June 2014 and funded by the Dublin Region Homeless Executive on behalf of the four Dublin local authorities. This new service acts as a single point of contact for tenants at risk of homelessness in Dublin. It provides them with advice and advocacy support, and most importantly, provides a fast-track avenue for tenants to have their rent supplement increased above current rent limits to reflect increases in rent. Subsequently, Threshold established a TPS in Cork in January 2015, using a model similar to the Dublin TPS.

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\(^1\) From 2011 to 2014 rent increases averaged 34.5 % in Dublin (Daft, Daft.ie Rental Report-2014 year in review, February 2015).

\(^2\) Rent Supplement levels have not increased since June 2013.

\(^3\) 8,673 new social housing units became available in 2007. Only 459 new social housing units became available in 2014.

Michael approached the TPS as he and his three children were at risk of losing their home. Michael had become unemployed four months previously and secured RS to meet his rent payment. He subsequently received notice that his rent was to be increased to €1,300. The TPS secured an increase to Michael’s RS payment so that it was sufficient to cover his increased rent. This enhanced payment would continue for 26 weeks, and might be extended for a further 26 weeks. Michael had been so worried about his family becoming homeless that he had been unable to concentrate on seeking employment and job interviews had not gone well. He can now continue his employment search without worrying about the loss of his home.
Operation of the TPS

The Dublin TPS is aimed at individuals, couples and families living in private rented accommodation in Dublin that are experiencing housing problems and are at risk of homelessness, especially due to rent increases.

The service determines that clients are ‘at risk of homelessness’ if they:

- face a rent increase that is above the current RS limit and they can’t find alternative accommodation that will accept RS as per this limit and thus face the prospect of eviction;
- have received a notice (invalid or valid) of termination.\(^5\)

The service is accessed through a free-phone number 1800 454 454, which is operational Monday to Friday from 9.00am to 9.00pm. The service can be also accessed by email on tps@threshold.ie. All callers contacting the service receive initial advice, with appropriate interventions being made by the TPS on behalf of clients where tenancies are at risk. This may involve contacting the landlord where invalid notice of termination has been issued or negotiating a limited rent increase.

The service was initially staffed by five people when it commenced in June 2104, but this was increased to seven in January 2015 due to the high demand for the service - a Manager, a Project Support Worker and five Project Workers. The service is targeted at tenants who are existing RS claimants residing within the region covered by the four Dublin local authorities and who are in imminent danger of homelessness due to a proposed rent increase above the current maximum rent supplement limits.

After a client contacts the service, Threshold explores the most appropriate response to resolving the situation. When Threshold considers that the only possible recourse for the tenant is to receive an increase in RS above current rent limits, Threshold prepares an application on behalf of the tenant and submits it to their local Department of Social Protection office.

The whole process, from first contact to processing applications, is streamlined so tenants receive an increase in their RS payment as quickly as possible. The increased RS is paid at the end of the month. New protocol applications can only be made during the month of the actual increase and cannot be applied for in advance. This means that if the tenant pays their rent on the 1st of every month, they have to make up the difference in rent themselves so as not to fall into arrears, for the first month of increase.

All tenants who successfully applied were initially given an increase in RS for just 13 weeks, but as there have been few, if any, alternative housing options for tenants accessing the service, this ‘temporary uplift’ period was increased to 26 weeks in February 2015. After this period ends Threshold applies to the DSP for an extension for a further 26 weeks if the tenant’s circumstances have remained the same. In February 2015 the service was extended to cover single tenants and couples, and not just families, as had been the case since the inception of the TPS.

\(^5\) This definition of ‘at risk of homelessness’ is in keeping with the European Typology of Homelessness and Housing Exclusion (ETHOS) framework developed by the European Federation of organisations working with the people who are homeless (FEANTSA) http://www.feantsa.org/spip.php?article3381&lang=en
Two public awareness campaigns have been undertaken in conjunction with the Dublin Region Homeless Executive to advertise the service - at the service’s commencement in June 2014 and again in spring 2015. A significant level of media coverage was generated to ensure that members of the public were aware that there was a service in place that could help to support them at a time of distress and crisis in their lives.

The issue of families becoming homeless continues to be at the forefront of public discussion; every opportunity was progressed when liaising with the media, in terms of incorporating the prevention message and access to the TPS via the freephone number. Across Dublin the freephone number was advertised on buses, flagpoles and also on prominent billboards throughout the city.

Extensive information and briefing workshops were held with a number of statutory and state-funded services and information about the service was distributed through Dublin’s public and social services. The campaign chose not to emphasise a ‘homeless’ message, as the families the service was targeting may not identify themselves as being at risk of homelessness and might not feel this service was for them.

Jane contacted the TPS in July 2015 due to ongoing difficulties in paying her rent, which had increased recently. Jane’s son, Jack, had abandoned his place at college in order to take up employment to assist his mother to pay the rent. The TPS assisted Jane to secure an enhanced rent supplement payment that would enable mother and son to remain in their rented home and they now hope that Jack can return to college.
MAP of TPS

FREEPHONE

TRIAGE ASSESSMENT

IMMEDIATELY AT RISK

⚠️ ILLEGAL EVICTION:
Dealt with immediately – details taken, landlord called and advised on possible consequences of an illegal eviction. If tenancy not reinstated then a case will be lodged with the PRTB (see below).

⚠️ AT RISK
Details taken, placed on a call back list for 2/3 days. Appointment made.

NOT AT RISK
General advice given – Client advised on rights and responsibilities – advised on alternative supports available depending on their needs.

GIVEN NOTICE

VALID

LANDLORD/AGENT CONTACTED
Advised of tenant’s rights if notice deemed invalid. If valid, landlord asked if an extension is possible or if the issue can be resolved – i.e. a repayment plan.

RENT INCREASE

INVALID

PRTB
TPS assist client to put in a case. Outcome depends on result of adjudication/mediation.

TENANCY REMAINS THROUGH ADVOCACY

RE-HOUSED
Client finds alternative rented accommodation

CLIENT ENTERS HOMELESS ACCOMMODATION

APPLICATION PREPARED AS PER ITSP
Appointment is made with client – relevant documents collated i.e. lease, letter of rent increase, welfare payment slip.

APPLICATION PASSED TO TPS MANAGER
The case is given a reference number and a request letter is sent to the relevant DSP office. Application is emailed through a secure site.

LANDLORD IS CONTACTED

OTHER ISSUES:
To discuss rent increase and to see if any reduction can be made and to ensure there are no other issues in the tenancy.

If there are arrears a repayment agreement is put in place. If further help is needed details for MABS are given or they are referred to a relevant tenancy sustainment service.

Details taken, placed on a call back list for 2/3 days.
Appointment made.

General advice given – Client advised on rights and responsibilities – advised on alternative supports available depending on their needs.

Client finds alternative rented accommodation

CLIENT ENTERS HOMELESS ACCOMMODATION

6 MONTH REVIEW
PAYMENT SECURE FOR 6 MONTHS
After 6 months, a review is required. Client contacted to ensure they have been searching for alternatives and local authority options discussed.
Once all areas covered a review letter is completed and application is sent again to the DSP.
If client’s circumstances haven’t changed the review is passed within 2-5 days. Payment is secure for a further 6 months – this cycle repeats every 6 months.

PAYMENT DISCONTINUED
Client no-longer fulfils means test due to changed circumstances – for example client’s income increases through new or additional employment.

In some cases, the payment is paid locally under Article 38 and no further protocol is required – payment is secured for 12 months through their local DSP office.

If the case is not suitable for the protocol.

FURTHER ADVOCACY
Further relevant advocacy is undertaken, if client is still at risk of homelessness.

Dublin Tenancy Protection Service:
<table>
<thead>
<tr>
<th>Process</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>APPLICATION PREPARED AS PER ITSP</strong></td>
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</tr>
<tr>
<td><strong>OTHER ISSUES:</strong></td>
<td>If there are arrears a repayment agreement is put in place. If further help is needed details for MABS are given or they are referred to a relevant tenancy sustainment service.</td>
</tr>
<tr>
<td><strong>APPEALS</strong></td>
<td>Client can appeal to the DSP about any decision made.</td>
</tr>
<tr>
<td><strong>APPLICATION PASSED TO TPS MANAGER</strong></td>
<td>The case is given a reference number and a request letter is sent to the relevant DSP office. Application is emailed through a secure site.</td>
</tr>
<tr>
<td><strong>CASE WITHDRAWN</strong></td>
<td>Client has sufficient means to meet the increase or they find alternative accommodation during the initial application stage.</td>
</tr>
<tr>
<td><strong>INCREASED PAYMENT SECURED</strong></td>
<td>ITSP approval takes between 5-15 days. Some cases take longer if they need a full review or further documentation is needed. Payment is granted for 6 months.</td>
</tr>
<tr>
<td><strong>PAYMENT REFUSED</strong></td>
<td>If the case is not suitable for the protocol.</td>
</tr>
<tr>
<td><strong>PAYMENT SECURED UNDER ARTICLE 38</strong></td>
<td>In some cases, the payment is paid locally under Article 38 and no further protocol is required – payment is secured for 12 months through their local DSP office.</td>
</tr>
<tr>
<td><strong>FURTHER ADVOCACY</strong></td>
<td>Further relevant advocacy is undertaken, if client is still at risk of homelessness.</td>
</tr>
<tr>
<td><strong>TENANCY REMAINS</strong></td>
<td>Client’s rent supplement is secure; client continues to search for alternative accommodation during this time.</td>
</tr>
<tr>
<td><strong>ALTERNATIVE ACCOMMODATION</strong></td>
<td>Client finds alternative accommodation – case is closed. Client re-housed.</td>
</tr>
<tr>
<td><strong>6 MONTH REVIEW</strong></td>
<td>After 6 months, a review is required. Client contacted to ensure they have been searching for alternatives and local authority options discussed. Once all areas covered a review letter is completed and application is sent again to the DSP.</td>
</tr>
<tr>
<td><strong>PAYMENT SECURE FOR 6 MONTHS</strong></td>
<td>If client’s circumstances haven’t changed the review is passed within 2-5 days. Payment is secure for a further 6 months – this cycle repeats every 6 months.</td>
</tr>
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<td>Client no-longer fulfils means test due to changed circumstances - for example client’s income increases through new or additional employment.</td>
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</tbody>
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Outcomes

4.1 The Tenancy Protection Service is the key service preventing homelessness

The TPS also has a significant number of on-going cases (832) which it is hoped will be resolved in the near future with a positive outcome for the tenants involved. In addition to this, 770 clients have received initial support and the TPS is waiting for further documentation or notice to be received before proceeding. The service has also supported 60 tenants to bring cases for dispute resolution to the Private Residential Tenancies Board (PRTB).

Of the 2,575 tenants who contacted the TPS and were deemed at an immediate risk of homelessness Threshold was able to confirm, via the Pathway Accommodation and Support System (PASS), that only 15 ended up having to enter homeless services. This is a success rate of 99%.

These figures must be considered in the context of the current homelessness numbers for Dublin, where 2,234 people (including 1,185 children) are homeless. It is fair to say that without the TPS, the number of homeless people in Dublin would be significantly higher.

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<table>
<thead>
<tr>
<th>Category</th>
<th>Outcome</th>
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<tbody>
<tr>
<td>Tenancy Protected</td>
<td>898</td>
</tr>
<tr>
<td>Initial Intervention</td>
<td>770</td>
</tr>
<tr>
<td>Ongoing Cases</td>
<td>832</td>
</tr>
<tr>
<td>PRTB</td>
<td>60</td>
</tr>
<tr>
<td>Entered Homeless Services</td>
<td>15</td>
</tr>
</tbody>
</table>
Jenny is living in the Dublin 7 area and has one daughter who is eight years old. Her rent increased from €950 to €1,250 in June 2014 and the TPS assisted her in securing an enhanced rent supplement payment. Her landlord sought a further increase from €1,250 to €1,400 in July 2015 and, although Jenny searched extensively for cheaper accommodation, she was unable to find a landlord who would accept rent supplement. Jenny’s search area was restricted as her daughter has been waiting for four years for a speech and language assessment, and the whole process would need to be restarted if she were to move out of the catchment area. The TPS put forward Jenny’s case to the DSP, who agreed to a further increase in Jenny’s rent supplement payment in order to keep the household in their existing home.
4.2 Most tenants required an increased RS payment to prevent them from becoming homeless

Of the 898 tenancies secured by the TPS, 83% or 744 tenancies needed an increase in RS payment above the current RS limit, to protect the tenancy and to prevent the client from becoming homeless.

The TPS was able to protect 104 tenancies (12%) through direct advocacy on behalf of clients with their landlord. A total of 50 clients (6%) were re-housed; 45 in private rented accommodation with five in local authority housing.

In total, 900 applications have been submitted to the DSP through the ITSP. Of these:

- 744 have been approved
- 92 are currently under review
- 34 were withdrawn\(^8\)
- 23 were closed (payment no longer required)
- 4 were housed by a local authority
- 3 applications have been refused.\(^9\)

**Chart 2: Breakdown of protected tenant households**

- DSP Protocol Approved: 744
- Saved through TPS Advocacy: 104
- Re-Housed: 50

**Chart 3: Status of ITSP applications**

- Approved: 744
- Under Review: 92
- Withdrawn: 34
- Closed: 23
- Local Authority: 4
- Refused: 3

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\(^8\) Three clients were not suitable for the protocol e.g. new tenancy secured, 28 clients were working part-time and could pay the extra rent through their own means and two clients’ rent was reduced before payment was due to begin.

\(^9\) The reasons for refusals were: proposed rent greatly exceeded rent limits; client ignored DSP previous instruction that rent was already too high; RS payment was already above the limit, and it was considered unreasonable to increase payment further.
All 231 successful ITSP increases to RS that have reached the six-month mark have been carried over for a further six months, while three clients that have reached twelve months have also been carried over for a further 6 months. This indicates that, as long as RS limits remain significantly below actual rent levels, it will be necessary that this ‘interim’ approach continues indefinitely.

“As long as RS limits remain significantly below actual rent levels, it will be necessary that this ‘interim’ approach continues indefinitely.”

Deirdre was referred to the TPS as she had received notice of termination from her landlord. The landlord had said he was going to sell the property. Deirdre has five children and works part time. The notice of termination was valid, but the TPS successfully negotiated with the landlord to secure an extension until the summer when the children would be on school holidays and she could search for alternative accommodation without disrupting their education. Deirdre has since found alternative accommodation with the assistance of the TPS.
4.3 Tenants are facing rent increases significantly above average rent increases

The majority (62%) of clients who were approved for the protocol, had their rent increased by between 11-30% of the original rent. However over a quarter (29%) of clients needed support to meet a rent increase of over 30%. 9% of clients received a rent increase of over 40% (see chart 5 below).

These figures contrast sharply with average rent increases in Dublin at the moment as documented by the PRTB rent index for Q1 2015, which indicates that rents in Dublin are up by an average of 9.6%. As the experience of tenants at risk of homelessness accessing the TPS indicates, policy assessments about the adequacy of RS limits and and Housing Assistance Payment (HAP) limits should not be dependent on average rent figures across the whole market, as they significantly underestimate the real level of rent increases being faced by RS tenants. This reality has already been recognised by the Department of Environment, Community and Local Government in proposals to adjust HAP limits in South Dublin County Council, the only local authority in Dublin currently offering HAP:

“I have recognised that South Dublin County Council requires additional flexibility in the operation of HAP given the challenging rental market within its administrative area. Regulations will be signed very shortly to provide for an additional 20% flexibility above the previous maximum rent limits in south Dublin where such flexibility is necessary in order to secure a suitable dwelling for a relevant household.”

4.4 The TPS is the most cost-effective way to prevent homelessness

The TPS is a cost-effective way to address immediate affordability issues faced by thousands of families in Dublin’s private rented sector. Over the month of July 2015 €1.58m was spent on providing emergency hotel accommodation in the Dublin region for 361 homeless families who previously were living in the private rented sector and receiving RS. By comparison, enhanced RS payments obtained thorough the Dublin TPS helped 744 households remain in their homes for the annual cost of just €0.76m.

Chart 5: Levels of rent increase

![Chart 5: Levels of rent increase](image)

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10 PRTB, The PRTB Rent Index Q1, June 2015.
11 The operation of HAP in the other Dublin local authority areas is restricted to homeless households.
12 Minister Paudie Coffey T.D. (Minister of State with responsibility for Housing, Planning and Coordination of the Construction 2020 Strategy).
13 Figures are from the Dublin Region Homeless Executive.
Because of the service, children could remain in their school or pre-school and adults could easily access existing community supports. Not only is paying for emergency hotel accommodation for these families much more expensive, they are being inappropriately housed, most likely in one bedroom with no kitchen facilities, in accommodation not designed or suitable for children, and at a distance from social and family supports.

It is obvious that there is a need to consider and clearly quantify this extra cost to the Exchequer due to the continued inadequacy of RS limits.

Chart 6: Cost of increasing RS compared with providing emergency hotel accommodation

David came to the TPS in May 2015. His rent was being increased from €1,350 to €1,500. David is married and has three children. David was already making a ‘top up’ payment in order to keep the family in their home, where they have lived since 2013. This ‘top-up’ payment was being made in addition to a means-tested contribution David had to pay under the RS scheme. David has a kidney disease, he is receiving treatment three days a week and he is also on the transplant list.

David was extremely worried that his family would end up living in homeless services and this was negatively impacting his health. Although the amount of rent sought by the landlord was well in excess of RS limits, it was the market rate for the area. Threshold worked with the Department of Social Protection to ensure that an enhanced RS payment was put in place and David’s family are now secure in their home for the immediate future.
4.5 The vast majority of tenancies protected were for families with children

As has already been highlighted, increasing numbers of families with children are at risk of homelessness, primarily for economic reasons; they simply can’t afford current rent levels in Dublin and there are few opportunities for them to be re-housed in social housing.

- 96% of the tenant households protected by the TPS were families with children.14
- 898 families, comprising 1,183 adults and 1,625 children, were protected by the TPS.
- 4% of tenancies protected were single person households.

These figures point to the fact that homeless services will continue to find it challenging to secure appropriate emergency accommodation for families with children, as many of the existing homeless services in place have been developed to predominantly cater for single people. These challenges would have been even greater without the interventions of the TPS.

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14 Including 2% that were parents with part-time access to their children.
4.6 One fifth of the people that received an increase in RS were living in Dublin 15

While those receiving a RS increase through the ITSP were living in all areas of Dublin, Dublin 15 (Blanchardstown, Clonsilla and Mulhuddart) was the single most common area where successful applicants resided (20%). Overall, more tenants receiving RS increases through the ITSP were living in North Dublin (60%) than South Dublin (40%). Other significant areas were North County Dublin 9%, Dublin 11 (Ballymun, Finglas and Glasnevin) 8%, Dublin 22 (Clondalkin) and Dublin 24 (Firhouse, Jobstown, and Tallaght) 8%. The service has also received a number of enquiries from tenants in the commuter counties surrounding Dublin, but unfortunately they are currently not covered by the ITSP.

4.7 Cases referred to the PRTB found in the tenants favour at a ratio of 2:1

Whilst the majority of issues presented by clients are resolved through the intervention of the TPS, in 2% (60) of cases it has been necessary to refer a dispute to the Private Residential Tenancies Board (PRTB). As chart 9 shows, most of the cases have now been heard, with the majority of cases found in the tenants favour, showing the importance of the advocacy work that the TPS undertakes.
Policy Recommendations

5.1 Extend the TPS

As the Dublin TPS currently only applies to existing tenancies. People who are trying to secure a new tenancy or who have any type of tenancy outside Dublin (or Cork) will continue to struggle to find suitable accommodation within the existing RS levels.

In 2015, while rent continues to increase in Dublin, the highest annual rate of rental inflation in the country is now in the commuter counties, where rent is increasing at an average annual rate of 17%. As documented in this report these average figures mask the levels of rent increase faced by people at the lower end of the market, which is more likely to be between 20-30%.

Moreover, as this report has highlighted, new applications for an increased rent supplement payment can only be made during the month of the actual increase and cannot be applied for in advance. This means that if the tenant pays their rent on the 1st of every month, they have to make up the difference in rent themselves so as not to fall into arrears, for the first month of increase. It would be more effective if the uplift could be pre-approved in advance of the month in which the increase is to take effect.

5.2 Increase rent supplement limits in conjunction with the introduction of rent certainty

The TPS on its own is not sufficient to address the current homelessness crisis. Despite the TPS being successful in preventing 898 families with children from becoming homeless through the ITSP, the number of homeless families in Dublin has doubled (from 264 to 531) during the TPS’s first year of operation. It is obvious that policy changes need to be introduced to address the situation.

The key immediate issue is that RS limits are too low to enable those in most need to afford adequate accommodation for their families. As the new HAP limits (South Dublin County Council notwithstanding) are currently being set at the same level as RS limits, this has major implications for the viability of this main plank of the Government’s Social Housing Strategy 2020. Moreover, the inadequacy of RS limits has been noted at the highest international level with the United Nations Committee on Economic, Social and Cultural Rights expressing serious concern at:

“The growing number of families and children that are, or at the risk of being, homeless, as a result of the lack of social housing and the inadequate levels of rent supplement.”

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Recommendation 1

There is a need to extend the Tenancy Protection Service to Galway, Limerick and the commuter counties of Wicklow, Meath and Kildare and include all tenancies, new and existing, under the Interim Tenancy Sustainment Protocol (ITSP) arrangements. Tenants should be able to apply for a rent supplement increase under the ITSP as soon as they receive notice of their rent increase.

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15 Daft, Daft.ie, Rental Report – Q1, 2015, p.2.
17 Up to 75,000 of the 110,000 social housing units promised under the Social Housing Strategy 2020 are due to be delivered through HAP and the Rental Accommodation Scheme (RAS).
Obviously, increasing supply is essential and Threshold has proposed a suite of measures that need to be introduced to increase the affordable supply of rental accommodation. However, it must be recognised that, even if the most appropriate policies were in place to increase supply, it will take a number of years before the supply of new accommodation impacts affordability. Thus as a result of the general inadequacy of RS limits, individuals and families will continue to become homeless or face a considerable risk of becoming homeless.

It is the DSP’s current policy not to increase RS limits based on the assessment that such an increase will lead to a rise in rental floors for all rental properties. It is incumbent on Government to bring forward a policy response to ensure that there is an immediate mitigation of rent increases so that RS fulfils its statutory function to provide an appropriate level of supplement to ensure access to accommodation for those whose means are insufficient to allow them to meet this need themselves.

Threshold believes that appropriate rent certainty measures, in conjunction with appropriate RS increases, represent the only adequate and effective immediate response to the rising levels of homelessness.

Threshold has submitted proposals to the Department of Environment, Community and Local Government concerning the introduction of rent certainty measures by way of amendment to the Residential Tenancies Act 2004. Such rent certainty measures would link future rent increases to an objective measure such as the consumer price index. Rent certainty measures are an essential component of a well-regulated housing market, and benefit both landlords and tenants by ensuring that rent increases (and indeed decreases) are foreseeable, predictable, and reasonable. Rent certainty measures also moderate future costs and ensure predictability in terms of the administration of the RS scheme.

### Recommendation 2

Amend the Residential Tenancies Act 2004 to provide for rent certainty as to the rate of increase in rents, in conjunction with an increase in Rent Supplement and HAP limits to reflect current market conditions.

Michelle contacted the TPS when she received notice of termination from her landlord. Michelle and her partner have three children. Her partner lost his job and they had to apply for rent supplement to cover the rent. They had lived in the property for four years. The landlord issued a notice of termination as he wished to sell the property. As Michelle and her family were in a fixed term lease, the TPS explained to both parties that notice could not be given until the end of this lease as there was no break clause. The lease was signed in January 2015, so Michelle and her family could remain in their tenancy until at least January 2016.

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19 See Threshold’s submissions in relation to the 2015 budget on [http://www.threshold.ie](http://www.threshold.ie)

20 Full details of the proposal can be found here: [http://www.threshold.ie/news/2015/06/15/thresholds-proposals-for-rent-certainty/](http://www.threshold.ie/news/2015/06/15/thresholds-proposals-for-rent-certainty/)
5.3 Improve the administration of rent supplement

Many of the people at risk of homelessness that accessed the TPS did so because of shortcomings in the current administration of RS. One of the key lessons of the ITSP is that if applications can be dealt with quickly and efficiently families can remain in their homes and avoid homelessness. Unfortunately, it is Threshold’s experience that the RS scheme in general does not work as efficiently as it should. The RS scheme does not take full account of the regulatory framework for the private rented sector established by the Residential Tenancies Act 2004. Landlords and tenants have had to adapt to the changes in the legislation, whereas the RS scheme has retained a model that pre-existed the Residential Tenancies Act 2004. It is a source of some difficulty for landlords and tenants that a state scheme to support tenants in the private rented sector often fails to measure up to the state’s own regulations for that sector.

Recommendation 3

Overhaul the administration of the RS scheme by undertaking the following:

- Provide for the automatic payment of RS directly to landlords;
- Ensure that RS is paid in advance, rather than in arrears;
- Introduce a pre-approval mechanism for RS claimants who have been assessed by the relevant local authority as having a housing need;
- Remove the requirement that a claimant furnish a tenancy/lease agreement as part of the applications process;
- Review the documentation requirements for RS and provide for direct submission of confidential documents by landlords to the Department of Social Protection representatives;
- Restore the face-to-face applications facility in local social welfare offices and ensure that adequate levels of support be given to claimants in completing their application, in order to expedite approval of rent payments to landlords;
- Ensure that eligible rent supplement recipients are afforded an exceptional needs payment where they require a sum of money for a security deposit, and are unable to make such a payment out of their own means. The rules around how such decisions are made should be clear and consistent;
- Ensure that RS claimants are given at least 28 days’ notice of the suspension or termination of RS payments;
- Place greater reliance on the local review process in respect of RS decisions, afford priority to appeals relating to RS claims, and ensure that RS continues to be paid while an appeal is pending;
- Introduce clear guidance for Department of Social Protection representatives to deal with circumstances where receivers are appointed to properties with RS tenants.
**APPENDIX 1: Cost of maintaining families in their homes through ITSP**

<table>
<thead>
<tr>
<th>Month /Year</th>
<th>DSP Original Contribution</th>
<th>DSP Protocol Amount</th>
<th>Total per Month</th>
<th>Cumulative Total</th>
<th>Increase per month</th>
<th>Total cost per month</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2014</td>
<td>€10,651</td>
<td>€2,225</td>
<td>€12,876</td>
<td></td>
<td>€26,700</td>
<td>€154,512</td>
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<tr>
<td>July 2014</td>
<td>€32,290</td>
<td>€6,385</td>
<td>€38,675</td>
<td></td>
<td>€73,427</td>
<td>€444,762</td>
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<tr>
<td>August 2014</td>
<td>€41,765</td>
<td>€9,050</td>
<td>€50,815</td>
<td></td>
<td>€95,025</td>
<td>€533,557</td>
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<tr>
<td>September 2014</td>
<td>€35,545</td>
<td>€10,765</td>
<td>€46,310</td>
<td></td>
<td>€102,267</td>
<td>€439,945</td>
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<tr>
<td>October 2014</td>
<td>€31,630</td>
<td>€8,570</td>
<td>€40,200</td>
<td></td>
<td>€72,845</td>
<td>€341,700</td>
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<tr>
<td>November 2014</td>
<td>€38,400</td>
<td>€14,760</td>
<td>€53,160</td>
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<td>€110,700</td>
<td>€398,700</td>
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<td>December 2014</td>
<td>€24,650</td>
<td>€5,570</td>
<td>€30,220</td>
<td></td>
<td>€36,205</td>
<td>€196,430</td>
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<tr>
<td>January 2015</td>
<td>€45,480</td>
<td>€12,350</td>
<td>€57,830</td>
<td></td>
<td>€67,925</td>
<td>€318,065</td>
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<tr>
<td>February 2015</td>
<td>€9,580</td>
<td>€2,965</td>
<td>€12,545</td>
<td></td>
<td>€13,342</td>
<td>€56,452</td>
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<tr>
<td>March 2015</td>
<td>€65,846</td>
<td>€18,454</td>
<td>€84,300</td>
<td></td>
<td>€64,589</td>
<td>€295,050</td>
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<tr>
<td>April 2015</td>
<td>€55,837</td>
<td>€15,830</td>
<td>€71,667</td>
<td></td>
<td>€39,575</td>
<td>€179,167</td>
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<tr>
<td>May 2015</td>
<td>€88,224</td>
<td>€24,023</td>
<td>€112,247</td>
<td></td>
<td>€36,034</td>
<td>€168,370</td>
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<tr>
<td>June 2015 (2 weeks)</td>
<td>€68,352</td>
<td>€22,597</td>
<td>€90,949</td>
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<td>€22,597</td>
<td>€90,949</td>
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<tr>
<td><strong>Total €</strong></td>
<td></td>
<td></td>
<td>€761,231</td>
<td></td>
<td>€3,617,659</td>
<td></td>
</tr>
</tbody>
</table>
## APPENDIX 2: Successful ITSP applicants by postcode

<table>
<thead>
<tr>
<th>Post Code</th>
<th>Number of Households</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dublin 1</td>
<td>10</td>
<td>1%</td>
</tr>
<tr>
<td>Dublin 3</td>
<td>17</td>
<td>2%</td>
</tr>
<tr>
<td>Dublin 5</td>
<td>25</td>
<td>3%</td>
</tr>
<tr>
<td>Dublin 7</td>
<td>42</td>
<td>6%</td>
</tr>
<tr>
<td>Dublin 9</td>
<td>35</td>
<td>5%</td>
</tr>
<tr>
<td>Dublin 11</td>
<td>59</td>
<td>8%</td>
</tr>
<tr>
<td>Dublin 13</td>
<td>24</td>
<td>3%</td>
</tr>
<tr>
<td>Dublin 15</td>
<td>152</td>
<td>20%</td>
</tr>
<tr>
<td>Dublin 17</td>
<td>16</td>
<td>2%</td>
</tr>
<tr>
<td>North County Dublin</td>
<td>68</td>
<td>9%</td>
</tr>
</tbody>
</table>

**Percentage North Dublin**: 60%

| Dublin 2 | 1 | Under 1% |
| Dublin 4 | 2 | Under 1% |
| Dublin 6 | 12 | 2% |
| Dublin 6W | 3 | Under 1% |
| Dublin 8 | 32 | 4% |
| Dublin 10 | 9 | 1% |
| Dublin 12 | 41 | 6% |
| Dublin 14 | 7 | 1% |
| Dublin 16 | 9 | 1% |
| Dublin 18 | 4 | 1% |
| Dublin 20 | 4 | 1% |
| Dublin 22 | 59 | 8% |
| Dublin 24 | 55 | 7% |
| West & South County Dublin | 58 | 8% |

**Percentage South Dublin**: 40%

| Total | 744 | 100% |
Housing Assistance Payment (HAP): This is a form of housing support provided by local authorities which replaces Rent Supplement for those with a long term housing need who qualify for social housing support.

Initial intervention: Refers to initial assessment of whether a client is at risk of homelessness; initial advice and information about the TPS.

Interim Tenancy Sustainment Protocol (ITSP): An agreement between the Department of Social Protection, the Dublin Region Homeless Executive, the four Dublin local authorities, and Threshold. The purpose of the ITSP is to intervene where families in receipt of rent supplement are in danger of becoming homeless due to an increase in rents beyond the prescribed maximum rent supplement limits.

On-going cases: These are cases where Interim Tenancy Sustainment Protocol (ITSP) paperwork is being prepared or ITSP application is being processed; Tenancy Protection Service (TPS) is undertaking advocacy with landlord, preparing case/awaiting decision in relation to the Private Residential Tenancies Board and/or organising a referral to another agency.

Pathway Accommodation and Support System (PASS): An online system that generates vital information in terms of managing access to homeless accommodation. It provides ‘real-time’ information in terms of homeless presentation and bed occupancy across the Dublin region.

PPTA: Parents with part-time access to their children.

Rent Supplement (RS): The purpose of RS is to provide short term income support to assist with the reasonable accommodation costs of eligible persons living in private rented accommodation who are unable to provide for their accommodation costs from their own resources and who do not have accommodation available to them from another source.

Rent Supplement Limit: This is the maximum amount of RS a suitable applicant may receive based on their family circumstances and location of residence.

Tenancy Protection Service (TPS): A service provided by Threshold to households in the Dublin or Cork areas who are living in private rented accommodation and whose tenancy is at risk.
Threshold is a national housing charity that provides housing advice, advocacy and support services for over 20,000 people annually, the vast majority of whom live in the private rented sector. It has offices in Dublin, Galway and Cork.

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