

Remaking Ireland: A New Deal for Housing



After the Emergency

When the public health emergency eventually ends, the immediate challenge will be to restart the economy and address the wider social damage left in its wake.

As is now clear, the catastrophic and failed policies pursued to date by the government have resulted in thousands of people being housed in substandard, inferior and overcrowded conditions, leaving many hopelessly exposed and vulnerable when the public health emergency occurred.

An essential component of the post-emergency rebuilding process will be the creation of a housing system capable of delivering secure, affordable and high-quality homes to meet current and future needs.

Driven by a major programme of public housing provision, this has the capacity to stimulate growth, address a major social deficit and bring down exorbitant housing costs across the economy.

Since its formation in October 2018, *Raise the Roof* has demanded a radical shift in housing policy founded primarily on a restoration of the State's central role in housing provision.

The State's key role in the provision of what is essential social and strategic infrastructure was surrendered from the 1980s onwards and essentially outsourced to the market.

This left us without either the tools or capacity to deal appropriately with the housing and homelessness crisis as it unfolded over recent years.

Bound by an ideological dependence on the market, the government's only recourse was to increasingly expensive, ineffective subsidies and tax breaks to developers, private landlords and multinational investment funds.

Billions of euro were expended but only a small number of new homes were delivered.

The February 2020 General Election became a de facto referendum on the catastrophic failures of official housing policy and the verdict from the electorate was clear and emphatic.

This means there can be no return to 'business as usual' after the emergency, as this ('business as usual') is precisely where the problem lay in the first place.

Indeed, it appears that the emergency has wrought a fundamental political shift in respect of housing policy and the wider role of the State.

Thus, we have seen the enactment of measures to freeze rents and ban evictions, which both major parties of government had previously insisted were variously unworkable, illegal or unconstitutional.

The recent draft framework agreement between Fine Gael and Fianna Fáil also appears to reflect this shift although, bold declarations aside, the document contains nothing substantial on the need to restore the State to its central role in housing provision and bring an end to the failed dependence on the private market.

Equally the framework document contains some deeply worrying proposals, not least a plan to lease houses from developers for up to 100 years, at what would almost certainly be an excessive cost to the State.

A Radical Transformation

The current emergency will have an appreciable impact on some aspects of the housing market but, when it ends, the same essential failings will remain to be addressed.

There will still be unacceptably high numbers of people homeless; tens of thousands on housing waiting lists and many more 'hidden homeless' who are never included in the official tally and a generation of young workers and families still without the hope of finding decent quality accommodation to rent or buy.

Given the rapid rise in jobless numbers, with just over million workers fully or partly dependent on social welfare payments or temporary wage subsidies, there are also likely to be significant problems arising in relation to rent arrears and mortgage distress.

Current income and rental supports and limited forbearance from the banks have helped ameliorate the worst impact of the crisis, but there are as yet no measures

in place to deal with the build-up of arrears in rent or mortgages that will emerge in the aftermath of the health emergency.

The official policy approach to housing must undergo a radical transformation if we are to reshape our housing system for the benefit of all citizens.

Such policy must be shaped and informed by a view of housing as a human right, which the State must ensure is upheld and vindicated across wider society. The incoming government must act on this to deliver a new deal on housing.

Such is the scale of the change required that we believe this can only be delivered by a new, progressive government.

There are in five key areas on which an incoming government must focus:

- **A National Public Housing Programme**
- **Public Land for Public Housing**
- **Fair Rents & Secure Tenancies**
- **Ending Homelessness**
- **A Right to Housing**

1. A National Public Housing Programme

Given the depth of the market failure in the sector, it is clear the State must now resume its central role in housing provision.

As a priority, the incoming government must initiate a major national public housing programme to deliver up to 100,000 new homes on public land over five years.

It should set clear annual targets to ensure delivery of at least 15,000 new homes in the first year and 20,000 homes in the second year, with the balance delivered over the remainder of a five-year term, until the overall target is met.

This national housing programme should be led by appropriately-resourced local authorities with homes constructed through use of direct build, in conjunction with not for profit housing associations or housing cooperatives and by contracting directly out to builders.

All contractors and builders working under this programme would be required to operate to the highest standards in terms of health and safety and worker/ union rights and implement a ban on bogus self-employment, in favour of direct, legitimate employment. A comprehensive apprenticeship programme must be developed to ensure a supply of appropriately skilled workers.

The 100,000 new homes would be comprised of an agreed mix of public housing, affordable cost rental (rents set no higher than 25% of median income) along with a proportion of affordable homes for purchase.

By building on public land, these affordable purchase homes can be delivered through local authorities in a cost-efficient manner, at a cost of between €200,000-250,000.

The national programme should include special measures to ensure that all frontline and essential service workers would be guaranteed access to high quality, affordable housing, a provision that is made all the more relevant and urgent by the current public health emergency.

Funding the Programme

While some uncertainty remains as to the mechanisms that will be utilised it now seems certain that the European Union and its agencies will develop new funding models to assist member states with the cost of the immediate emergency and also the recovery.

The President of the European Commission, Ursula von der Leyen, has spoken of the need for a new Marshall Plan for the EU.

Thus, with EU involvement and support, it should also be possible to borrow for investment in the provision of public and affordable homes.

In that context and given the huge contribution to recovery that would be delivered by a coherent housing programme, in terms of job creation and by reducing housing costs across society, exchequer funding should be made available for the housing programme.

This could be up to €1.7 billion annually, over the five-year course of the programme.

This expenditure would deliver significant savings over time and allow exchequer resources to be gradually redirected.

For example, Budget 2020 allocated €1.1 billion to 'social housing' but much of this money will take the form of subsidies to private landlords, in the form of RAS and HAP.

Both RAS and HAP accounted for 70% of 'social housing' spending between 2016-2018.

These subsidies cost up to €900 million annually and have cost some €7 billion since 2004 - without delivering a single new home. On current trends, the cost of HAP payments could rise to more than €2 billion per annum in the coming years.

Current policy also sees local authorities routinely purchase homes from developers for use as public housing for up to *twice* the cost of building on public land: two homes on public land can be delivered for the cost of one privately developed unit.

The Department of Public Expenditure drew attention to this poor use of public money, in a 2018 review of expenditure.

The NAMA dividend (estimated at between €2 to €4 billion) should also be deployed to help kickstart the housing programme, generating a long overdue social return from the years of the financial crisis, for the citizens of this State.

There should be an immediate halt to the sale of all NAMA assets, until the incoming government puts in place measures to ensure such disposals are in accordance with and deliver benefits for the State-led programme of public housing.

In addition, financing could be sought from sources such as the European Investment Bank - which invests in public housing - and the Irish Strategic Investment Fund (ISIF), which has some €8 billion in funds available.

Ironically, the ISIF has invested in housing schemes operated by private developers (Cherrywood) and in a Private Rental Sector (PRS) fund. The latter generally purchase entire new build apartment complexes, contributing to the shortage of rental units and putting upward pressure on rents.

In addition, measures such as the 80% Windfall Tax on the sale of rezoned land that was abolished in 2015, should be reinstated and the proceeds invested in housing provision.

The use of 'Joint Ventures' and Public Private Partnerships for public housing must also cease, while mechanisms such as the Local Infrastructure Housing Fund (LIHAF) - under which taxpayers fund infrastructure for private developments - must be redirected to public schemes.

2. Public Land for Public Housing

In order to ensure this ambitious national housing programme can be delivered, a new government must immediately halt the sale or disposal of public land to private interests.

The State currently owns and controls sufficient public land to build some 114,000 new homes, while in Dublin city alone there is enough available land owned by public bodies to accommodate 71,000 new homes.

Local authorities would be encouraged to pool skills and expertise in respect of planning, architecture and design and other relevant areas as required, in order to speedily deliver high quality homes in mixed communities.

The homes constructed under the national public housing programme should be designed and built to the highest standard - particularly in respect of energy efficiency and environmental impact - and contribute to the development of decent, sustainable communities, with all necessary services and facilities.

Such communities must be designed to cater for people of all ages and family types. The needs of older people would be met through the provision of appropriate housing and supports, while a set overall percentage of the new homes should be designed for people with disabilities and be fully wheelchair accessible.

The recommendations of the Traveller Accommodation Expert Review must be implemented in full and measures put in place to ensure Traveller accommodation budgets are spent in their entirety.

The Part V legislation should be amended to provide for up to 25% of private housing developments to be reserved for public and affordable homes and rentals, while ensuring the minimum in respect of social housing is maintained.

Local authorities must also address the problem of Vacant Homes and bring them back into use through the active use of a punitive Vacant Home Levy and Compulsory Purchase Orders, where required.

The incoming government should redraft the legislation establishing the Land Development Agency create a body whose key role would be to support and assist the national programme as part of a wider land management policy, primarily through land planning and management - acquiring and holding land for public housing.

It must also rescind the Mandatory Planning Guidelines introduced in 2016 and changes to the 2012 Planning and Development Act that affect the height and standards in respect of house size, ceiling height etc.

This changed framework has done little to address the crisis and has facilitated the fast track development of luxury student accommodation, build to rent and 'co-living' schemes.

In order to tackle both emission levels and fuel poverty and as part of a wider Green New Deal, local authorities should be assisted to undertake a coordinated and comprehensive national retrofit programme targeted at existing public housing stock. Over time, this programme should be expanded to all housing stock.

3. Fair Rents & Secure Tenancies

Emergency measures such as rent freezes are key tools to help control spiralling rents and when the current public health emergency ends, the incoming government should maintain the existing rent freeze for a further period of at least three years - or until there is clear evidence of a significant reduction in rents and an end to price gouging.

In the longer term, it must establish a clear system of national rent regulation, with rents linked to the Consumer Price Index, along with a system of regular inspection of rental properties to ensure compliance with agreed standards.

The incoming government must also strengthen the rights of tenants, including the introduction of measures such as life time tenancies - common in many other EU states - and remove a landlord's ability to evict tenants in order to move a relative in, or to sell or refurbish the property.

In addition, security of tenure is also needed by those in 'digs style accommodation' to ensure an end to the 'five day Bed & Breakfast' set up experienced by students in such situations.

It should also commit to ending tax breaks for REITS and so-called Cuckoo Funds and tackle the negative impact of short-term holiday lets on the rental sector.

4. Ending Homelessness

A new government must commit to ending homelessness and introduce a statutory deadline on the maximum time families can remain in emergency accommodation, before being offered a secure home.

The public health emergency has resulted in the welcome removal of all 'overnight hostels' for homeless people with the facilities now operating on a 24 hour basis, a measure which must be made permanent when the current restrictions end.

'Economic' evictions and evictions into homelessness must be banned. In addition, there must be an end to so-called Section 10 evictions, used to evict Travellers from sites - but with no alternative accommodation offered to them. Such economic evictions and evictions into homelessness, including the eviction of Travellers using trespass legislation without alternative accommodation being offered, must be banned.

Housing First, in conjunction with a dedicated Youth Homelessness strategy and a Family Homelessness strategy, must be central to an incoming government's policy approach.

It must also fully implement the recommendations of the November 2019 reports of the Joint Oireachtas Committees on Housing and the Committee on Children and Youth Affairs.

In addition, the incoming government must review how the number of people who are homeless is counted, to reflect a broader definition of homelessness - including 'hidden homelessness' - and to rebuild public trust in the credibility of the figures.

5. A Right to Housing

The incoming government should commit to holding a referendum within the first two years of taking office, in order to insert a right to *adequate, affordable, secure and safe* housing in the Constitution.

Of itself, this would not solve the housing crisis, but it would oblige the State and all its agencies to realise and uphold such a right through all laws, policies and practices and allow judicial oversight to ensure its protection.

There is no such right under existing law (Housing Acts 1966-2014), merely the right to *apply for* social housing assistance with *no obligation* on government or local authorities to provide housing.

This glaring deficit has allowed successive governments to abdicate responsibility for housing provision for ideological reasons culminating, in recent decades, with full blown outsourcing to the private sector of this vital public good.

This process will not be reversed until housing is designated as a human right to which citizens are entitled and which governments are legally obliged to provide.

This would also bring Ireland into line with best practice internationally as set out in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. Some 81 countries worldwide have a right to housing enshrined in law.

As such, a commitment to the holding of a referendum on a right to housing would be an essential component of any new Programme for Government and underpin housing policy for future generations.

Raise the Roof is comprised of trade unions, housing and homeless agencies, women's groups, political parties, representatives of older people, children's advocacy groups, community organisations, student unions, Traveller groups, housing academics and experts. [See here for a full list of supporters.](#)