



Bord um Thionóntachtaí Cónaithe
Residential Tenancies Board

RTB Statement of Strategy 2023-2025

Public Consultation Report



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About the RTB

What is the Residential Tenancies Board?

The Residential Tenancies Board, also known as the RTB, is a public body (established in 2004 as the Private Residential Tenancies Board). The Residential Tenancies Act, 2004 (as amended) sets out our various functions and powers. In summary, our role is:

- ✓ to maintain a national register of tenancies,
- ✓ to facilitate the resolution of disputes between tenants and landlords,
- ✓ to take action to ensure compliance with rental law,
- ✓ to provide relevant information to the public, tenants and landlords to ensure tenancies run smoothly; to provide reliable research, data and insights to inform policy; and
- ✓ to provide advice to the Minister on the rental sector.

Originally limited to private tenancies, expansion in our functions over recent years has seen our remit expand to now include:

- ✓ tenancies provided in the private rental sector,
- ✓ social housing tenancies provided by approved housing bodies (AHB) sector,
- ✓ the cost rental sector, and cost rental tenancies,
- ✓ student specific accommodation.

The consultation process

The consultation process had a number of distinct phases.

Phase 1: Internal Consultation

All RTB staff and RTB Board members had an opportunity, through a series of working sessions, to contribute to an analysis of RTB's environment and to share their thoughts on potential strategic priorities for the organisation.

Phase 2: Targeted face to face meetings

The Director of the RTB invited a number of stakeholders to meet with the RTB to help us understand their own strategic priorities, to listen to how RTB might contribute to their agendas, and to help ensure we are aware of key developments in the broader residential rental sector.

These meetings included:

- An owner of a large estate agency with an extensive lettings business
- SCSl representative
- Irish Property Owners Association
- Institute of Professional Auctioneers and Valuers
- Irish Council for Social Housing
- Housing Alliance
- Institutional Landlords Representatives: Irish Institutional Property and Property Industry Ireland
- Tenant Representatives: Threshold, Dublin Region Homeless Executive, Homeless Forum, Refugee Council, Immigrant Council of Ireland.

Phase 3: Broad public consultation

On 28 September 2022 we launched a public consultation seeking submissions as we developed our Statement of Strategy 2023–2025.

A brief questionnaire (see Appendix 1) was made available through a link on our website. This was advertised through Twitter. The questionnaire was open to all. Various key stakeholders and advocate groups were emailed directly inviting them to participate, and the link to the questionnaire was included.

The Twitter campaign was launched to encourage participation in the survey and press releases were pitched to regional media outlets.

Overview of responses to consultation

Table 1: Methods of consultation

Method	Number of participants
Online survey	256
External meetings	15
Internal workshops	85

Respondents to the online survey were asked if they were providing feedback in a personal capacity or on behalf of an institution or organisation.

Table 2: Classification of respondents

Classification of respondents	Number and % of respondents
In a personal capacity	234 (91%)
On behalf of an institution or organisation	22 (9%)
Total	256

Submissions were received on behalf of the following institutions and organisations:

- Brock Delappe Estate Agents
- BROE auctioneers
- Citizens Information Board
- Co Operative Housing Ireland
- Dublinlettings.com
- Home Club Ltd
- Housing Association for Integrated Living
- IIP
- I-RES
- IPOA
- Irish Council for Social Housing
- Lansdowne Partnership (property and asset Managers)
- Maynooth University and St Patrick's Pontifical University
- Parchment Square Management Company Limited
- Romanians in Ireland CLG
- RTB
- Smith Harrington
- Threshold
- Tuath

This report presents the key, consistent themes that emerged from the consultation process, followed by our responses to these themes. The final published version of our Strategy will reflect the responses in this Consultation Report.

What you said

You have clearly stated we need to fix the basics: our digital platform and customer service levels are not meeting your needs

We heard

- While investment in a digital registration system was welcomed, the current version of the platform is too time-consuming and remains problematic. Landlords who want to be compliant are frustrated by the experience of trying to register.
- When help and support is required it is difficult to get access to the RTB. Turnaround times are not acceptable and answers received are sometimes inconsistent based on wide range of scenarios and complex legislation.
- The website contains good information but, sometimes it is difficult to find or may be outdated. The website, with investment, could provide better information and more effective support. Many of you suggested simple online tools that would eliminate errors and re-work down the line.

Our response:

- The RTB is fully aware that some of our customers have experienced issues with our new tenancy management system. We are committed to working collaboratively and constructively with landlords and letting agents who are using the new registration system to complete their annual registration in 2022 for the first time and we are making all efforts to ensure that subsequent cycles of annual registration run smoothly for landlords and letting agents.
- As a result of the under performance of the system, the RTB continues to experience high volumes of calls, and emails. Resources are being carefully managed to try and deal with this. We have increased staffing levels in our customer service centre to address the wait times experienced since the annual registration programme was introduced and are making significant progress in this area.
- The RTB recognises that this is particularly testing and frustrating for landlords and agents and action is ongoing to improve the situation to ensure higher levels of customer service.
- The RTB is currently considering how best to develop and manage an outreach programme of in person meetings and 'clinics' targeted at agents and landlords to support them in the registration process in an effective and sustainable manner.
- We are currently developing a new website which will see improvements in navigation and more user-friendly content before the end of 2022 with a full relaunch by the end of quarter two 2023. The RTB will continue to strive to provide the highest quality relevant information on the RTB website and across our social media platforms

You say that the legislation is not fit for purpose

We heard:

- Many of you have told us that rental law has become increasingly more complex and difficult to navigate over the last number of years due the frequency of legislative amendments to the Residential Tenancies Act.
- Some of our stakeholders, while recognising that we do not set policy or write the legislation, still challenged us to do more within the existing legislation, e.g., to use our data and insights more proactively to better inform policy debate.
- Others questioned whether we can do more to support parties in the enforcement of Determination Orders.

Our response

- We recognise the complexity in the legislation. We will advocate for legislative reform with a view to the replacement of the current Act with a new simplified and streamlined Residential Tenancies Act. Development of a new regulatory framework for the RTB will be a complex and lengthy process and therefore new legislation within the lifetime of this strategy is not likely to be achieved. However, we plan to research, advocate and engage with the Department of Housing, Local Government and Heritage over the course of the coming 3 years period with new legislation as our target outcome within the period 2026-2028.
- The RTB has responsibility for the direct implementation of legislation and Government policy relating to the residential rental sector. We are conscious that changes in legislation introduced by the Department of Housing, Local Government and Heritage can sometimes be introduced with short lead times.
- We will endeavour to communicate early and frequently about how such changes will impact and how they will be implemented. We will continue to work with colleagues in the Department of Housing, Local Government and Heritage to provide an early and informed point of view on the potential impact of proposed legislative change.
- We will continue to use our data to inform the Minister on policy implementation and to provide insights from the rental sector to inform policy debate.
- As a regulatory body, the RTB takes the issue of non-compliance with Determination Orders seriously and have recently introduced a pilot Order Enforcement Facilitation Project. This aims to resolve outstanding determination orders amicably through a facilitated mediation with a trained facilitator. This project prevents parties needing to enforce determination orders through the courts. This pilot has been successful and we aim to review this further in 2023.

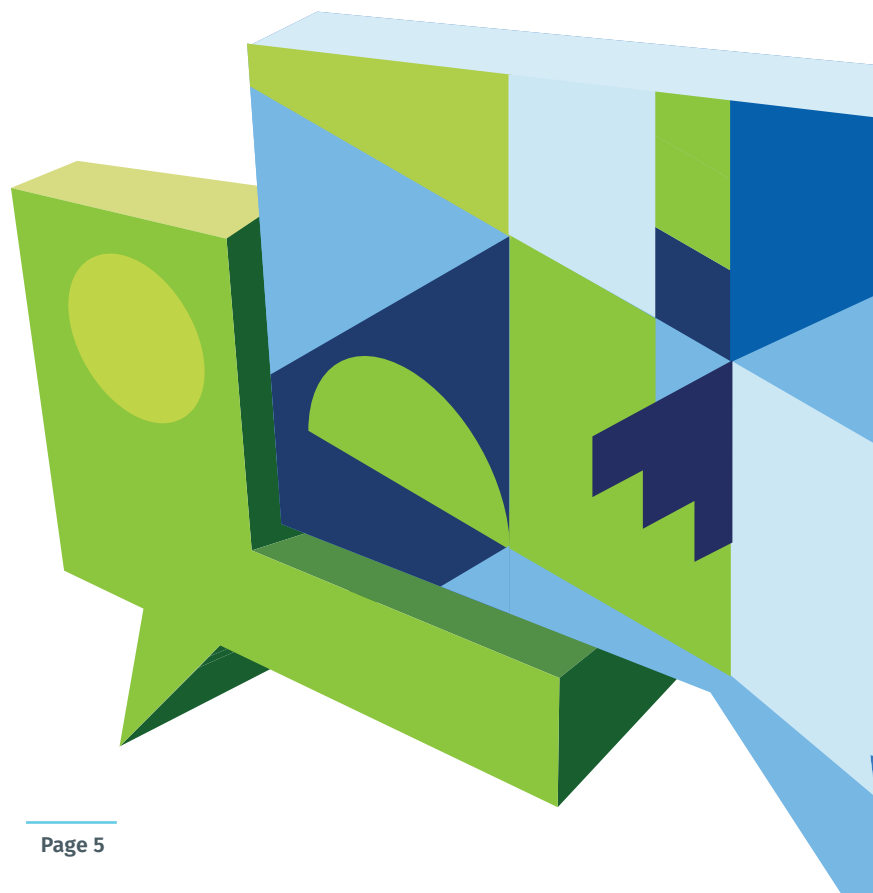
You say our data is a major asset

We heard:

- Many of you recognised the important role of the RTB in maintaining an accurate national register of tenancies. We note that some of our stakeholders are now looking to the register for other purposes including strategic housing planning, investment decision making, social housing supports, policy development, advocacy and campaigning.
- You also suggested that we could do more to share themes and new learnings from our data on complaints and dispute resolution cases to ensure that stakeholders are more aware and problems are prevented from arising.

Our response:

- With annual registration introduced in 2022, RTB will be able to provide new insights based on an enhanced and more accurate dataset particularly with regard to rent amounts. RTB will then have the most comprehensive, up to date, accurate rental data set in Ireland.
- We will continue to publish the RTB Rent Index on a quarterly basis. With the annual registration data set this will be the most accurate and authoritative rent report of its kind on the private accommodation sector in Ireland. Compiled by the Economic and Social Research Institute (ESRI), and based on the RTB's own register of tenancies, the Rent Index is based on the actual rents being paid for rented properties.
- The RTB will continue to publish quarterly statistics on Registration, Disputes and Notice of Termination data on the Research and Data Hub available on the website. Our website development will aim to make it easier to access and use.



You say the role of the RTB is not always clear and we could do more to communicate with stakeholders

We heard:

- Many people, and in particular tenants, may not be aware of the RTB at all. In particular, potentially vulnerable groups, for example those who have newly immigrated to Ireland, those for whom English is not their first language or those who cannot access on-line resources, may remain in the dark about their rights and their obligations. Without awareness of regulation, accessing the benefits of regulation as well as complying with regulation will be a challenge.
- We heard that many of you play a role in informing tenants and landlords about regulation, upcoming changes and how to be compliant. Accurate information and early engagement on changes is vital.
- We also heard that many of our stakeholders interact with, and are subject to, regulation by multiple regulators in addition to the RTB, e.g., AHBRA (Approved Housing Bodies Regulatory Authority), Charities Regulator and, in some cases, HIQA. Inevitably, it can be the case that regulation is incompatible or conflicting and, in other cases, duplicated. Is there an opportunity to streamline and align?

Our response:

- The RTB is committed to effective and meaningful engagement with stakeholders to help our customers understand the role of the RTB and promote compliance in the sector.
- We have a significant programme of Stakeholder engagement, we have a comprehensive communications plan aimed at supporting tenants and landlords to better understand their rights and obligations. This includes many forms of communication; website content (guidelines, videos etc), social media campaigns as well as virtual and in-person briefings.
- However we are aware that there are many groups which are currently outside of our reach, which can leave some tenants marginalised and, possibly, open to exploitation. We will develop a more targeted communications approach relevant to these groups.
- We recognise the important role many organisations play in advocating for and assisting those who live and operate in the rental sector. We will work to build relationships with these organisations as well as other regulators that are relevant to the rental sector. We will strive to ensure there is mutual cooperation in the public interest and that unnecessary overlap or conflicting requirements are addressed.
- We will also seek to build a better basis for information sharing so that regulatory risk is addressed in a more coordinated and cooperative ways. We will also ensure that the most vulnerable in our society are aware of their rights and the services offered by the RTB to maintain tenancies.

You say we are not effective enough in addressing non compliance

We heard:

- Some landlords tell us that they feel there are many landlords still outside the 'compliance net', who are not registered, charge rent in cash, and have lower quality stock. Unless tackled, these act as a disincentive on others to comply as well as representing a form of unfair competition.

Our response:

- As the regulator, the RTB is committed to ensuring that all tenancies are compliant with the legislation and any parties found to be acting outside the law are held to account by the RTB. From our research data we know that the vast majority of landlords want to comply with their obligations and to have good relations with their tenants. However, there is also a small proportion of landlords who do not abide by the law and who cause harm to their tenants. These landlords also damage the reputation of the responsible landlords who comply voluntarily with the law and who work every day to ensure their tenants are treated fairly and with respect.
- The RTB is committed to a proactive and responsive regulatory approach in the public interest. We take deliberate and continuing non-compliance seriously. The RTB makes every effort to inform landlords of their obligations to register and to renew their tenancies. Recognising that the vast majority of landlords (and their agents) comply voluntarily with their obligations, the RTB aims to invoke formal compliance action in those cases where this is in the public interest, and where other approaches have clearly failed.
- As part of its ongoing work to build the RTB as an effective regulator, we will be publishing a new regulatory risk framework. This will set out in clear terms how the RTB operates as a risk-led regulator and will define the RTB's approach to identify, analyse and respond to current and emerging regulatory risks in a co-ordinated way across all of our areas of responsibility. Following the publication of this framework, we will undertake a review of our current approach to compliance. As a consequence of this review, and in the context of our forthcoming Statement of Strategy 2023-2025, we expect to publish a detailed compliance policy early in 2023.

You question if we are always equitable and impartial

We heard:

- Both those representing tenants and landlords feel that the RTB is not always equitable and impartial. Tenants representatives state that tenants are vulnerable while landlords state that tenants interests appear to be protected more by the RTB than those of the landlords.
- The vast majority of landlords and tenants are 'good people' and 'compliant' but this is not what the public hears about.

Our response:

- The RTB, as the regulator for the residential rental sector, has a responsibility to the public to ensure that we deliver on our statutory functions in ways that support and improve the sector. This is one of the key ways in which RTB creates real public value.
- The RTB is also committed to serving the public interest. This means that we work to ensure that all tenancies that should be registered are registered, that we operate a fair and effective Dispute Resolution Service and that we confront serious and deliberate non-compliance in a timely manner. As a responsible, independent and expert regulator, the RTB is always conscious of the overarching need to use our regulatory powers efficiently and effectively and in ways that build a high level of public confidence and trust in us as a public body
- We will prioritise our attention and resources to the most critical risks by applying a variety of regulatory tools in line with a transparent, systematic and defensible regulatory risk framework as described above.

Conclusion

The consultation process has provided us with many valuable insights, suggestions and practical steps that we can take to improve our focus, efficiency and effectiveness. We have received clear messages from our stakeholders on their expectations of us. Remaining central to this is open, participative engagement, working in partnership together to protect the rights of landlords and tenants.

Acknowledgements

We would like to thank all those who took part in the consultation process. This report on the consultation process was reviewed by the Board of RTB and the outcomes will be considered and reflected in our new Strategy 2023–2025, which will be made available on our website www.rtb.ie from January 2023.

Appendix 1: Online Questionnaire

Are you completing this on behalf of yourself as an individual or on behalf of an organisation or group as a representative :

Individual	
Representative	

If a Representative what Organisation do you represent: _____

If you are an individual, are you a:

Landlord	
Tenant	
Approved Housing Body	
Agent	
RTB staff member or Board member	
Other	

How often do you interact with the RTB:

Never	
Sometimes	
Quite Often	
Monthly	
Yearly	

What RTB services have you used in the past year. Please tick as many as apply.

General Information on the rental sector	
Registration	
Dispute Resolution	
I have not used the RTB services	
Information on maintaining a tenancy	
Information on regulation or enforcement	
I have not used the RTB services	
Other	

RTB Mission Statement

The current RTB mission statement is to develop and support a well functioning residential rental sector in Ireland for the equal benefit of landlords and tenants.

As part of the development of a new statement of strategy the current statement will be reviewed. Do you have any suggestions for how the RTB should change or update its mission statement?

RTB Strategic Development

1. What do you think is the role of the RTB:

Registration of tenancies		
Resolve Disputes		
Provide information for tenants and landlords		
Ensure tenants and landlords comply with their rights and responsibilities		
Investigate landlords who are not complying with regulations		
Enforce Determination Orders		
Provide data and research on the rental sector		
Other		

Please comment further:

2. What are the biggest challenges facing the RTB in the next three years (Short term/ Long Term)
3. The RTB’s role as the regulator of the rental sector is to ensure that all tenancies that should be registered are registered, to enforce non-compliance through investigating improper conduct and non-registration and to enforce decisions from our Disputes Service. How could the RTB further support compliance in the Private Rented sector?
4. What can the RTB do, within its remit, to enhance the renting experience for those living in and providing accommodation in the rental sector?
5. How can the RTB engage in a collaborative way with the key stakeholders in the rental sector to ensure there is a better understanding of tenancy rights and responsibilities:
6. The themes outlined below have emerged as part of the first phase of our stakeholder consultations. Please review the three themes below and consider what actions you would suggest that RTB takes to achieve these objectives?

Theme 1: Support Effective Regulation:

RTB to be the credible, fair, & effective regulator in the residential tenancies sector. To maintain the RTB register and ensure that all tenancies that should be registered are registered. To be seen to be using the portfolio of powers granted in the Act for enforcement, investigation, and sanction in a proportionate way. To prevent and resolve disputes as early and efficiently as possible with fair and enforceable decisions.

Theme 2: Evidence based input to policy thinking and decision making

The RTB will provide data, evidence and ideas to policy makers to inform their thinking. We will proactively measure the impact of policy implementation. We will continue to build awareness and understanding of the RTB role. The RTB will continue to engage other actors in the residential rental sector to share information, improve the level of understanding on the role of the RTB, to support compliance and listen to feedback and insights from others. We will continue to provide forums to listen to the voice of the customer and other stakeholders and support collaboration within the sector.

Theme 3: Ensure Organisational Excellence:

In order to deliver on the themes above we need an organisation with the right skills, capacity, structure and enabling technology. We will continue our digital journey to support customer engagement and create more efficient services and improve customer experience. We must work to address feedback on the challenges arising with our new registration platform. We must strengthen organisational capacity- through people development, strong governance and a focus on agile and innovative ways of working

Thank you for your time, any other comments:

