



Bord um Thionóntachtaí Cónaithe
Residential Tenancies Board



Annual Report and Accounts 2023

Who are we?

What is the Residential Tenancies Board?

The Residential Tenancies Board, also known as the RTB, is a public body established to regulate the rental housing sector. The Residential Tenancies Act 2004 (and subsequent amendments) sets out our various functions and powers. In summary, our role is:

- ✓ **to maintain a national register of tenancies,**
- ✓ **to resolve disputes between tenants and landlords,**
- ✓ **to act to ensure compliance with rental law,**
- ✓ **to provide information to the public, tenants and landlords to ensure tenancies run smoothly, and to provide reliable data and insights to inform policy.**

Our remit extends to the private rental, approved housing bodies (AHB), cost rental, and student-specific accommodation sectors.



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What do we do?

Maintain the Register of Tenancies



The register is the foundation stone to regulating the sector. All private residential landlords, approved housing bodies, cost rental landlords and landlords of student specific accommodation must register their tenancies with the RTB. A registered tenancy protects both landlord and tenant rights and provides a mechanism to resolve disputes where these occur.

New legislation commenced in April 2022 requires landlords to register their tenancies with the RTB every year, within one month of the anniversary of when the tenancy began. This process of Annual Registration allows the RTB to gather more accurate and detailed tenancy and rent data which enables more effective regulation of the rental sector and better informs policy.

Resolve disputes



We offer a choice of dispute resolution options to landlords and tenants in dispute: mediation or adjudication with the further option to appeal the outcome to the Tenancy Tribunal. Parties do not require legal representation to take a dispute resolution case to the RTB.

We carry out this quasi-judicial function in an equitable and fair manner, favouring neither tenants nor landlords. Panels of independent mediators and adjudicators are appointed by the RTB Board to facilitate dispute resolution hearings. Mediation is carried out through a series of separate phone calls with a mediator to help parties find a mutually acceptable resolution. Adjudication hearings and tenancy tribunals are facilitated virtually (via Microsoft Teams).

RTB Core Services

Ensure compliance with rental law



The RTB has powers to investigate and sanction landlords who engage in defined forms of 'improper conduct'. We also enforce registration requirements to ensure that the register is complete and accurate. In acting to ensure compliance, we aim to use our powers in ways that are effective and proportionate. We are committed to further developing our approaches to defining and managing regulatory risk as part of our commitment to being the highly effective rental sector regulator.

Provide information, research, data and insights



We provide reliable information to the public, tenants and landlords on their rights and responsibilities in terms of both living in, and providing accommodation in, the rental sector. We also provide authoritative data on the sector, such as the Rent Index, which allows us to monitor trends and inform the public as to rent levels and movements. We also develop insights to inform the Minister and other stakeholders as to the impact of policy changes and to help the RTB develop and refine its regulatory interventions.

2023 – At a glance

At the end of 2023

302,659

tenancies were on the RTB Register



2023 marked the first full year of Annual Registration



In 2023 the RTB received **353,892** Registrations applications, the highest yearly figure to date

In 2023, **18,480** items of correspondence were issued to landlords highlighting the need for them to comply with the legislation



In 2023 **4 Rent Indexes** were published

In November 2023, the RTB published the Existing Tenancy Rent Index for the first time

During 2023, **82 investigations** into potential Improper Conduct were approved by the RTB

During 2023, **96** Investigations and Sanctions cases were confirmed in nine Circuit courts.

Over **€64,000** was paid in sanctions by landlords in 2023



In total, **€88,787** of overpaid rent has been returned to tenants in 2023

3,940

Telephone Mediation and Adjudication hearings took place in 2023

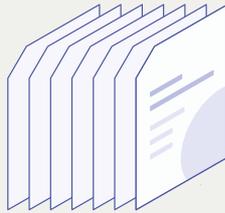


1,008
Tribunal hearings took place in 2023

2,977 Determination Orders were issued



The RTB received **1,218** tenancy tribunal appeal applications in 2023



In 2023, the RTB received a total of **9,908** dispute resolution applications

In 2023 an Early Intervention scheme was piloted for the Disputes Resolution Service

In 2023 the RTB relaunched our Website



The RTB website had

4.4 million
page views



In 2023 the second round of the Rental Sector survey was published



Chairperson and Interim Director's Message

As Chair of the Residential Tenancies Board (RTB) and as Interim Director, we are pleased to present this Annual Report for the year ended 31 December 2023.

The RTB performs an important public service in respect of the residential rental sector. It maintains the Register of tenancies, provides dispute resolution services for landlords and tenants and monitors and addresses non-compliance with rental law. It also provides a wide range of information on the sector and advice on policy to the Minister for Housing, Local Government and Heritage.

Recent years have seen enormous pressure on the rented sector of the housing market in Ireland, and significant legislative changes, all of which have had a significant impact on the RTB by increasing the demand for the service it provides. Throughout 2023, the RTB continued to provide its core services, and these are reported upon in detail in Chapters 1, 2 and 3, as well as in the Statistical Appendix. The work the RTB does in providing information and insights into the operation of the rental sector, including the production of the Quarterly RTB Rent Indices is also highlighted.

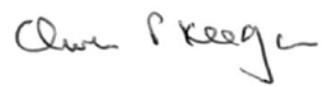
Under the Residential Tenancies Act 2004, as amended, and the Code of Practice for the Governance of State Bodies, the Board is responsible for the overall governance of the RTB. During 2023, the Board provided appropriate oversight and support to the Director and the staff of the organisation. Details of the RTB's governance structures and activities are given in Chapter 4.

The Board and Executive are committed to a continuing programme of quality improvement and organisation development, which we commenced during 2023. This is critical to building a strong basis for the future organisational performance and for the delivery of results by the RTB during 2024 and beyond.

As Chair and as Interim Director, we would like to thank the many people, both internal and external to the RTB, who worked throughout the year in various ways to maintain our services, to provide resources and support, and to give input and advice. We want to acknowledge the contribution of Board members, the staff of the RTB, including the former Director, Niall Byrne, the Minister and his officials, and representatives of tenants, landlords and letting agents whom we dealt with during the year. The Board and staff of the RTB would like to acknowledge and thank Justin O'Brien who served as a member of the RTB Board and who passed away on 30th March 2024. We look forward to working with all these stakeholders during 2024 as we further develop the RTB and deliver our important services to the public.



Tom Dunne
Chairperson



Owen Keegan
Interim Director

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The RTB Regulatory Function



Introduction

The RTB is committed to regulating the residential rental sector in the public interest in accordance with Government policy and established principles of good regulation.

An important regulatory function of the RTB is the maintenance of an accurate Register of private residential, Approved Housing Bodies (AHB), cost rental, and Student Specific Accommodation tenancies. The RTB operates three statutory processes through which landlords and letting agents, acting on behalf of landlords, can fulfil the registration requirements:

- Registration on the commencement of a tenancy (First Registration),
- Annual Registration during a tenancy (Renewal Registration) and
- Registration of a “Further Part 4” tenancy.

A second important regulatory function of the RTB is to promote and ensure landlord compliance with regulatory requirements. Under the Act the responsibility for compliance with rental law lies, principally, with landlords. Once a tenancy comes into effect, the landlord must abide by the rental rules and requirements as set out in the Act.

The RTB supports compliance through information provision and by processes designed to make compliance as straightforward as possible. The vast majority of landlords comply with their responsibilities in a timely manner. However, in those cases where voluntary compliance is not forthcoming or where there are clear and serious breaches of rental law, the RTB uses its various powers to enforce compliance or to sanction “Improper Conduct,” as defined in the Act.

The RTB takes seriously any deliberate non-compliance with the requirement to register a tenancy. The RTB invokes formal compliance action in those cases where this it is in the public interest. This non-compliant cohort damages the reputation of the responsible landlords across Ireland who comply with the law and who work every day to ensure their tenants are treated fairly and with respect. The RTB is committed to ensuring that these non-compliant persons and entities are identified, held to account, and do not continue to tarnish the name of all landlords and to damage public confidence in the operation of the residential rental sector.

Why is this important for the rental sector?

- Compliance with legal requirements is essential in the interests of both tenants and landlords. This helps create a regulated rental sector where there is clarity on the rights and responsibilities of all parties, and there are processes for intervention by the regulator where parties fail to comply.
- Through the registration process, the RTB collects valuable information. This data is used to inform broader public policy for the sector and to assess the impact of various policy and regulatory initiatives. Legislation which commenced in April 2022 requires landlords to register their tenancies with the RTB every year, within one month of the anniversary of when the tenancy began. This process of Annual Registration allows the RTB to gather more accurate and detailed tenancy and rent data which enables more active regulation of the rental sector and also to inform future policy decisions.
- The registration information is used to extract, analyse, and publish definitive information on the rental sector.

The RTB Register

The RTB Register is an important national asset which provide insights and reliable information for enhanced regulation. In recent years there has been significant improvements made to the integrity of the data held on the Register, due to investment in technology and the introduction of Annual Registration in 2022. This improved and more reliable data will provide a strong basis for policy formulation, future legislative proposals, and ongoing monitoring of trends in the sector.

2023 marked an important milestone for the Register as it was the first full calendar year of Annual Registrations, thus providing the RTB with the most current and accurate dataset ever held on the Register.

Prior to the introduction of Annual Registration not all of the data recorded in the RTB registration system was as accurate as it should be. This affected the RTBs ability to maintain the Register to a high degree of accuracy. However, the introduction of Annual Registration and the annual renewal process helps ensure that the RTB has better and more up-to-date data on each tenancy. Automatic removal of 'inactive' tenancies which are not renewed within one month of registration expiry by the landlord or their agent ensures that they no longer appear on the Register.

As the data on registration applications (both new registrations and renewals) improves year-on-year, the RTB will be working to generate deeper and more accurate insights into the profile of the Register (including numbers and types of landlords, dwellings and tenancies), movements in registered tenancies, data on landlords leaving and entering the sector, and other trends in the underlying data.

The Size of the Register

More tenancies were registered in 2023 than in any other year since the organisation was established. These applications included:

- > new tenancies being registered;
- > existing tenancies being renewed.

In tandem with these tenancies being registered, the system continued to identify tenancies which no longer existed and removed them from the Register. This helped cleanse the data held on the RTB Register to provide a more accurate picture of how many tenancies are registered with the RTB. At the end of 2023, the number of tenancies on the Register was as follows:

223,979

Private Rental Tenancies registered with the RTB

Private rental tenancies are tenancies where the landlord is either an individual or a company. They are non-commercial tenancies.

44,128

Approved Housing Bodies Tenancies registered with the RTB

Approved Housing Bodies (AHBs) provide and manage social rented housing. They are not-for-profit organisations which provide affordable rented housing for people who cannot afford to pay private sector rents or buy their own homes. They also provide housing for particular groups, such as older people or homeless people.

33,704

Student Specific Accommodation Tenancies registered with the RTB

Student Specific Accommodation (SSA) is accommodation specifically built for the use of students, including accommodation provided by universities and educational institutions.

848

Cost Rental Tenancies registered with the RTB

In 2021, Cost Rental tenancies came under the remit of the RTB. Cost rental is a form of not-for-profit housing where the rent the tenant pays cover the cost of the construction, management, and maintenance of the home.

➤ **Private Tenancies registered:**

The number of private registered tenancies on 31 December 2023 was 223,979 which is lower than the equivalent figure at the end of 2022 (246,453). A possible cause for these decreases, is the removal of historical tenancies from the Register.

➤ **AHB Tenancies registered:**

At the end of 2023, the number of AHB tenancies on the register had increased to 44,128 from 38,756 by the end of 2022.

➤ **Student Specific Accommodation Tenancies registered:**

At the end of 2023, the number of SSAs tenancies on the Register had increased to 33,704 from 23,577 at the end of 2022. Highlighting a return to pre-pandemic norms.

➤ **Cost Rentals registered:**

At the end of 2023, the number of Cost rental tenancies on the Register was 848.

For a more detailed breakdown please see Table 1 in the Appendix.

Registration Volumes in 2023

During 2023, Landlords or their agents registered tenancies via the online portal on the RTB website or in hard copy by post. In 2023 the number of registration applications were as follows:



For a more detailed breakdown on this information please see Table 2 in the Appendix.

It is important to note that the number of registration applications per year will not be the same figure as the size of the register at the end of the year, as they are two distinct data sets:

- The Register totals in this report reflect the actual number of registrations active on the RTB Register at the end of 2023. The size of the Register is a point in-time snapshot figure from a dynamic register where tenancies are being added and removed on an ongoing basis.
- While the number of applications reflect all the tenancies added to the Register in 2023. This includes (new and renewal registrations) it does not take account tenancies which were removed from the Register.

The following must be noted in respect of these volumes:

- All data contained within the registration application is self-declared by the landlord or their agents.
- A tenancy which has ended can still be registered; a landlord's obligation to register a tenancy remains even after the tenancy has ended.

For more details on the number of applications received please see table x.

Spotlight 2023: Improving the RTB online registration system

Throughout 2023, the RTB worked continuously to address the many issues and the concerns raised by users of the Online Tenancy Management system. The following range of responses were developed to support landlords and agents to complete registrations:

> Programme of necessary technical improvements

Throughout 2023 the RTB made a number of improvements to the system.

- All tenancies being registered are allocated a unique identifier for the dwelling. This has made significant improvement to underlying data quality.
- The navigation has been enhanced and now better supports landlords and agents through the registration process.
- There is a new online option for the particular landlord categories i.e. (non-resident landlords, Irish Collective Asset-Management Vehicle (ICAVs,) Trust Funds and unincorporated bodies).
- A range of improvements for users have been implemented, including customer direction points into registration, historical registrations, linking existing tenancies and receivership journeys.
- A registration dashboard has been added for landlords and agents.
- The RTB continued to work with stakeholders throughout 2023 and to focus on its communications with those groups.



Throughout 2023, the RTB worked continuously to address the many issues and the concerns raised by users of the Online Tenancy Management system.

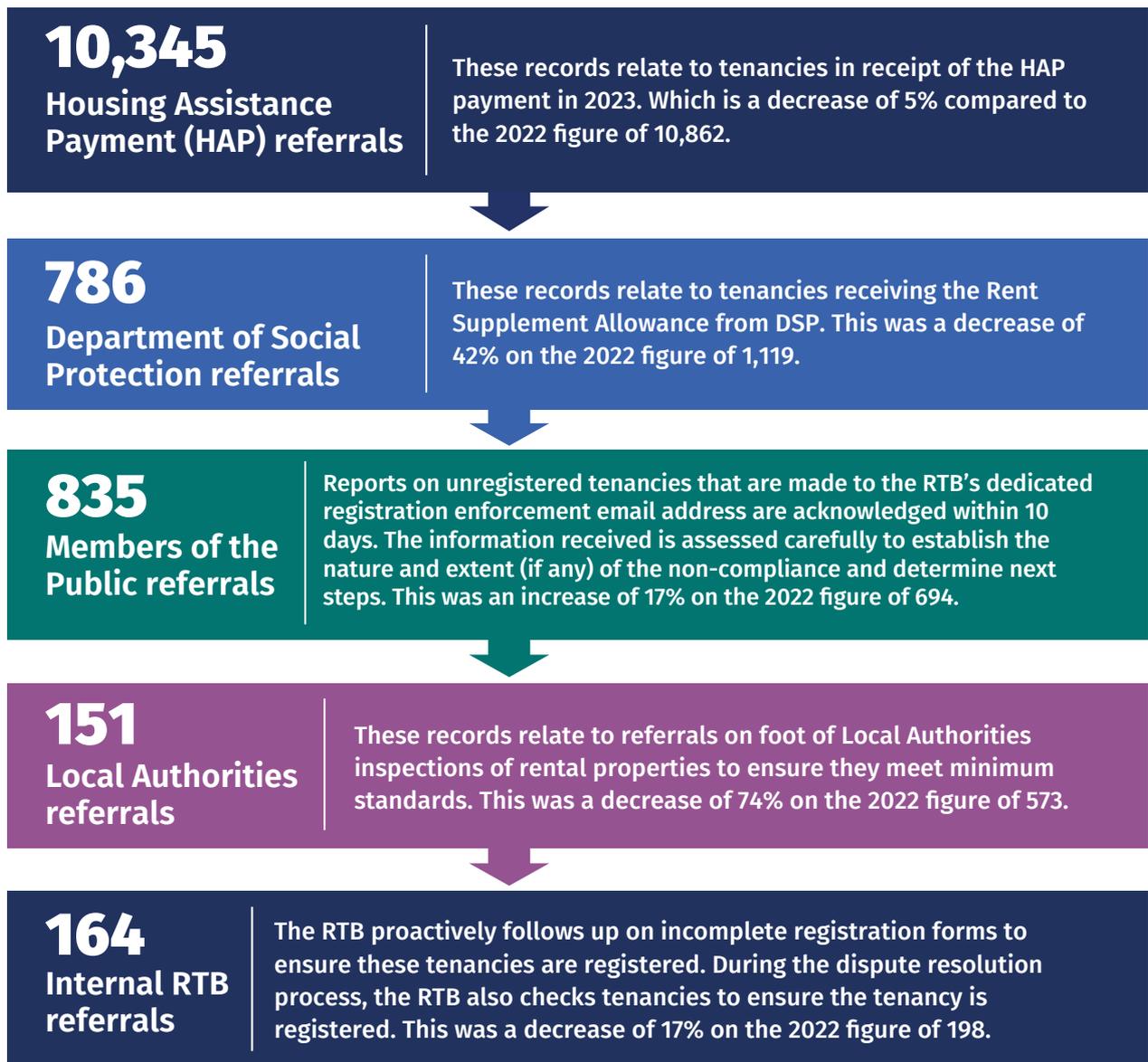


How does the RTB provide assurance that all tenancies are registered in compliance with the law?

The RTB is responsible for ensuring that there is compliance by landlords with their legal obligations to register all tenancies. As noted earlier, the regulatory approach is to assume, in the first instance, that landlords are willing to comply with their statutory responsibilities and to support voluntary compliance through information provision and by processes which make compliance as straightforward as possible.

Where the RTB has evidence to suggest that a landlord is not complying with the law, then the RTB has regulatory powers to address this non-compliance.

The RTB receives information from a range of sources regarding potential non-compliance. During 2023, these included:



In keeping with the RTB policy to support compliance, the RTB writes to landlords where non-registration is suspected and gives the landlord reasonable opportunity to comply before a prosecution is initiated. Landlords receive two Notices from the RTB before any legal letters are issued. In 2023, 18,480 items of correspondence were issued to landlords highlighting the need for them to comply with the legislation. This included a large scale strategic mailout to suspected non-compliant landlords identified from the RTB records. This mailout was a leaflet which provided them with information on how to register and the RTB's enforcement powers if they remained non-compliant.

For a more detailed breakdown on this information on Registration Compliance please see Tables 3 and 4 in the Appendix.

How does the RTB address Improper Conduct by landlords?

2023 was the fourth full year of operation of the RTB's compliance and enforcement powers. Under these powers the RTB can, after investigation, sanction landlords who have engaged in certain breaches of rental law, known as "Improper Conduct." Improper Conduct, as defined in the Act, includes:

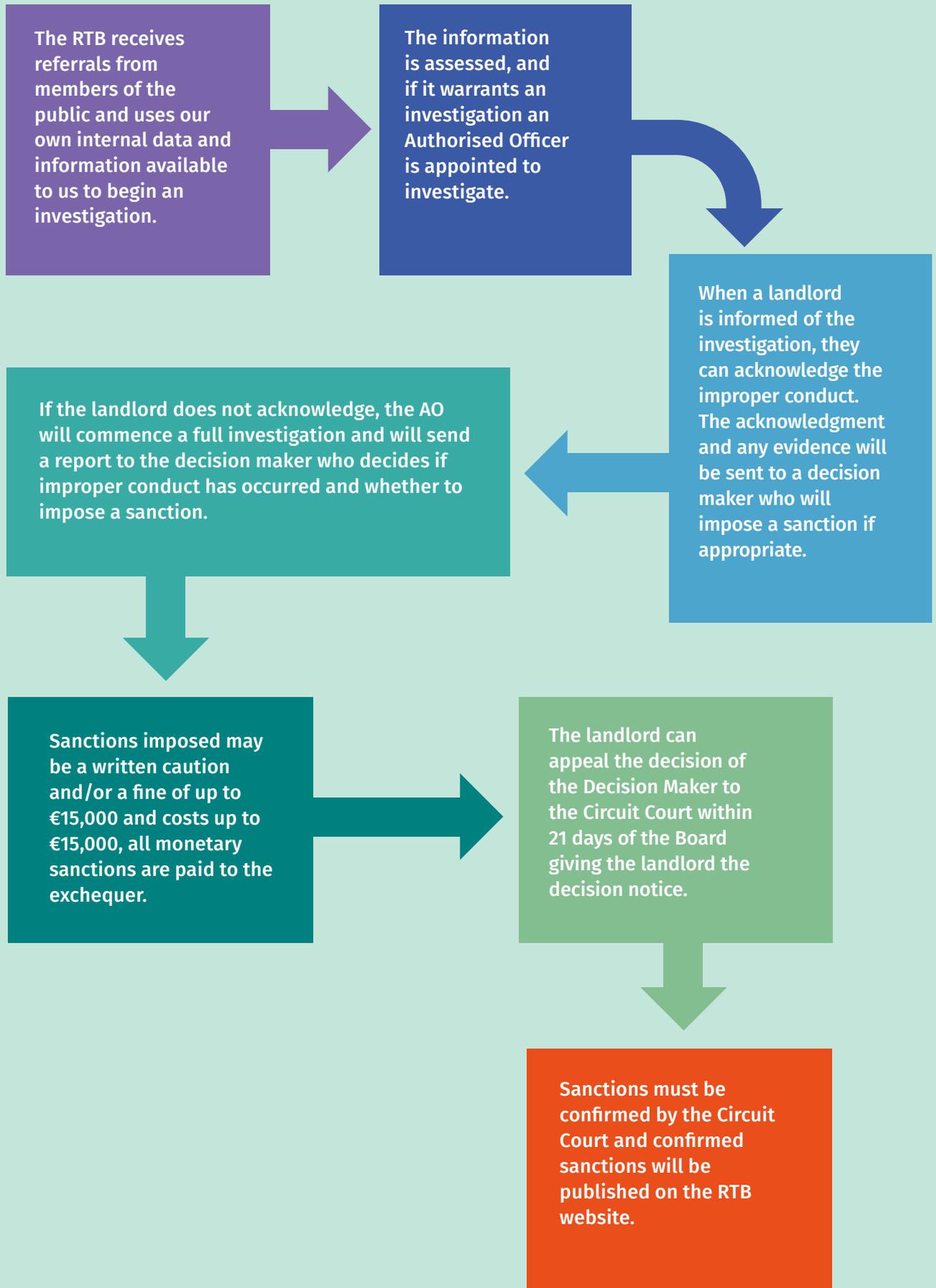
- Failure to comply with Rent Pressure Zone (RPZ) requirements;
- Falsely relying on an RPZ exemption;

- Failure to notify the RTB of a reliance on an RPZ exemption;
- Failure to update tenancy information within one month of a change in rent;
- Failure to register a tenancy;
- Giving a reason on a Notice of Termination that is known to be false or misleading; and/or
- Failure to offer a tenancy back to a tenant when certain conditions have been met;
- Seeking a deposit of more than the equivalent of one month's rent; and
- Seeking an advance payment of more than one month's rent.

Sanctions may include a written caution and/or a fine of up to €15,000 and costs up to €15,000. All monetary sanctions are transferred by the RTB to the Exchequer.



Overview of the Investigations and Sanctions process



Investigations and Sanctions Activity in 2023

Approved Investigations

During 2023, 82 investigations into potential Improper Conduct were approved by the RTB. Of these, 40% (33) were initiated on the RTB's own volition and 60% (49) were based on formal written complaints from the public.

During 2023, 63 investigations were closed/revoked. This includes cases from previous years. Cases are closed or revoked when information comes to light after an Authorised Officer is appointed to an investigation that means that an investigation should not continue. Examples of such information include; the property in a non-registration investigation is discovered to be part of the rent a room scheme and not required to be registered; the landlord in a RPZ breach investigation has accidentally inputted the wrong rent into the registration record making it appear that there is a breach when there is not.

An investigation is revoked if information comes to light before it has commenced, and closed if the information comes to light after it has commenced. At the end of 2023, 94 cases were under investigation. Some of these cases were commenced in previous years.

Sanctions

By the end of 2023, 127 investigations had been submitted to independent Decision Makers. Decision makers are independent from the RTB. with extensive experience in decision making roles.

They are appointed under the law to review investigation findings and to make a decision on a sanction. The RTB issued 149 decisions to the relevant landlords and there were 3 appeals. This figure includes the decisions from investigations that were started in 2020 and 2021. Of the appeals one was unsuccessful, and two others were withdrawn.

Confirmation and Publication of Sanctions

The decision to impose a sanction must be confirmed in the Circuit Court. During 2023, 96 cases were confirmed in nine Circuit courts.

Once a sanction has been confirmed, all appeal periods have passed, and all administrative processes have been completed, the RTB publishes particulars of the sanction on the RTB's website. In 2023, 85 sanctions were published on a dedicated webpage.

Since being given these new sanctioning powers, the RTB has prioritised allegations of breach of RPZ restrictions. During 2023, 67 out of the 86 sanctions published were for breach of RPZ regulations and the majority of investigations commenced to date have been for the same type of breach. 69 of the landlords in these published cases opted to acknowledge the alleged Improper Conduct at the beginning of the investigation. This is taken into consideration by the Decision Maker, along with any steps taken by the landlord to rectify the breach of rental law, when they are deciding on the type of sanction and the amount of any monetary sanction.

Investigation and Sanction outcomes

Over €64,000 was paid in sanctions by landlords in 2023, the average sanction was €1,057. Over €132,000 in total has been paid in sanctions from 53 investigations since 2019.

In total, €88,787.88 of overpaid rent has been returned to tenants in 2023. Over €440,000 has been returned to tenants since 2019.

For more information on Investigations and Sanctions please see Tables 6-11 in the Appendix.

2

The RTB Dispute Resolution Service



Introduction

The RTB provides a Dispute Resolution Service for the residential rental sector in Ireland. The RTB encourages landlords and tenants to resolve disputes informally between the people involved where possible, without the need for formal dispute resolution services. When resolution through the RTB's early intervention service is not possible, the RTB offers an independent, quasi-judicial service to facilitate dispute resolution between parties.

The RTB offers Mediation and Adjudication dispute resolution services for tenants, registered landlords, and directly affected third parties (e.g. a neighbour). Parties do not require legal representation to take a dispute resolution case to the RTB. Panels of independent mediators and adjudicators are appointed by the RTB Board to facilitate formal hearings and provide fair dispute resolution for all parties. The RTB issues a Determination Order for mediation agreements and adjudicator decisions. A Determination Order states the outcome of the dispute case and details the conditions that each party must comply with. Determination Orders are legally binding and are enforceable through the District Court.

If an agreement cannot be reached through mediation, or if either party does not accept the adjudicator's decision or wants to withdraw from the mediation agreement, the dispute case can be appealed to a Tenancy Tribunal. A Tenancy Tribunal is a public hearing based on the dispute case evidence. Tribunal decisions can only be appealed to the High Court on a point of law.

The RTB Board is impartial in dispute resolution. RTB Mediators, Adjudicators and Tribunals are independent in their function for dispute resolution.

Why is this important for the rental sector?

- The RTB has a quasi-judicial role within the residential rental sector. The RTB provides due process and fair procedures to all parties to a dispute, whether landlords, tenants, or other persons.
- Disputes can damage otherwise good relationships between landlords and tenants which can undermine the basis for the tenancy relationship. A timely, low cost and accessible dispute resolution service helps resolve disputes on as fair a basis as possible and helps sustain tenancies.

- Some disputes involve poor and unfair behaviour by landlords or by tenants. By having the power to impose damages on the offending party, the RTB decision makers demonstrate that such behaviour is not acceptable and that landlords and tenants engaging in such behaviour will be held to account.

Dispute Resolution Services

➤ Mediation

Where appropriate the RTB encourages mediation for dispute resolution. Mediation is a free, voluntary, and confidential process which allows parties to discuss their case with an independent mediator. Mediation is based on a confidential 'position statement' that is provided by both parties which details the resolution they hope to achieve. The parties do not need to speak to each other directly. A mediator will contact the parties individually in a series of phone calls to try and reach an agreement that is mutually satisfactory for all parties. The terms of a mediation agreement are legally binding and remain confidential to the case parties.

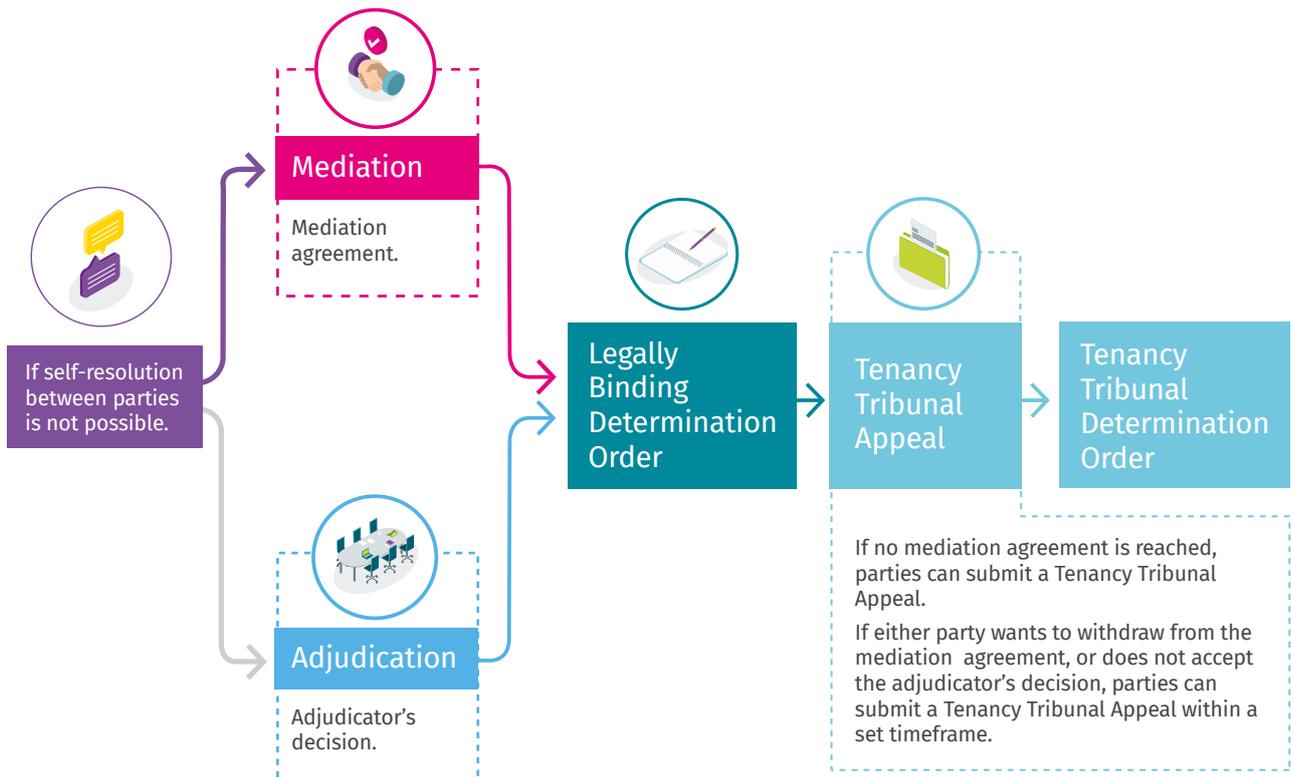
➤ Adjudication

Alternatively, applicants can opt for adjudication if they feel it is necessary to resolve their dispute case. Adjudication requires a €30 fee and is based on the evidence presented by the parties. Both parties are invited to participate in a formal hearing with an independent adjudicator. Adjudication hearings are usually held virtually via Microsoft Teams. Adjudication Determination Orders are published on the RTB website.

> **Tenancy Tribunal Appeals**

If there is no mediation agreement, or if either party does not accept the adjudication decision or wants to withdraw from the mediation agreement, an appeal to a Tribunal panel can be submitted within a set timeframe (10 calendar days for mediation and 10 working days for adjudication). Tribunal appeals require a fee (€30 to appeal a mediation outcome and €85 to appeal an adjudicator’s decision).

The Tribunal is based on the evidence presented by the parties. Additional evidence can be submitted in advance of the Tribunal hearing, within a set timeframe. Both parties are invited to participate in a formal hearing with a three-person Tribunal panel. Tribunal hearings are usually held virtually on Microsoft Teams. Tribunal reports and Determination Orders are published on the RTB website. Tribunal decisions can only be appealed to the High Court within 21 days on a point of law.



Spotlight in 2023 - Disputes Early Intervention Pilot

The Housing for All Plan recognises that it is in the interests of both the tenant and landlord to resolve any disputes as early as possible without recourse to mediation or adjudication processes.¹ In 2023, the Dispute Resolution Service conducted an Early Intervention Pilot. The aim of the pilot was to use early intervention in order to prevent disputes unnecessarily escalating between parties, and to prevent cases entering a formal dispute process if the case was unlikely to deliver the anticipated outcome for parties.

The pilot focused on four suitable dispute types where the RTB felt it could be most responsive to the needs of the case parties, or the dispute type was on the more detrimental end of the scale. The case types included:

- Validity of Notice of Termination (NoT)
- Overholding/Rent arrears and overholding
- Validity of notice of rent review
- Cases classified as Illegal Eviction according to the Tenant

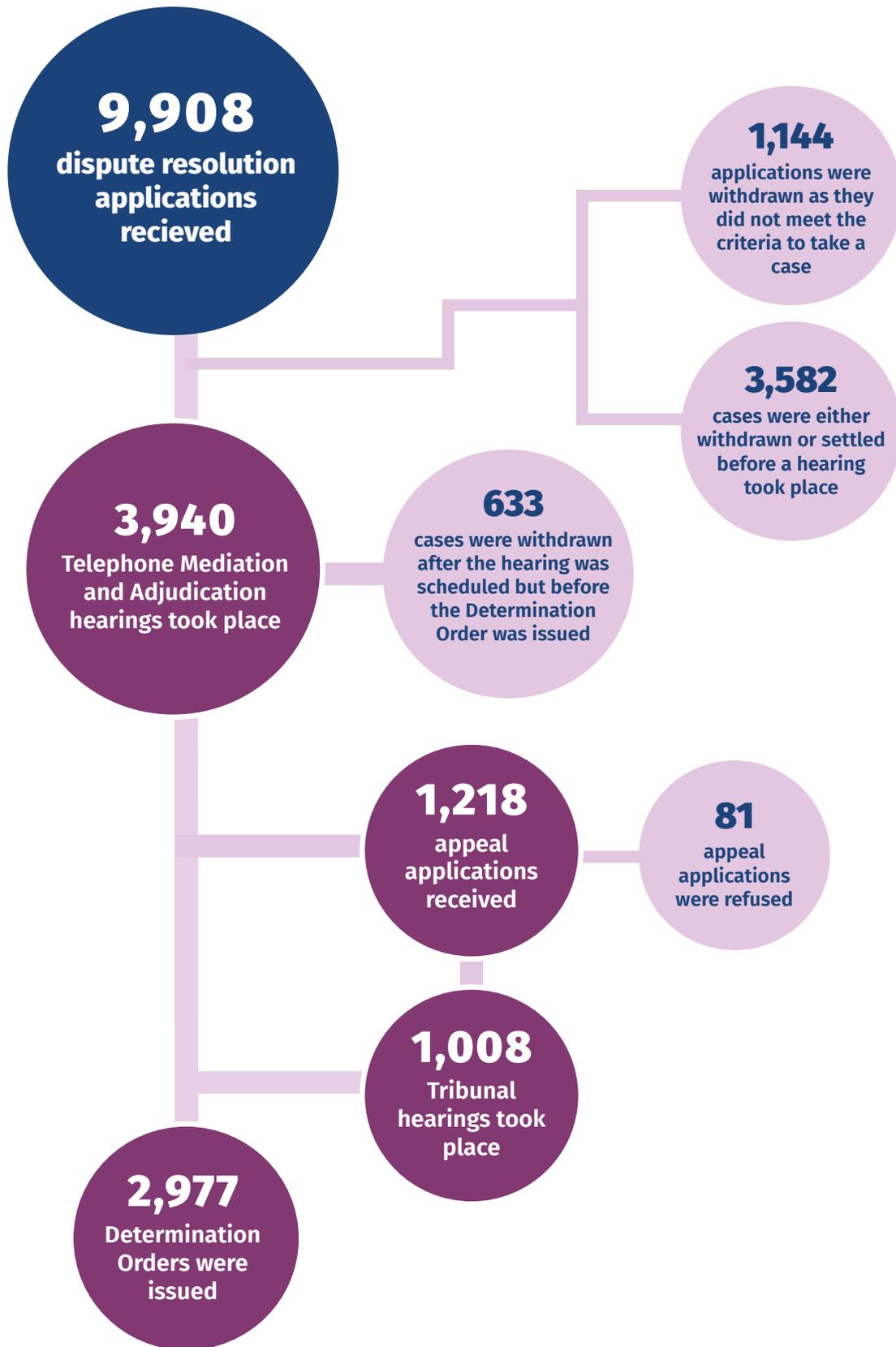
At the initial application assessment stage, the RTB Early Intervention team engaged directly with the dispute case parties to provide information on the legislation in relation to their case. This early engagement by RTB subject matter experts helped to provide parties with a better understanding of the individual's rights and responsibilities for their specific case. Increased awareness of both parties' rights, responsibilities, and obligations at the initial stages of a dispute can reduce the need to continue to a formal mediation or adjudication hearing. As a result of engaging with the RTB at an early stage of the process, 35% of the pilot cases were resolved without proceeding to the next stage of the process.

The Early Intervention Pilot successfully demonstrated that RTB early engagement with parties can resolve some cases without the need to proceed to a formal hearing. Based on the pilot success, the RTB plans to implement the Disputes Early Intervention Programme in 2024 on an incremental and phased basis.



¹ In Housing for All there is an objective to provide additional resources to the RTB in order to make Q2 2022 DHLGH available trained RTB facilitators to intervene at an early stage to prevent disputes escalating between parties.

Disputes Resolution Activity in 2023



Please note the figures in this chart represent activity levels. They do not correlate with each other. For example, the hearings heard in 2023 are from 2021 and 2022 applications.

For more detailed breakdown on this information please see Tables 12-17.

Dispute Resolution Applications

In 2023, the RTB received a total of 9,908² dispute resolution applications. 7,223 applications were for mediation and 2,685 for adjudication. The increase in mediation applications is a direct result of the introduction of default mediation in late 2022. 53% of the total applications were made by tenants compared to 45% by landlords. Third parties accounted for 3% of the applications submitted for dispute resolution services. Third parties are those who are directly and adversely affected by neighbouring tenants and have the right to bring a case against the landlord of those tenants.

The RTB received 1,218 Tenancy Tribunal appeal applications in 2023. 48% of appeals to a Tenancy Tribunal were made by tenants and 51% by landlords. Third parties accounted for only 1%. 1,008 Tribunal hearings took place in 2023.

For more detailed breakdown on this information please see Tables 18-19.

What were the disputes about?

Year-on-year there has been little variation in the top reasons cited for disputes. It is important to note that dispute types are self-reported by the applicant and multiple reasons can be selected for one dispute case.

Rent Arrears/Rent Arrears and Overholding (30%)	<ul style="list-style-type: none"> ➤ Overholding occurs when a tenant fails to leave the rented property by the date listed on a valid Notice of Termination. If a tenant does not pay rent, the amount of rent owed to the landlord is called rent arrears.
Validity of the Notice of Termination (18%)	<ul style="list-style-type: none"> ➤ A Notice of Termination is the official document which ends a tenancy. If a Notice of Termination is to be considered valid there are several rules in place which must be followed. ➤ Notice periods which stipulate the amount of notice to be provided by a tenant or landlord must be adhered to by the parties to the tenancy. If the tenancy has no end date and lasts more than 6 months a landlord can only terminate that tenancy under seven specific grounds. ➤ The RTB provides sample Notices of Termination and warning letter templates on its website together with details of notice periods and information on serving a valid Notice of Termination.
Breach of Landlord Obligations (17%)	<ul style="list-style-type: none"> ➤ For more information on the landlord obligations please visit the RTB website at www.rtb.ie.

For a more detailed breakdown on this information please see Table 20 in the Appendix.

2 *1,144 incomplete applications were withdrawn during the application assessment stage. Incomplete applications include applications whereby the RTB does not have jurisdiction, the landlord was the applicant but was not registered, it did not meet the criteria of a dispute case, or the applicant did not respond or engage with process after the application was submitted.

How long does it take for a dispute case to be resolved?

The average processing time for Mediation cases in 2023 was 9.93 weeks (8.87 weeks in 2022).

The average processing time for Adjudication cases in 2023 was 22.66 weeks (20.45 weeks in 2022). The average processing time for Tribunals was 29.42 weeks in 2023 (31.48 weeks in 2022).

For a more detailed breakdown on this information see Table 21.

Rent Tribunal

The Rent Tribunal, established in August 1983, was the arbitrating body in the determination of rent and other terms of tenancy of dwellings which were formerly rent controlled under the Rent Restrictions Acts 1960–1981. In 2016, the Rent Tribunal was dissolved by the Minister for Housing, Planning and Local Government and its functions were transferred to the RTB. All Board members of the RTB are members of the Rent Tribunal. The RTB Rent Tribunal met once in 2023 and one Determination Order was issued.

For a more detailed breakdown on this information see Table 22.

Order Enforcement

Where a party has obtained a Determination Order, and if the other party has not complied with the Order, there are two options for enforcement.

A party to the original dispute can request assistance from the RTB to enforce a Determination Order in the District Court.

Or a party to the original dispute can take their own enforcement case directly to the District Court and the RTB offers support to the parties by compiling case files and proofs for the court. In 2023, of the 390 order enforcement applications received by the RTB (40%) were made by Landlords, (57%) by tenants 2 by AHBs (2%) and 7 by Third Parties (1%) requested assistance.

For a more detailed breakdown on this information please see Table 23 in the Appendix.



2023 average processing times:

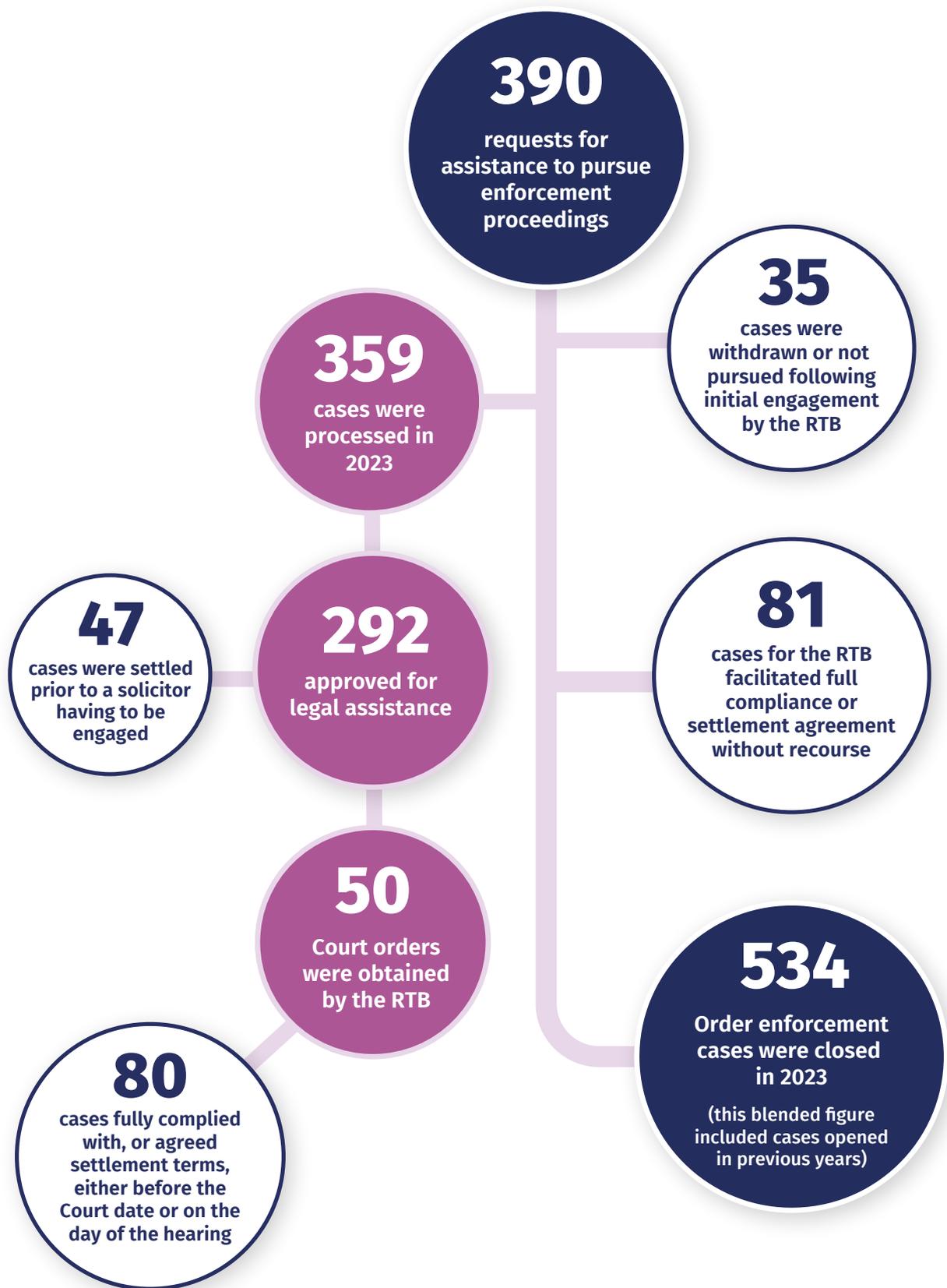
Mediation cases
9.93 weeks

Adjudication cases
22.66 weeks

Tribunals
29.42 weeks



Order enforcement activity



For a more detailed breakdown on this information please see Tables 24-30.

3

The RTB Information and Data Function



Introduction

The RTB serves a wide range of customers and stakeholders, from landlords, tenants and lettings agents to the Minister and Government, state bodies, the media and the wider public. A key priority for the RTB is to ensure that its customers can access reliable information when they need it and through a variety of accessible channels.

The RTB also helps promote a better understanding of the rental sector through the provision of tenancy data, the production of the RTB Quarterly Rent Index and through the delivery of the RTB research programme.

It is a function of the RTB to collect and provide information on the rental sector. The RTB collects data on the rental sector through the registration of tenancies (private, AHB, Cost Rental and SSA) and through the delivery of its functions, including the provision of Dispute Resolution Services and under the RTB's Investigations and Sanctions remit.

Why is this important for the rental sector?

- Rental law has become more complex and challenging to navigate over the last number of years as amendments have been made to the Act in the context of the housing crisis. Producing clear, concise, and timely information helps landlords and tenants stay abreast of these changes and what it means for their rental rights and responsibilities. This in turn helps prevent tenancy disputes and is in keeping with the RTB regulatory approach of supporting and facilitating compliance with rental law.
- The RTB is in a unique position to provide insights into the residential rental sector as it holds a comprehensive rental dataset and other relevant information. The RTB uses this data and information to promote a better understanding of the rental sector, monitor trends, assess their impacts, and inform policy and outcomes based on evidence.

Customer Service

As stated in Chapter 1, in 2022 there were onboarding issues with the Online Tenancy Management System which caused a range of challenges for many landlords and agents trying to register their tenancies. As a result, the RTB experienced unprecedented demand on its customer service channels, which resulted in significant delays, backlogs, and response issues in its contact centre.

At the beginning of 2023, the RTB Customer Service channels were still experiencing a high volume of emails and phone calls on this issue. The RTB continued to review its channels and deploy resources where necessary to tackle the associated backlogs. Through these efforts by Q2 2023 the RTB timelines to answer calls and emails were back on track.

In 2023 the RTB received just under 300,000 email queries across all its inboxes. The RTB also received 215,582 calls and answered 155,470. By June 3% of calls were abandoned due to wait times.

For more detailed information please see Table 31 in the Appendix.

Customer Complaints

The RTB received 678 complaints in 2023 compared to 1180 in 2022. This marks a year on year decrease of 42% which can be attributed to the stabilisation of the online tenancy management system. The RTB is committed to improving its customer service and reducing the number of complaints received annually.

For a more detailed breakdown on this information see Table 32 in the Appendix.

Stakeholder Engagement

The RTB is committed to effective and meaningful engagement with its stakeholders. The benefits of this are twofold; helping enhance the RTB's understanding of stakeholder priorities and views, while also creating a culture of knowledge around rights and responsibilities in the rental sector.

The RTB regularly engages with stakeholders across the rental sector, including with representative organisations of landlords, letting agents, Approved Housing Bodies (AHBs), Student Specific Accommodation (SSA) providers and tenants. In 2023, the RTB took part in 15 stakeholder events.

The RTB also continued to issue regular updates throughout 2023 to its stakeholder mailing list whenever there was new information on legislative changes, new RTB research or other relevant information.

Spotlight in 2023: Relaunch of the RTB Website

The RTB website (www.rtb.ie) is one of the most important communication channels the RTB uses to provide information to the rental sector.

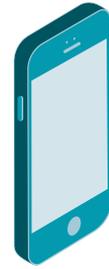
The RTB as a public body is committed to fulfilling its obligations under the European Union's Accessibility of websites and mobile applications of Public Sector Bodies, Regulations 2020 and to the implementation of the Public Sector Equality and Human Rights Duty.

In 2022, work commenced on the development of a new website. Phase 1 of this project commenced in Q3 of 2022 where the design phase of the new website was completed. A full relaunch took place in 2023.

In 2023, the RTB website had:

- > a total of 714,442 unique visitors compared to 728,871 in 2022, a decrease of 2%.
- > a total of 4.4 million visitors page views, a decrease of 24% compared to 5.8 million in 2022.

@RTBinfo
has reached
1.5 million
people in
2023.



Social Media

The RTB Twitter account, @RTBinfo, was established in 2018. Since then, the RTB has continued to grow its social media presence and engagement. At the end of 2023, @RTBinfo had;

- > a total of 5,059 followers, an increase of 5% on the 4,810 followers as of end of 2022.
- > the account also reached 1.5 million people in 2023.

Advertising Campaigns

During 2023, the RTB delivered three strategic public awareness campaigns.

> Always on Search Campaign

"Always On" is a Google ad service. One of the benefits of this service is to ensure, when 'googled,' the RTB is returned as one of the top search results enabling customers to get to the information they need and self-serve rather than using the call centre.

> Student Campaign

The aim of the campaign was to reach students and student housing providers to make them aware of their rights when renting accommodation. This was a solely digital campaign and utilized a new channel for the RTB by placing digital adverts on Sky TV. The campaign also met its statutory obligation by having adverts in both Irish and English.

> Rent Pressure Zone campaigns

The RTB ran adverts in local newspapers when new RPZs were designated. These adverts were featured in 15 regional papers whose readership combined is 595,097.

For a breakdown on this information see Table 33 in the Appendix.

Oireachtas Queries

The RTB has a designated inbox for Oireachtas members. In 2023, the RTB received 484 queries, which is a 10% decrease on the number received in 2022.

For a more detailed breakdown on this information see Table 34 in the Appendix.

Data and Insights

In 2023, the focus of the RTB research programme was to continue to use data and research to foster a better understanding of the rental sector, monitor trends in the sector and inform policy. The key components of the RTB's Research were:

- The production and development of the RTB Quarterly Rent Index.
- The Rental Sector Surveys fieldwork of landlords, tenants and letting agents,

And,

- The development of the Research and Data Hub which is an interactive resource providing the public with access to additional data collected by the RTB.

The RTB Rent Index

The RTB, through tenancy registration data, maintains a comprehensive dataset on the residential rental sector in Ireland. Based on data from the RTB's tenancy registration records, which is independently analysed by the Economic and Social Research Institute (ESRI), the RTB Rent Index provides rental indicators which track movements in rents for new and existing tenancies in the Irish private rental sector. Data from the RTB Quarterly Rent Index is available from 2007 to 2023 via the RTB's Research and Data Hub. In 2023, the RTB published four Rent Index reports (Q3, Q4, 2022 and Q1, Q2 2023).

The Rental Sector Survey

In 2023, the RTB published the second rental sector survey with landlords, tenants and letting agents. This research, commissioned by the RTB and undertaken by Amárach Research is one of the largest studies of the private rental sector ever conducted in Ireland. The purpose of the research project was to:

- Help create an accurate profile of landlords, tenants and letting agents in the private rental sector.
- Establish an evidence base of factual data for cohorts of landlords and tenants in the sector across a range of thematic areas to facilitate the monitoring of trends over time.
- Gain insights into behaviours and drivers for segments within the rental sector and capturing of pathways to current renting situations; and,
- Deliver robust and representative survey report(s).

These reports provide a comprehensive insight into the rental market, covering the perspective of landlords, tenants and letting agents.

The RTB Data Hub

The Data Hub provides easy access to up-to-date information on the rental sector that is displayed through interactive charts and maps which can be downloaded and shared. The Data Hub provides data and insights in the following areas:

- Rent levels (Rent Index).
- Private tenancies and landlords. Approved Housing Body (AHB) Tenancies.
- Student-Specific Accommodation Tenancies.
- Notice of Termination (NoTs) submitted to RTB.
- Dispute resolution statistics.
- Tenant and landlord profile information (RTB Rental Sector Survey).

For more information and to view the latest available data please visit the <https://www.rtb.ie/data-hub>.

4

The RTB Organisational Structure and Governance



Introduction

The RTB is committed to maintaining the highest standards of corporate governance and complies with the Code of Practice for the Governance of State Bodies.

The role of the RTB Board is to provide strategic direction and oversight for the organisation.

The Board sets the strategic objectives which the Director and the Executive team deliver. The Board makes key strategic and expenditure decisions on business matters as these arise.

The Director implements the strategic plan/annual business plan and manages the organisation at an operational level reporting to the Board. As a state body, the RTB has certain legislative obligations which are reported on in this chapter, including compliance with the Ethics in Public Office, Prompt Payments, and Protected Disclosures provisions. The RTB also report on its taxation, data protection and governance obligations in this chapter.

The Governance Statement and Board Report outline the responsibilities, composition and activities of the Board and Board Committees and contains key information disclosures about the RTB's activities during 2023. Finally, the Audited Financial Statements and the Statement on Internal Control are a comprehensive report on the financial activities of, and the control environment within, the RTB during the year.

Why is this important for the rental sector?

- The RTB, as the regulator for the residential rental sector, has a responsibility to the public to ensure that it delivers on its statutory functions in compliance with the law. The RTB is also committed to serving the public interest.
- In order to support this mandate, the RTB must have proper procedures in place and a governance framework which both supports and assures quality of work undertaken.
- In order to support the rental sector, the RTB must ensure that it has the right resources and organisational framework in place. To achieve this, additional senior staff have been recruited and internal changes have been made in management responsibilities to ensure that RTB can better deliver on its functions.

- The RTB is funded by tenancy registration fees, disputes fees and Exchequer funding. In 2023, the RTB had income of approximately €24 million. The Board provides oversight of the budget to ensure the organisation is providing value for money in the public interest.

Spotlight in 2023: Organisation development

Over the past number of years, the RTB has experienced considerable change and expansion and, as an organisation, has continued to adapt to meet the needs of its stakeholders.

In 2023, the RTB, with the support of the Department, recruited a third Principal Officer as Deputy Director for Digital and Data services. This additional role at leadership level will support the RTB to deliver its mandate via its digital services.

In 2023, the RTB had a complement of 118 staff. The RTB undertook recruitment campaigns at Principal Officer, Assistant Principal Officer, Executive Officer, and Clerical Officer levels during 2023. A total of 18 new staff members were successfully recruited, and an additional 7 staff were promoted within the organisation. This included 3 permanent promotions in 2023 (all CO to EO) and a further 4 temporary promotions to acting up positions (2 AP and 2 HEO).

For a more detailed breakdown on this information see Table 35 in the Appendix.



Training

The organisation relies upon a skilled and engaged workforce. Through the Performance Management Development System (PMDS), training needs are identified, and staff are supported to avail of training opportunities.

Wellness

The RTB is committed to encouraging a good work-life balance and well-being amongst its staff. The RTB also funds an Employee Assistance Programme (EAP) for staff, providing access to counselling and information.

Public Sector Equality and Human Rights Duty

Section 42 of the Irish Human Rights and Equality Commission Act 2014 requires public bodies, in their performance of all their functions, to have regard to the need to:

- > eliminate discrimination.
- > promote equality of opportunity and treatment of their staff and the persons to whom they provide services; and,
- > protect the human rights of its members, staff, and service users.

The Public Sector Duty puts a focus on non-discrimination, equality, and human rights, particularly in the planning, policy making, employment, service provision and procurement. This Public Sector Duty requires public bodies to move beyond a reactive approach to equality and human rights issues and to pursue a proactive approach, with the aim of avoiding and mitigating workplace discrimination and human rights issues to a greater extent. The RTB IHREC Steering Committee, formed in 2021, has continued to shape the direction of the organisation's approach with regard to Public Sector Duty. Each business unit in the RTB is represented on this Committee.

Dignity at Work Policy

The RTB is committed to protecting dignity and respect across the organisation and adheres to the dignity at work policy which was developed by the Department of Public Expenditure and Reform in 2015. The policy aims to promote respect, dignity, safety, and equality in the workplace.

Access Officer

The Access Officer is responsible for providing, or arranging for and co-ordinating, assistance and guidance to persons with disabilities accessing services provided by the RTB and generally acts as a point of contact for people with disabilities wishing to access the services. There were 25 Access Officer queries in 2023.

Ethics in Public Office

The RTB falls within the scope of the Ethics in Public Office Acts 1995 and 2001 and it has adopted procedures to comply with these Acts. Where required, Board members and senior management complete statements of interests in compliance with the provisions of the Acts. Board members are asked to declare any potential conflicts of interest at the outset of every Board meeting, and there are procedures in place for the ongoing disclosure of interests.

Prompt Payments

The RTB is aware of its responsibilities under the Prompt Payment of Accounts Act, 1997, and the Late Payment in Commercial Transactions Regulation, 2002, and has established procedures to make sure payments are made in accordance with these regulations. The RTB did not pay any interest or penalties relating to late paid invoices in 2023.

The RTB also has procedures in place to ensure it adheres to all relevant aspects of the Public Spending Code.

Taxation

The RTB has procedures in place to ensure that it is compliant with its obligations under taxation law and that all tax liabilities are paid on or before their due dates.

Procurement

The RTB continues to take responsibility for overseeing the development and management of procurement activities, ensuring the organisation is as far as possible fully compliant with national and EU procurement procedures. Throughout 2023, the Director approved renewal for 3 contracts. They are:

- > Rent Index- RTB Average Rent Report.
- > General insurance services.
- > Payroll.

One new contract was tendered for in 2023 and this was Organisational Development Services. A number of 'informal,' below threshold, request for quotes (RFQ) processes were undertaken over the year where the value of services was less than 50k.

For a breakdown on the financial information please see Table 36 in the Appendix.

Access to Information on the Environment

No requests under the Access to Information on the Environment regulations were received in 2023.

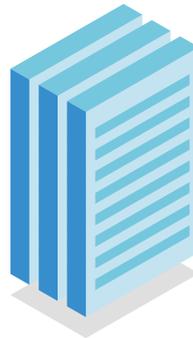
Climate Action

The Climate Action and Low Carbon Development (Amendment) Act 2021 provides a legal underpinning to climate action by the public sector. It requires all public bodies to perform their functions in a manner consistent with Ireland's climate ambition, as laid out in the Government's Climate Action Plan 2021 (CAP21) and Climate Action Plan 2023 (CAP23), so that the public sector leads by example, demonstrating the climate actions to reduce Ireland's greenhouse gas (GHG) emissions by 51% by 2030. To deliver on this commitment the Government has issued the Public Sector Climate Action Mandate. As a public sector organisation, the RTB is required to adopt the mandate and implement the actions required by it. The RTB formally adopted the mandate in December 2022.

One of the actions required under the mandate is to put in place a Climate Action Roadmap. The Climate Action Roadmap communicates how the RTB aims to meet the requirements of the Climate Action Mandate 2022 and reach its 2030 carbon and energy efficiency targets.

The roadmap is structured around the four pillars set out in the Public Sector Bodies Climate Action Roadmap Guidance: Our People, Our Targets, Our Way of Working and Our Buildings. The RTB is committed to ensuring staff are presented with the tools, training, and encouragement to introduce more sustainable measures within their working life in the RTB, and encourage positive sustainability steps in their everyday lives, in line with the Government's Climate Action Mandate.

By establishing an Action Plan, all areas within the RTB will be evaluated and considered under the 4 categories, Our People, Our Targets, Our Way of Working and Our Building. Individual business functions will be reviewed to establish if more sustainable measures can be introduced, while always maintaining the RTB core service to the public.



The Climate Action and Low Carbon Development (Amendment) Act 2021 provides a legal underpinning to climate action by the public sector.

Information Governance

In 2023 the RTB established a new Information Governance Unit, to ensure that the RTB is managing how its information is gathered and shared in accordance with all relevant legislation.

Data Protection and GDPR

In 2023, the RTB processed 50 Subject Access Requests, 19 data erasure and 28 data rectification requests. 16 data breaches were notified to the Data Protection Commission.

Freedom of Information and Access to Information on the Environment

In 2023 the RTB processed 94 Freedom of Information requests and published these requests on the RTB website on a quarterly basis.

Protected Disclosures

One protected disclosure was made by an RTB employee under the terms of this legislation in 2023.

Engagement with the Ombudsman

Over the course of 2023 there was significant improvement to the RTB customer services in respect of registering tenancies as reported in Chapter 4. 71 customers made complaints to the Ombudsman regarding registering tenancies and associated issues. All of these complaints were fully addressed and resolved.

Official Languages (Amendment) Act 2021

All RTB advertising campaigns meets the obligations under s10A of this Act. Under this provision the RTB also fulfils its statutory requirement by publishing all online forms in Irish.

For a more detailed breakdown on Information Governance please see Table 37 in the Appendix.



Residential Tenancies Board Report and Financial Statements

For The Year Ended 31 December 2023



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Governance Statement and Board Members' Report

Governance

The Board of the Residential Tenancies Board (“RTB”) was established under the Residential Tenancies Act (2004) (“the Act”). The functions of the Board are set out in Part 8 of the Act. The Board is accountable to the Minister for Housing, Local Government & Heritage and is responsible for ensuring good governance at the RTB. The Board performs this task by setting strategic objectives and targets for the organisation and taking strategic decisions on all key business matters.

The day-to-day management, control and direction of the RTB are the responsibility of the Director of the RTB and Executive Leadership Team. The Director and their team follow the broad strategic direction set by the Board and ensure that all Board members have a clear understanding of the organisation’s key activities and issues, the types of decisions the Board is required to make, and all significant risks the organisation is faced with. The RTB Director acts as a direct liaison between the Board and RTB management and has a reporting line to the Board Chair.

In October 2023, the Director of the RTB, Niall Byrne, informed the Chair of the Board of his intention to resign. His resignation took effect on 31 January 2024. The Board appointed Owen Keegan as Interim Director of the RTB on 26 February 2024, until such time as a new Director is formally appointed. On 16 May 2024, following an open recruitment process the Board agreed, subject to the approval of the Minister, to appoint Rosemary Steen as Director of the RTB. It is expected that she will be formally appointed in accordance with the provisions of Section 160 of the Residential Tenancies Act 2004 and take up her role as Director of the RTB in September 2024.

Board Responsibilities

The work and responsibilities of the Board are set out in the Board’s Standing Orders (Conduct of Meetings) and the schedule of matters specifically reserved for Board decision. In general, these incorporate the functions vested in the Board by the Act, governance decisions such as the appointment of Committee members or the approval of policies, key strategic and financial decisions such as the approval of plans, or the commitment of significant resources, and risk oversight of the RTB’s activities.

The RTB has responsibility for the direct implementation of legislation and Government policy relating to the residential rental sector. It has a quasi-judicial and regulatory role and is independent in its decision-making functions. As a quasi-judicial service, there is a significant commitment made by the Board in overseeing certain decisions. Along with its ordinary Board meetings, the Board also convenes to consider decisions in fulfilment of its quasi-judicial role.

During 2023, the Board met on 30 occasions (35 in 2022), both for ordinary Board meetings and in meetings to deal with matters relating to its quasi-judicial role. The Board held 13 ordinary Board meetings and 17 Board Tenancy Disputes meetings. Standing items considered by the Board at every ordinary Board meeting include declarations of interest of Board members, risk, financial matters, a report from the Director, business unit updates, meeting minutes, and Committee reports.

Section 177 of the Residential Tenancies Act (2004) requires the Board of the RTB to keep, in such form as may be approved by the Minister for Housing, Local Government & Heritage with consent of the Minister for Public Expenditure, NDP Delivery and Reform, all proper and usual accounts of money received and expended by it.

In preparing these financial statements, the Board of the RTB is required to:

- select suitable accounting policies and apply them consistently,
- make judgements and estimates that are reasonable and prudent,
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that it will continue in operation, and
- state whether applicable accounting standards have been followed, subject to any material departures disclosed and explained in the financial statements.

The Board is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at the time, its financial position and enable it to ensure that the financial statements comply with Sections 177 to 179 of the Act. The maintenance and integrity of the corporate and financial information on the RTB’s website is the responsibility of the Board.

The Board is responsible for approving the RTB’s annual business plan and budget and for ongoing monitoring of performance. Throughout 2023 the Board evaluated the RTB’s performance against budget and received regular reports from the management team on performance against the business plan. The Board was informed of the final financial outturn for 2023 at its meeting on 28 March 2024.

The Board is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities. The Board considers that the financial statements of the RTB give a true and fair view of the financial performance and the financial position of the Residential Tenancies Board as of 31 December 2023.

Board Structure

The Board consists of a Chairperson and 11 ordinary members who are appointed by the Minister for Housing, Local Government & Heritage. Members of the Board were appointed for varying periods and meet on a monthly basis. At the end of 2023 there was one vacancy on the Board. The RTB completed a Board skills gap analysis in 2024 which will be used to inform the recruitment of new Board members.

The table on the following page details the appointment information for Board members during 2023. Patricia O’Sullivan Lacy and Colin Potts were re-appointed by the Minister for second terms on the Board which will run from 22 July 2023 until 21 July 2027.

Name	Membership Type	Term
Tom Dunne	Chairperson	01 Oct 2019 – 31 Aug 2024
Mary O’Donovan	Board member	01 Jul 2020 – 30 Jun 2024
Justin O’Brien	Board member	01 Jul 2021 - 30 Jun 2026
Paddy Gray	Board member	01 Aug 2021 - 30 Jul 2026
Julia Carmichael	Board member	01 Dec 2022 – 30 Nov 2027
Audry Deane	Board member	23 Apr 2021 – 22 Apr 2026
James Doorley	Board member	23 Apr 2021 - 22 Apr 2026
Patricia O’Sullivan Lacy	Board member	22 Jul 2019 – 21 Jul 2023 22 Jul 2023 – 21 Jul 2027
Colin Potts	Board member	22 Jul 2019 – 21 Jul 2023 22 Jul 2023 – 21 Jul 2027
Paul Dunne	Board member	07 Feb 2022 – 06 Feb 2027
Sheila O’Riordan	Board member	07 Feb 2022 – 06 Feb 2027

As of 31 December 2023, the Board had five female and six male members, with one position vacant. The Board therefore meets the Government target of a minimum of 40% representation of each gender in the membership of State Boards.

The following measures are planned to maintain and support gender balance on the Board:

- The Minister’s attention will be drawn to the Government target to achieve 40% representation of each gender in the membership of all State Boards when submissions are made for appointments and reappointments to the Board.
- The Minister’s attention will be drawn to the current gender composition of the Board when submissions are made for appointments and re-appointments to the Board.

Board Committees

The Board is assisted in its oversight role by a number of Board Committees which are comprised of Board members and external members with subject matter expertise in the Committees’ respective areas of responsibility. These Committees are charged by the Board with in-depth consideration of certain matters, and they provide advice to help with Board decision-making. The minutes of Board Committee meetings are circulated to the Board to keep it informed of the work of the Committees.

Board Committees are periodically reviewed by the Board to consider their effectiveness against their terms of reference. During 2023 the Board had the following Board Committees in place:

- Audit & Risk Committee
- Legislative Committee
- Research Committee
- ICT Governance Sub-committee
- RTB Board Executive Committee Working Group
- Director Succession Planning Sub-Committee
- RTB Rent Tribunal
- Section 189 Committee

Audit and Risk Committee

The Audit and Risk Committee (“ARC”) comprises of three Board members and two external members with skills and executive experience in risk management, governance, and finance. The ARC held eight meetings during 2023. The ARC reports to the Board after its meetings.

As of 31 December 2023, the members of the Audit and Risk Committee were: Board members Paul Dunne (Chairperson), Colin Potts, James Doorley, and the two external members Catherine Comer and Shane O’Keeffe. Sheila O’Riordan was appointed to the committee during the year and subsequently resigned during 2023. Julia Carmichael’s term ended during 2023 and Shane O’Keeffe’s ended early in 2024.

The schedule of Committee attendance during 2023 is on the following table.

Committee member	Meetings attended
Meetings Held	8
Paul Dunne – Board <i>(Appointed Chairperson 09 February 2023)</i>	7
Colin Potts – Board	7
James Doorley – Board <i>(Appointed 14 September 2023)</i>	1
Sheila O’Riordan Board <i>(Appointed 09 February 2023 & resigned 05 July 2023)</i>	5
Catherine Comer - External	7
Shane O’ Keeffe – External	8
Julia Carmichael – Board <i>(Term ended 24 February 2023)</i>	3
* Mary O’Donovan – Board	3
* Justin O’Brien - Board	1

* Board members Mary O’Donovan and Justin O’Brien attended ARC meetings at the invitation of the Chairperson during 2023.

Legislative Committee

The Legislative Committee is charged with assisting the Board in its consideration of legal and legislative matters. The Legislative Committee comprises three Board members and four external members. The Legislative Committee held no meetings during 2023.

Research Committee

The Research Committee provides strategic direction and oversight for the development and delivery of the RTB's research programme. The committee met three times during 2023. Committee members as of 31 December 2023 were Board members Paddy Gray (Chairperson), Justin O'Brien, Audry Deane and James Doorley, and external members John McCartney, Lorcan Sirr, Christine Whitehead and Alan Martin. Previous external member, Sinead Kelleher, ceased to be a member when she changed employer during 2022.

Committee member	Meetings attended
Meetings Held	3
Paddy Gray – Board	3
Justin O'Brien - Board	1
Audry Deane - Board	2
James Doorley – Board	2
John McCartney – External	1
Lorcan Sirr - External	2
Christine Whitehead - External	3
Alan Martin – External (Appointed 09 February 2023)	2

ICT Governance Committee

The Board established the ICT Governance Committee on 12 January 2023. This Committee provides oversight and assurance to the RTB Board on the governance and delivery of ICT projects, and also provides expertise and guidance on the RTB's ICT-related strategic objectives. The Committee met fifteen times during 2023. Committee members as of 31 December 2023 were Board members Justin O'Brien (Chairperson), Paul Dunne and Paddy Gray and external members Ken Jordan and Mihai Bilauca. Mary O'Donovan resigned from the Committee during the year.

Committee member	Meetings attended
Meetings Held	15
Justin O'Brien - Board (Appointed 12 January 2023)	15
Paul Dunne – Board (Appointed 12 January 2023)	12
Mary O'Donovan – Board (Appointed 12 January 2023 and resigned 13 October 2023)	11
Paddy Gray – Board (Appointed 21 November 2023)	1
Ken Jordan – External (Appointed 12 January 2023)	14
Mihai Bilauca – External (Appointed 12 January 2023)	10

RTB Board Executive Committee Working Group

The RTB Board Executive Working Group was established on 23 June 2023 to review the Board's procedures with the objective of identifying improvements to the functioning of the Board. The Working Group met six times during 2023. The Working Group consists of Board members Audry Deane (Chairperson), Colin Potts and Paddy Gray, and Board Secretary Louise Loughlin.

Committee member	Meetings attended
Meetings Held	6
Audry Deane – Board	6
Colin Potts - Board	5
Paddy Gray – Board	6
Louise Loughlin - Executive	6

Director Succession Planning Sub-Committee

The Director Succession Planning Sub-Committee was established on 09 November 2023 to assist the Board in fulfilling its responsibility to recruit and appoint a Director for the RTB as set out in section 160 of the Act. The Sub-committee met four times during 2023. The Sub-committee consists of Board members Tom Dunne (Chairperson), Paul Dunne and Julia Carmichael.

Committee member	Meetings attended
Meetings Held	4
Tom Dunne Chair - Board	4
Paul Dunne – Board	4
Julia Carmichael - Board	3

RTB Rent Tribunal

The Rent Tribunal was established in 1983 to decide on rent and other tenancy terms for certain dwellings which were previously rent controlled under the Rent Restrictions Acts (1960 – 1981). In 2016, the Rent Tribunal was dissolved by the Minister for Housing, Planning, Community and Local Government and its functions were transferred to the RTB under the Residential Tenancies Act (2004, as amended). The RTB Rent Tribunal consists of all Board members throughout their tenure as members of the RTB Board and meets only as required. The RTB Rent Tribunal met once in 2023.

Section 189 Committee

The Section 189 Committee consists of all Board members throughout their tenure as members of the RTB Board. It meets only as required by circumstances prescribed in section 189 of the Act to consider whether to apply to the Courts for interlocutory relief in cases of alleged illegal evictions by landlords. The Section 189 Committee met two times in 2023.

Board members' attendance at the Section 189 Committee is set out in the table titled Board Members' Meeting Attendance in 2023 later in this Governance Statement.

Schedule of Board Members' Fees, Attendance and Expenses

During 2023 Board members were paid €117,793 (€126,219 in 2022) for their attendance at meetings. This amount includes fees for attendance at Board and Committee meetings, for participating in training events and interviews, and for fulfilling their duties as members of the Board. The fees are set by the Department of Public Expenditure, NDP Delivery and Reform and the Department of Housing, Local Government & Heritage. The fee basis for the RTB Chairperson and Board members was changed during the year with effect from 01 July 2023. The fee basis in effect from 01 July 2023 is set out in the table below (with the previous fee basis in parentheses). Fees are subject to Board members participating in additional meetings in which the Board exercises its powers under the Act with respect to its quasi-judicial role.

Schedule of Board Members Fees	Chairperson	Member
Annual amount for Board work and attendance at Board and Board Committee meetings	€11,970 (€8,978)	€7,695 (€5,985)
Annual amount for meetings in which the Board exercises its powers under the Act with respect to its quasi-judicial role	€4,708 (€7,700)	€3,540 (€5,250)

The tables below and on the following page set out the Board members' fees and expenses paid for 2023 and Board members' attendance at meetings during the year.

Board Member Fees and Expenses 2023

Board Member	Board Work	Travel & Subsistence	Total (Fees & Expenses)
Tom Dunne	€16,678	€0	€16,678
Mary O'Donovan	€11,235	€2,049	€13,284
Justin O'Brien	€11,235	€0	€11,235
Paul Dunne	€11,235	€354	€11,589
Paddy Gray	€11,235	€1,098	€12,333
Julia Carmichael	€0	€0	€0
Audry Deane	€11,235	€53	€11,288
James Doorley	€11,235	€41	€11,276
Patricia O'Sullivan Lacy	€11,235	€184	€11,419
Colin Potts	€11,235	€0	€11,235
Sheila O'Riordan	€11,235	€3,757	€14,992
Total	€117,793	€7,536	€125,329

In compliance with the 'One Person, One Salary' principle, Board fees were not paid to Julia Carmichael. In compliance with Department of Public Expenditure, NDP Delivery and Reform guidelines, Board members were reimbursed a total of €7,536 for travel and subsistence incurred for attendance at meetings and training.

Board Members' Meeting Attendance in 2023

Board Member	Board Meeting	Board Disputes Meeting	Audit & Risk Committee	Legislative Committee	Research Committee	ICT Governance Sub-Committee	RTB Board Executive Working Group	RTB Director Succession Planning Sub-Committee	RTB Rent Tribunal	Section 189 Committee
Meetings Held	13	17	8	0	3	15	6	4	1	2
Tom Dunne	13	14						4	1	1
Mary O'Donovan*	13	12	3			11			1	2
Justin O'Brien	12	12	1		1	15				
Paul Dunne	11	12	7			12		4		1
Paddy Gray*	13	14			3	1	6			
Julia Carmichael	8	5	3					3		
Audry Deane	11	14			2		6			
James Doorley*	11	13	1		2					1
Patricia O'Sullivan Lacy	11	15								2
Colin Potts	13	15	7				5			2
Sheila O'Riordan*	13	11	5						1	

Dispute Resolution Committee

The Dispute Resolution Committee (“DRC”) is the panel from which members of the three- person Tenancy Tribunals are drawn. Since Tribunal determinations can only be appealed on a point of law to the High Court, members of the DRC perform an important quasi-judicial function. There were 1008 Tribunal hearings in 2023. Hearings are usually allocated by an automatic scheduler to available members on the panel, who may accept or decline the hearing. Tribunal members are paid on a fee schedule covering their attendance at hearings and report writing which varies between €506 and €1,195 depending on the attending capacity of the Tribunal member (Chair or member) and whether the Tribunal went ahead or was deemed withdrawn. The table below shows payments to Tribunal members for 2023.

Tribunal Member Fees 2023

Name	Fees	Training	Total
Andrew Nugent	€33,696	€196	€33,892
Anne Leech	€44,270	€196	€44,466
Brian Murray	€47,001	€0	€47,001
Ciara Doyle	€52,501	€196	€52,697
Dairine Mac Fadden	€52,105	€196	€52,301
Dervla Quinn	€69,467	€196	€69,663
Elizabeth Maguire	€2,390	€0	€2,390
Eoin Byrne	€57,935	€196	€58,131
Finian Matthews	€56,190	€196	€56,386
Fintan McNamara	€54,139	€196	€54,335
Healy Hynes	€71,523	€0	€71,523
Helen Claire O'Hanlon	€49,247	€0	€49,247
Hugh Markey	€32,890	€0	€32,890
Jack Nicholas	€506	€0	€506
James Egan	€58,479	€196	€58,675
John Keane	€22,961	€196	€23,157
John Keaney	€62,193	€0	€62,193
Karen Ruddy	€57,439	€0	€57,439
Louise Moloney	€41,064	€196	€41,260
Mary Doyle	€37,004	€196	€37,200
Maureen Cronin	€44,447	€0	€44,447
Michael Vallely	€40,890	€0	€40,890
Michelle O'Gorman	€80,166	€196	€80,362
Niall Buckley	€6,812	€0	€6,812
Owen Donnelly	€4,764	€0	€4,764
Peter Shanley	€48,898	€0	€48,898
Roderick Maguire	€27,418	€0	€27,418
Rosemary Healy Rae	€38,839	€196	€39,035
Suzy Quirke	€53,294	€0	€53,294
Total	€1,248,528	€2,744	€1,251,272

Adjudicators and Mediators Panel

An important function of the RTB is to provide a dispute resolution service for landlords, tenants and third parties. To ensure impartiality in the dispute resolution process, the adjudicators and mediators on our panel are appointed independently, and they undertake their functions in an autonomous capacity. Adjudicators are paid a flat fee of €616 per day for three hearings, or €616 for three telephone mediations. Hearings are allocated by an automatic scheduler to available members on the panel, who may accept or decline the hearing. The table below shows payments made to Adjudicators/Mediators for 2023.

Adjudicator / Mediator Fees 2023

Name	Fees	Training	Total
Aisling Ryan	€1,848	€196	€2,044
Alan Brady	€36,344	€196	€36,540
Anne Marie Giblin	€24,640	€588	€25,228
Avril O'Meara	€9,856	€0	€9,856
Brian Whelan	€26,488	€392	€26,880
Cathrina Keville	€49,896	€196	€50,092
Ciaran Joyce	€34,496	€588	€35,084
David Duncan	€54,208	€196	€54,404
David McParland	€19,712	€196	€19,908
Donagh Farrell	€616	€0	€616
Donald Menzies	€27,720	€392	€28,112
Eithne Corry	€616	€392	€1,008
Emma Barry	€23,408	€392	€23,800
Emma Foley	€6,776	€0	€6,776
Emma Slattery	€16,632	€0	€16,632
Fiona Walsh	€1,232	€392	€1,624
Frank Brady	€71,456	€392	€71,848
Georgina Farren	€40,656	€0	€40,656
Grainne Quinn	€2,464	€392	€2,856
John Noonan	€28,952	€588	€29,540
Linda Brophy	€5,544	€392	€5,936
Louise Beirne	€20,944	€196	€21,140
Mark Kane	€95,524	€392	€95,916
Mema Byrne	€10,472	€0	€10,472
Michael Landers	€27,104	€196	€27,300
Michael MacNamee	€47,432	€392	€47,824
Niamh McHugh	€14,168	€196	€14,364
Niamh O'Doherty	€23,408	€392	€23,800
Orla Ryan	€16,016	€0	€16,016
Sarah Brophy	€32,648	€588	€33,236
Shaun Smyth	€74,536	€392	€74,928

Name	Fees	Training	Total
Simon Brady	€22,792	€196	€22,988
Sinéad Fitzpatrick	€47,432	€392	€47,824
Steven Dixon	€75,768	€392	€76,160
Susan Applebe	€27,104	€588	€27,692
Thomas Dowling	€1,848	€196	€2,044
Una Ni Chathain	€52,360	€196	€52,556
Ursula Condon Flynn	€26,488	€196	€26,684
Total	€1,099,604	€10,780	€1,110,384

Decision Makers Panel

As part of its regulatory function the RTB has powers to Investigate and Sanction landlords who commit certain breaches of rental law called improper conducts. The panel of Decision Makers determines, based on the results of the investigation process, whether an improper conduct has occurred and the amount of any sanction. If a landlord is found to have committed improper conduct a sanction can be applied of a written caution and/or a fine of up to €15,000 and also up to €15,000 in costs. The Decision Makers are independent legal professionals who undertake their function in an autonomous capacity. The decisions of Decision Makers must be confirmed in the Circuit Court. Decision makers are paid a flat fee of €340 per decision and €340 per day if it is necessary for them to attend Court. Fees paid for 2023 are set out below.

Decision Maker Fees 2023

Name	Fees	Training	Total
Angela Becker	€10,540	€196	€10,736
Cynthia Lennon	€6,120	€0	€6,120
Margaret Browne	€12,240	€196	€12,436
Susan Ahern	€11,900	€196	€12,096
Total	€40,800	€588	€41,388

Key Personnel Changes

Niall Byrne, RTB Director, resigned from the RTB on 31 January 2024 and Owen Keegan was appointed as Interim Director on 26 February 2024. On 10 July 2023 Karen Roantree was appointed as Deputy Director.

Disclosures Required by Code of Practice for the Governance of State Bodies (2016)

The Board is responsible for ensuring that the RTB has complied with the requirements of the 2016 Code as published by the Department of Public Expenditure, NDP Delivery and Reform in August 2016. The following disclosures are required by the 2016 Code:

Employee Short-Term Benefits Breakdown

Thirty-one staff members were paid short-term benefits in excess of €60,000 each during 2023. These payments are analysed in Note 5a of the RTB's 2023 Financial Statements. For the purpose of this disclosure, employee short-term benefits during 2023 include salary, overtime, and other payments made to the employees but exclude employer's PRSI.

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced business functions.

Consultancy	2023	2022
Legal Advice	€181,952	€191,940
Procurement	€32,198	€0
ICT roadmap	€5,628	€21,540
Data Protection	€2,000	€3,500
Total	€221,778	€216,980

No consultancy costs were capitalised during 2023 or 2022.

Legal Costs and Settlements

The table below provides a breakdown of amounts categorised in the 2016 Code as legal costs and settlements in 2023. The primary driver of legal costs for the RTB is in carrying out its functions under the Act including the resolution of disputes between landlords and tenants, litigation where required to enforce an RTB Determination Order or to confirm a decision of the RTB, and prosecution in the case of unregistered tenancies. This table also includes legal costs incurred in compliance with other legislation including data protection, employment law, and freedom of information, and in the day-to-day running of the organisation. This does not include expenditure incurred in relation to general legal advice received by the RTB which is disclosed, as required by the 2016 Code, in Consultancy costs above.

Legal Costs and Settlements	2023	2022
Judicial Review	€15,881	€2,214
Enforcement	€816,275	€627,403
Legal Settlements	€0	€33,800
Court Appeals	€310,843	€322,915
General Administration	€246,903	€102,125
Other Legal Support	€499,500	€483,603
Total	€1,889,402	€1,572,060

Travel and Subsistence Expenditure

Travel and subsistence expenditure is set out below.

Travel & Subsistence	2023	2022
RTB Staff	€5,189	€5,113
Board Members	€7,536	€10,447
Tribunal Members	€5,090	€6,047
Total	€17,815	€21,607

Of the current year travel and subsistence amount for RTB staff, €1,430 relates to foreign travel (2022: €1,381). There was no foreign travel for Board members or Tribunal members in either year. All travel and subsistence expenditure was paid in compliance with Department of Public Expenditure, NDP Delivery and Reform guidelines.

Hospitality Expenditure

Hospitality expenditure includes refreshments provided for information sessions hosted by the RTB in fulfilment of its mandate to deliver education and awareness events to stakeholders. Hospitality expenditure is categorised below.

Hospitality Expenditure	2023	2022
Staff	€5,591	€4,068
Stakeholder Education and Awareness Events	€2,509	€4,330
Total	€8,100	€8,398

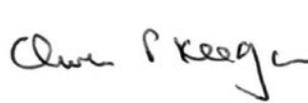
Statement of Compliance

The Board has adopted the Code of Practice for the Governance of State Bodies (2016) and has put procedures in place to ensure compliance with it. Significant work was done by management during 2023 to achieve compliance with the 2016 Code. This work was carried out under the oversight of the Audit and Risk Committee, who acknowledge the efforts made during the year and are satisfied that the organisation was substantially in compliance with the 2016 Code at the end of 2023. There are a small number of items with which we are not yet compliant as follows:

- Procedures in place to ensure that the appointment and removal of the Secretary of the Board is a matter for the Board;
- Role of the Secretary of the Board documented, with functions, duties and reporting structures clearly set out;
- Documented procedures for maintaining an appropriate relationship with its external auditors;
- A confidential register of interests disclosed under the Code maintained by the Secretary of the Board or other nominated person;

- An account of approach being adopted in regard to the promotion of diversity and inclusion, including with regard to gender;
- Procedures in place to adhere to DPER Circular 01/2020 relating to offsetting the emissions associated with official air travel;
- Customer Charter supported by a more detailed Customer Action Plan outlining how the Charter’s commitments and standards will be delivered and evaluated over a three- year cycle.

The RTB is working to deliver these outstanding items and for which we expect to be fully compliant by the end of 2024.



Owen Keegan

RTB Director

Date: 20 June 2024



Tom Dunne

Chairperson

Date: 20 June 2024

Statement on Internal Control

Responsibility for the System of Internal Control

As Chairperson of the Residential Tenancies Board (“RTB”), I acknowledge the Board’s responsibility for ensuring that an effective system of internal control is maintained and operated. In considering the effectiveness of the system of internal control, the Board has regard, amongst other things, to the requirements of the Code of Practice for the Governance of State Bodies (2016), hereafter referred to as the “2016 Code” and any associated regulatory or legislative requirements.

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to an agreed tolerable level in line with the organisation’s risk appetite rather than to eliminate it. The system can only provide reasonable and not absolute assurance that assets are safeguarded, transactions are authorised and properly recorded, and that material errors or irregularities are either prevented or detected in a timely manner.

Key Control Procedures

The system of internal control outlined in this statement, which accords with the guidance issued by the Department of Public Expenditure and Reform, has been in place in the RTB for the year ended 31 December 2023 and up to the date of approval of the financial statements.

The Board of the RTB is responsible for ensuring that the RTB has an effective system of internal control in place. The Board is assisted in its work by the Audit and Risk Committee (“ARC”) which, at the end of 2023, was comprised of three Board members and two external members. The Committee advises the Board on risk, internal control and governance and is supported by reporting it receives from Executive management. The ARC met eight times during 2023.

The Board has delegated executive authority to the Director who, along with the Executive Leadership Team, manages the RTB’s risks and reports on risks and risk management to the Board. The RTB has an Internal Audit function which is provided by an externally contracted firm.

The audit firm developed a one year and a three-year audit plan under the guidance of the ARC and with input from Executive management. The ARC approved the internal audit plan at its meeting on 26 April 2023. The audit plan is reviewed by the ARC throughout the year and changes are made, as required, based on recommendations from the Committee.

The ICT Governance subcommittee of the Board met regularly over the course of 2023 to review and oversee the executive approach to the development of RTB digital and data systems. The ICT Governance subcommittee of the Board reports to the Board at each Board meeting.

The ARC reviewed the Internal Auditors’ scope of delivery against the audit plan during the course of the year. Whilst in 2022, the RTB did not progress the Internal Audit plan as desired, in 2023 progress was made in recovering the trajectory of delivery of the Internal Audit plan.

With respect to the effective management of financial risk, the Board had a reserves management policy in place during 2023. In July 2023 the Board adopted an updated reserves management policy which requires the RTB to operate with minimal reserves in compliance with Exchequer funding guidelines. To achieve this the Board will work to reduce its current level of reserves over the timeframe of the RTB Statement of Strategy 2023 to 2025.

Risk and Control Framework

Risk Register

The RTB maintains an enterprise risk register which identifies the key risks, evaluates them using a risk- based scoring system, and identifies the controls in place and actions needed to reduce the risks or mitigate their impact. The register is prepared by management and reviewed by the ARC and Board. The register was reviewed by the ARC four times and Risk Management was included on the Board’s agenda eleven times in 2023.

Internal Control

The RTB has a system of internal control and risk management designed to identify and report key risks and the management actions being taken to address and, where possible, to mitigate them.

The key elements of the system are as follows:

- A defined organisational structure with appropriate segregation of duties and limits of authority.
- A three-year strategic plan, approved by the Board, which guides the annual business plan and budget, both of which are approved by the Board, with regular reporting to the Board on progress during each year.
- A number of other Board Committees which support the Board in its oversight role. These are listed in the Governance Statement & Board Members' Report.
- Defined limits and authority for financial expenditure including procurement of goods and services and capital expenditure.
- Monthly management accounts which are reviewed by management and noted by the Board.
- Audit and Risk Committee which provides oversight and guidance in the areas of risk management, risk register review, risk reporting and policy development and which deals with any significant control issues raised by Internal Audit, the Office of the Comptroller and Auditor General, or other external reviews.
- An Internal Audit function which reviews identified processes, systems and controls and reports on its work to the Audit and Risk Committee.
- An enterprise risk register which is prepared by management and reviewed regularly by the Audit and Risk Committee and the Board.
- Documented policies and procedures covering key areas of risk which are periodically reviewed and approved by the Board.
- Policies covering data protection, fraud, ICT (Information Communications Technology) system security, health and safety, and other key risk areas as well as codes of conduct for the Board, Officers, and staff.
- Policies and procedures covering staff performance management, training, staff development, and continuing education.

- A procurement policy and plan which is reviewed annually by the Director and is required to be reviewed periodically by the Audit and Risk Committee.
- Reporting on activity volumes in our in-house and outsourced operations, analysis of performance against service level agreements and targets to inform management and determine interventions as appropriate.
- Customer surveys, feedback, and complaints are used to identify and address issues with the delivery of our services.
- Systems and software in place to protect our ICT environment from threats and to ensure the security of the information we hold.

Board Committees

The Board is assisted in its oversight role by Board Committees which are comprised of Board members and external members with relevant skills and knowledge in the Committees' respective areas of responsibility. The Committees are charged by the Board with in-depth consideration of certain matters, and they provide advice to help with Board decision-making. Each Committee Chair reports to the Board on the activities of the Committee. Details of the Committees in operation during 2023 are included in the Governance Statement & Board Members' Report.

Risk Management System

In 2023 additional external consultancy supported management with the development of an updated organisational Risk Register and approach to Risk Management including a new Risk Management Policy suited to the organisation's needs.

The policy was developed in 2023 with oversight and guidance by the ARC and was approved by the Board in February 2024. The Policy sets out the risk management principles, practices and procedures that are in operation within the Residential Tenancies Board which include risk management objectives, responsibilities, and risk processes. This Policy is designed to support the ongoing monitoring, review and management of risks and was developed with reference to the Code of Practice for the Governance of State Bodies.

Risk management involves a cycle of processes that identify, assess and develop management business plans for risks. The cycle is completed by a system of regular monitoring and reporting processes. The risk management process is a cyclical process which occurs throughout the year.

Risk identification is the process of identifying the risks which may impact on an organisation's ability to achieve its strategic objectives. The process of risk identification involves identifying the organisation's exposure to uncertainty through the consideration of both external environmental factors as well the uncertainty surrounding the strategic and operational objectives of the organisation.

Once risks have been identified, an assessment, mitigation and prioritisation exercise is undertaken to determine the significance of the risks to the organisation. Risks are prioritised in terms of both inherent risk and residual risks i.e. after consideration of the control in place to manage that risk.

The risk score is calculated by multiplying the score assigned for impact with the score assigned for likelihood. This prioritisation is collectively reviewed and challenged by the management team with agreement on relative risk scores.

Management of individual risks is required across all levels of responsibility on an ongoing basis. All individuals and groups are required to identify and escalate any risk incidents or changes in the risk environment on an ongoing basis. Risk owners are responsible for ensuring that actions assigned to risks in the risk register are implemented as planned.

Risk is managed using the three lines of defence model. The first line is the RTB's management team which has primary responsibility for managing risk and internal control in their areas of responsibility. They are supported by the RTB's control functions (Finance, Risk, Human Resources, Data Protection, and Procurement) which are the second line. The third line of defence is comprised of the external bodies who review the system. The overall system of internal control at the RTB is reviewed independently by our Internal Audit service and, within the governance requirements of the 2016 Code, the Audit and Risk Committee of the Board.

Managers in all areas of the RTB have defined responsibilities for the performance of their roles and staff are appropriately skilled and supported with training. Manager and staff performance expectations are set and monitored through the employee performance management system. Training is provided for staff when they take up a role and where special training needs are identified these requirements are supported by Human Resources.

In addition to RTB staff, customer service is supported by an outsourced business process provider. Internal controls for this service include a service level agreement, and weekly, monthly, and quarterly meetings between the provider and RTB management.

Control functions, such as Finance, Risk, Human Resources, Data Protection, and Procurement have policies and procedures in place to control risk in their areas of responsibility and provide guidance and oversight to operational areas to ensure compliance with applicable laws, regulations, and policies. These units liaise with managers and staff across the organisation to support adherence to these policies and they escalate significant breaches through the management hierarchy so that corrective action can be taken.

Organisational Structure

The RTB management team is led by the Director (currently filled on an interim basis) supported by three Deputy Directors (appointed in September and December 2022, and July 2023 respectively). Each Deputy Director has responsibility for a portfolio of business units either led by an Assistant Director or with direct responsibility by a Deputy Director. The business units are Dispute Resolution, Compliance and Enforcement; Registration and Customer Service, Legal Affairs, HR & Corporate Services; ICT; Communications & Research; Finance & Procurement; Governance & Risk Management; Information Governance; Office of the Director.

In May 2023, the RTB commenced an Organisation Development project to develop a new Target Operating Model for the organisation. The objectives of the project are to ensure that the RTB has an appropriate structure in place to implement its strategies, to support the effective management of resources and to assure the of quality public services on a consistent basis. In 2023, a number of key deliverables were completed: a thorough analysis of the current operating model was completed; design principles for the Target Operating Model were developed and agreed; staff networks were set up across the organisation to support the project; and a draft Target Operating Model was developed and presented to management.

Ongoing Monitoring and Review

2023 was the first year of implementation of the RTB Strategic Plan 2023 – 2025 which incorporated the changing mandate of the RTB, and the expectations set for it by Government policy. The Strategy commits the RTB to making the RTB the most effective it can be at delivering on four core areas:-

- registering tenancies,
- resolving disputes,
- ensuring compliance, and
- providing accurate information, research, data and insights to inform the public and policymakers.

All of the priority actions during 2023-2025 will be centred on these core service areas and on delivering demonstrable gains in performance in relation to each. Taken together, actions under these four areas will see the RTB create positive impact for the public in keeping with its mission and ambition as a public body carrying out important functions in the public interest.

These important gains can only be delivered if the key enablers of effective organisational performance – human resource development, organisation structure, information technology, legislation, business support, planning and governance – are also developed.

The objectives of the Statement of Strategy were reflected in an annual business plan and budget for 2023. The business plan contained operational and financial objectives for the business units. The implementation of the business plan and budget is monitored by management and reviewed by the Board.

There is an Oversight Agreement in place with the Department of Housing, Local Government, and Heritage which sets out the governance arrangements between the Department and the RTB. The Agreement aims to ensure clarity of accountability, roles, and responsibilities of the RTB and the Department to ensure that the RTB discharges its statutory functions and Governance Code requirements. The Department and the RTB meet on quarterly basis to monitor compliance with the Oversight Agreement.

Governance

The RTB progressed the following governance items in 2023:

- development of Governance Unit comprising Deputy Director as Secretary to the Board and CRO, Governance HEO and EO support
- continued development work on Governance Framework
- development of risk management policy and new updated and maintained Enterprise Risk Register
- ongoing monitoring and management of risks by the Executive, Audit and Risk Committee and Board
- completion of checklist to confirm compliance with Code of Practice for the Governance of State Bodies.

In 2023, the RTB Board undertook the following training:

- The Code of Practice for the Governance of State Bodies
- RTB Development Workshop
- FOI Training

In July 2023 the RTB Board established a Working Group which comprised of 3 Board members and the Board Secretary to review the Board processes and to help ensure that the Board was functioning as efficiently and effectively as possible.

Arising from recommendations proposed by the Working Group the following matters have been progressed:

- A reduction in the number of RTB Board meetings from 11 to 8
- A customised Terms of Reference for the Board was developed.
- The Code of Conduct for the Board and Committee members has been updated.
- A Training plan for 2024 for Board members to ensure that members have the relevant skills required to fulfil their roles on the Board.
- The commencement of the development of the RTB Skills Matrix and Succession Planning.

Procurement

I confirm that RTB has procedures in place to ensure compliance with current procurement rules and guidelines. Matters arising regarding controls over procurement are highlighted under the internal control issues below.

Review of Effectiveness

I confirm that the RTB has procedures in place to monitor the effectiveness of its risk management and control environment. RTBs monitoring and review of the system of internal control is guided by the work of the internal and external auditors, the Audit and Risk Committee which oversees their work, the Board, and the Executive management team which is responsible for the development and maintenance of the internal control framework.

I confirm that the Board conducted an annual review of the effectiveness of the internal controls for 2023 with respect to the internal audit report that supports this document. Aside from the items outlined below, I confirm that to my knowledge, and through the information provided to the Board by the Executive and the Audit and Risk Committee, there have been no other internal control issues.

Internal Control Issues

Procurement Control Matters

During 2023 the RTB incurred expenditure in respect of four contracts totalling €6,398,599 (excluding VAT) without conducting a competitive procurement process. The Board considers each of the four contracts to be compliant with procurement guidelines because each meets the exceptional conditions justifying a direct award or a modification of a contract during its term. Although non-competitive contract awards are not required to be declared here, the Board wishes to be fully transparent about the circumstances surrounding this expenditure during 2023.

In three of the four cases, contracts were awarded or extended without conducting a competitive process. Two of these contracts were also declared in the 2022 Statement on Internal Control and were related to the continuing system issues arising from the RTB's registration platform. In 2023, the third (and new) non-competitive award is a consequence of the RTB's decision to change its registration platform system development and support vendor which came into effect in late 2023.

The fourth contract, with a cost during the year of €245,342, for proprietary data analytics to produce the RTB's Quarterly Rent Index, was also awarded because the supplier is the sole supplier. There was a previous contract in place until July 2023 and the new contract will expire in July 2027. Of the cost during 2023, €55,348 was incurred on the previous contract and €189,994 on the new one. This contract award was unrelated to the system and customer service issues arising from the RTB's tenancy management system. This contract was also declared on the 2022 Statement on Internal Control.

The largest contract which provides business process outsourcing services with a cost during the year of €5,817,569 was extended several times during the year without a competitive process. These decisions were taken because the level of risk involved in procuring for a new business process outsourcing service, while significant issues existed with the new system and while customer volumes were very high, was deemed unacceptable. Originally the contract was awarded for an initial three-year term commencing in May 2013 with the option to extend for two more years, which was exercised at the end of 2016 after the initial three-year term.

The total contract cost for the original five-year period was €5,681,296. The contract was further extended on five occasions for periods of one year, 18 months, two further periods of one year, and a period of five months until March 2023 due to the issues which arose when the new tenancy management system went live. The total contract cost for these five periods of extension was €12,454,917. In April 2023, and again in September 2023, the contract was extended for two further periods until such time as the €2,500,000 maximum allowable value of the modification would be spent. These two extensions had a combined spend of €4,844,179 and took the extension time period up to January 2024. In February 2024 the contract was extended for a further period until such time as the €2,500,000 maximum value of the modification would be spent which was estimated at the time to be June 2024. VEAT and modification notices were published via e-tenders in the Official Journal of the EU in 2019, 2021, 2022 and 2023 in compliance with procurement guidelines. RTB has been unable to publish a modification notice for the 2024 extension due to technical issues with the publication system.

The RTB has now commenced a competitive compliant procurement process for its BPO provider. A Pre-qualification Questionnaire was published to the market in January 2024 and responses were evaluated in April 2024. An Invitation to Tender will be published to the four suppliers selected in June 2024.

In 2023, the RTB continued to incur expenditure of €335,688 for support of legacy ICT systems. The contract for legacy ICT system support was originally awarded for a three-year term, including an option to extend for an additional year which was exercised, commencing in January 2014. The contract was further extended on three occasions for a period of 18 months and two periods of one year each until the end of June 2021. The total contract cost for the original three years and the four extensions was €2,907,354. In July 2021 RTB agreed a new contract with the provider for two years with the option to extend it for a further year, which was exercised. The maximum expenditure allowable under this contract is €1,000,000, of which €850,949 has been incurred as of the end of 2023.

The original scope for new RTB's tenancy management system developed in 2018 included system requirements for disputes handling and enforcement which were not included in the new system as delivered in November 2022. This meant that the legacy system had to be retained to support the RTB's statutory disputes resolution function. The provider is the sole supplier of ICT support for their own proprietary legacy system. For this reason, the Board considers that this expenditure is in compliance with procurement guidelines as it meets the exceptional conditions justifying a direct award.

In the case of the legacy ICT system support, the contract with the sole provider of these services will cease when the legacy system is replaced.

The new non-competitive contract with a value of €748,868 (excluding VAT) was awarded in October 2023 (due to commence February 2024) when the RTB invoked a procurement mechanism to appoint a vendor as interim Managed Services Provider for an initial period of 12 months with the option to extend for between 4 and 6 months. The awarding of this contract was a result of the RTB's decision to change the vendor which had been providing support and maintenance on the new registration system since it was implemented. The provider previously provided project assurance services to Release 3. RTB will publish a VEAT notice in the Official Journal of the EU in compliance with procurement rules in due course.

This contract will remain in place while the RTB concludes a competitive procurement for a Digital and Data Development Partner. The procurement is expected to commence during 2024, and it is anticipated that the RTB will engage with the market and enter a competitive dialogue process, before publishing the invitation to tender.

The Board is committed to continued compliance with procurement guidelines including competitive tendering in all cases where circumstances allow. In the case of the business process outsourcing contract, the risks associated with changing provider have diminished and the RTB commenced the process to competitively tender for these services during 2023.

The third contract, with the tenancy management system software development and support vendor, will remain in place until the RTB has concluded a competitive procurement for these services.

It is the intention to verify the fourth non-competitive contract prior to the expiry of the current contract in 2027 with the intention of procuring these services should there be other services providers in the market.

Payment Matter

During the year RTB erroneously paid three invoices to one of its vendors twice. The issue arose due to human error. The overpayment was €35,466 which will be recovered from the vendor. A review was conducted to ensure that there were no other such payments, enhanced control procedures were put in place, and additional training was provided to staff to prevent recurrence.

Registration Platform

A key objective for the RTB in 2023 was to address the significant performance failures within our online registration system and the consequent surge in demand on our customer service channels. The RTB recognises the impact that this had on landlords using the system, and we incurred increased costs arising from the actions we took to mitigate the system issues.

Over the course of 2023, the RTB implemented a new release of the registration system (Release 3) programme under a rigorous and careful approach to governance, oversight and project management. Release 3 was implemented in three separate drops in May, July and October 2023. Collectively these drops resolved key issues faced by landlords and agents seeking to register tenancies with the RTB. The system was carefully monitored and performance was stable after each drop.

The RTB has reviewed the commissioning and management of the original RTB360 Project and has taken significant learning which was applied to the design and delivery of Release 3. The RTB now also applies robust project management principles and structures to a range of strategically important projects in the organisation.

Late fees

In November 2022, the RTB introduced a temporary pause in the automatic charging of late fees on Annual Registrations in accordance with Section 137(6) of the Residential Tenancies Act 2004 as a result of the genuine difficulties landlords and agents were experiencing following the launch of the new RTB online registration system. Given the circumstances and the need for immediate action, the RTB took the view that, while the waiver and refunds were not strictly in compliance with the law, action on administrative grounds was the appropriate response and did not request that the Minister introduce a legislative amendment to specifically authorise the waiving of the late fees. The Department of Housing, Local Government and Heritage was aware of the approach being adopted by the RTB. During 2023 RTB refunded late fees under this temporary pause in the amount of €1,669,680 (2022: €60).

Following successful deployment of the third drop in Release 3 in October 2023, the RTB commenced the process to re-enable the automatic imposition of fees on late Annual Registrations which went into effect from 1 March 2024. This process included implementation of a technical change to the registration system and communication to all key stakeholders.

In 2022, the RTB reported that various issues were identified with system generated reporting including the inability to match reported registrations from the system with reconciled income received from customers. Over the course of 2023, the Finance and ICT teams in RTB developed a reconciliation tool to better match registrations with the related bank income (albeit with some manual work required). This substantially addressed the issue of matching registrations with income.

Conclusion

Since 2022, the RTB has made significant progress in enhancing its registration system which in turn has provided the RTB with greater visibility on rents for both new and existing tenancies. This supported the RTB to provide more meaningful information to tenants, landlords and the wider public in late 2023. This has been demonstrated through the publication of new data sets in 2023. The improvements made to the system in 2023 through Release 3 supported these improvements. These changes also enabled the RTB to drive forward development in other areas including risk management and internal audit. The Board and staff of the RTB remain committed to working to further develop the organisation as a capable and effective regulator.



Tom Dunne

Chairperson

Date: 20 June 2024



Ard Reachtaire Cuntas agus Ciste Comptroller and Auditor General

Report for presentation to the Houses of the Oireachtas

Residential Tenancies Board

Opinion on the financial statements

I have audited the financial statements of the Residential Tenancies Board for the year ended 31 December 2023 as required under the provisions of section 178 of the Residential Tenancies Act 2004. The financial statements comprise

- the statement of income and expenditure and retained revenue reserves
- the statement of comprehensive income
- the statement of financial position
- the statement of cash flows, and
- the related notes, including a summary of significant accounting policies.

In my opinion, the financial statements give a true and fair view of the assets, liabilities and financial position of the Residential Tenancies Board at 31 December 2023 and of its income and expenditure for 2023 in accordance with Financial Reporting Standard (FRS) 102 *The Financial Reporting Standard applicable in the UK and the Republic of Ireland*.

Basis of opinion

I conducted my audit of the financial statements in accordance with the International Standards on Auditing (ISAs) as promulgated by the International Organisation of Supreme Audit Institutions. My responsibilities under those standards are described in the appendix to this report. I am independent of the Residential Tenancies Board and have fulfilled my other ethical responsibilities in accordance with the standards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Report on information other than the financial statements, and on other matters

The Residential Tenancies Board has presented certain other information together with the financial statements. This comprises an annual report, a governance statement and Board members' report, and a statement on internal control. My responsibilities to report in relation to such information, and on certain other matters upon which I report by exception, are described in the appendix to this report.

Delivery of a new online management system for tenancy registrations

The Residential Tenancies Board brought a new on-line tenancy registration system into use in November 2021, after significant project delays and cost overruns. The overall cost for delivery of the new system was €8.5 million, which was €5.2 million above the original expected cost. Delivery of the system was 29 months later than originally planned, and some of the planned functions have not been delivered e.g. tenancy dispute handling.

The statement on internal control discloses that, following the planned commencement of annual tenancy registration in April 2022, significant issues arose for users of the system, resulting in processing delays, and increased volumes of queries and contacts. Further development work on the tenancy registration system to address the issues identified continued through 2023.

The operational issues and customer impacts were resolved in the last quarter of 2023.

The steps taken by the Board to deal with the operational issues are outlined in the statement on internal control.

Non-compliance with legislation on late annual registration penalties

Section 137 of the Residential Tenancies Act 2004 (as amended) contains an explicit requirement on the Board to impose a penalty for late annual registration of a tenancy.

In response to registration service delays that emerged in 2022, the Board decided to suspend the imposition of statutory financial penalties for late annual registrations with effect from November 2022. It also decided to reimburse landlords and agents who had incurred such late registration penalties between August and November 2022.

The registration system does not allow for the suspension of late registration penalties, so landlords continued to be charged the penalties after November 2022. Up to the end of 2023, the Residential Tenancies Board had collected and reimbursed €1.7 million to landlords. The policy on reimbursement of late registration penalties was ended in March 2024.

The Act does not provide for the refunding of penalties previously imposed. The Board has acknowledged in the statement on internal control that the waiver and refunding of the penalties are not in compliance with the legislation.

Procurement of business processing services

The Board employs an external service provider to carry out certain routine business processes. A three-year contract with the service provider was entered into in May 2013 following a competitive public procurement process. Subsequently, the Board availed of an option to extend the contract for an additional two years (i.e. to May 2018), at an increased average monthly cost. At commencement, the contract value was estimated at €5 million over five years. Expenditure totaling €5.7 million was incurred during the five years of the original contract term i.e. an average of €95,000 per month.

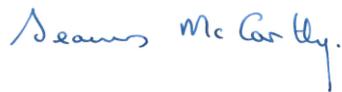
Since May 2018, the Board has extended the contract with the service provider on eight further occasions. The combined expenditure under the extended contracts was €17.3 million up to the end of January 2024 — an average of around €258,000 per month. The projected further cost under the most recent extension is €2.5 million.

As explained in the statement on internal control, the Board takes the view that it was appropriate to award the successive contract extensions because of the level of risk involved in simultaneously delivering the delayed new tenancy management system (referenced above), and (potentially) changing service provider. The Board considers that, on technical grounds, the extended contracts were compliant with EU procurement rules.

EU procurement rules allow for modifications of contracts for additional services (including contract extensions) where a change of contractor cannot be made for technical reasons, subject to any increase in price not exceeding 50% of the value of the original contract. There is also provision for consecutive modifications of contracts (each subject to the 50% limitation), so long as the modifications are not aimed at circumventing the procurement rules.

Based on the circumstances outlined above and on explanations received from the Board, I am not persuaded that the procurement of the business processing service under the contract extensions since May 2018 was compliant with the relevant procurement rules.

The Board has stated that it has now commenced a competitive tendering process to replace the current contract.



Seamus McCarthy
Comptroller and Auditor General

20 June 2024

Appendix to the report of the C&AG

Responsibilities of Board members

As detailed in the governance statement and Board members' report, the Board members are responsible for

- the preparation of annual financial statements in the form prescribed under section 178 of the Residential Tenancies Act 2004
- ensuring that the financial statements give a true and fair view in accordance with FRS 102
- ensuring the regularity of transactions
- assessing whether the use of the going concern basis of accounting is appropriate, and
- such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Responsibilities of the Comptroller and Auditor General

I am required under section 178 of the Residential Tenancies Act 2004 to audit the financial statements of Residential Tenancies Board and to report thereon to the Houses of the Oireachtas.

My objective in carrying out the audit is to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement due to fraud or error. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with the ISAs, I exercise professional judgment and maintain professional scepticism throughout the audit. In doing so,

- I identify and assess the risks of material misstatement of the financial statements whether due to fraud or error; design and perform audit procedures responsive to those risks; and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- I obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal controls.
- I evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures.

- I conclude on the appropriateness of the use of the going concern basis of accounting and, based on the audit evidence obtained, on whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Residential Tenancies Board's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my report. However, future events or conditions may cause the Residential Tenancies Board to cease to continue as a going concern.
- I evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

I report by exception if, in my opinion,

- I have not received all the information and explanations I required for my audit, or
- the accounting records were not sufficient to permit the financial statements to be readily and properly audited, or
- the financial statements are not in agreement with the accounting records.

Information other than the financial statements

My opinion on the financial statements does not cover the other information presented with those statements, and I do not express any form of assurance conclusion thereon.

In connection with my audit of the financial statements, I am required under the ISAs to read the other information presented and, in doing so, consider whether the other information is materially inconsistent with the financial statements or with knowledge obtained during the audit, or if it otherwise appears to be materially misstated. If, based on the work I have performed, I conclude that there is a material misstatement of this other information, I am required to report that fact.

Reporting on other matters

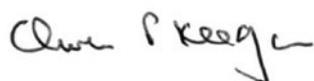
My audit is conducted by reference to the special considerations which attach to State bodies in relation to their management and operation. I report if I identify material matters relating to the manner in which public business has been conducted.

I seek to obtain evidence about the regularity of financial transactions in the course of audit. I report if I identify any material instance where public money has not been applied for the purposes intended or where transactions did not conform to the authorities governing them.

Statement of Income and Expenditure & Retained Revenue Reserves

		Year Ended 31 December 2023	Year Ended 31 December 2022
	Notes	€	€
Income			
Registration fees	2	13,818,278	12,332,258
Disputes fees	2	141,084	117,917
Other income	4	6,459	5,012
Exchequer funding	3	13,132,280	10,916,673
Deferred pension funding	13c	276,720	1,030,459
Transfer from capital account	11	781,684	1,155,035
Sub-total		28,156,505	25,557,354
Expenditure			
Staff costs	5a	6,933,723	6,407,447
Board and panel member costs	5b	2,546,223	1,867,912
Administrative costs	5c	17,633,279	14,399,062
Pension costs	13a	39,000	809,000
Depreciation	6	1,785,709	1,724,488
Sub-total		28,937,934	25,207,909
Surplus / (Deficit) for the year		(781,429)	349,445
Accumulated Surplus 1 January		6,748,248	6,398,803
Accumulated Surplus 31 December		5,966,819	6,748,248

The Statement of Cash Flows and Notes 1 to 19 form part of these Financial Statements.



Owen Keegan

RTB Director

Date: 20 June 2024



Tom Dunne

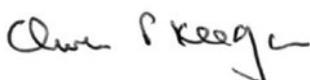
Chairperson

Date: 20 June 2024

Statement of Comprehensive Income

		Year Ended 31 December 2023	Year Ended 31 December 2022
	Notes	€	€
Surplus / (Deficit) for the year		(781,429)	349,445
Experience gain/(loss) on pension scheme liabilities	13d,e	(1,707,000)	(3,391,000)
Changes in assumptions underlying the present value of pension scheme liabilities	13d,e	(28,000)	8,969,000
Actuarial gain/(loss) & past service cost recognised		(1,735,000)	5,578,000
Adjustment to deferred pension funding		1,735,000	(5,578,000)
Total recognised surplus / (deficit) for the year		(781,429)	349,445

The Statement of Cash Flows and Notes 1 to 19 form part of these Financial Statements.



Owen Keegan

RTB Director

Date: 20 June 2024



Tom Dunne

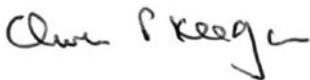
Chairperson

Date: 20 June 2024

Statement of Financial Position

	Notes	Year Ended 31 December 2023 €	Year Ended 31 December 2022 €
Fixed Assets			
Property, plant & equipment and intangible assets	6	6,341,073	7,122,757
Current Assets			
Receivables	7	656,307	530,907
Cash and cash equivalents	8	10,319,844	10,677,788
		10,976,151	11,208,695
Payables			
Amounts falling due within one year	9	(5,009,332)	(4,460,447)
Net Current Assets		5,966,819	6,748,248
Total Net Assets Before Pensions		12,307,892	13,871,005
Deferred pension funding	13b,c	20,608,000	17,512,000
Pension scheme liabilities	13b	(20,608,000)	(17,512,000)
Total Net Assets		12,307,892	13,871,005
Representing			
Accumulated surplus	10	5,966,819	6,748,248
Capital account	11	6,341,073	7,122,757
		12,307,892	13,871,005

The Statement of Cash Flows and Notes 1 to 19 form part of these Financial Statements.



Owen Keegan

RTB Director

Date: 20 June 2024



Tom Dunne

Chairperson

Date: 20 June 2024

Statement of Cash Flows

	Notes	Year Ended 31 December 2023 €	Year Ended 31 December 2022 €
Reconciliation of Operating Surplus to Net Cash inflow from Operating Activities			
Operating surplus / (deficit) for year		(781,429)	349,445
Depreciation	6	1,785,709	1,724,488
Transfer from capital account	11	(781,684)	(1,155,035)
(Increase) / decrease in receivables		(125,400)	(159,407)
Increase / (decrease) in payables		548,885	966,736
Net cash inflow from operating activities		646,081	1,726,227
Cash Flow Statement			
Net cash inflow / (outflow) from operating activities		646,081	1,726,227
Net Capital Expenditure			
Property, plant & equipment and intangible assets	6	(1,004,025)	(569,453)
Increase/ (Decrease) in Cash and Cash Equivalents		(357,944)	1,156,774
Opening Cash Balance		10,677,788	9,521,014
Closing Cash Balance		10,319,844	10,677,788

Notes to the Financial Statements

1 Accounting Policies

The basis of accounting and significant accounting policies adopted by the Residential Tenancies Board (“RTB”) are set out below. They have all been applied consistently throughout the year and for the preceding year.

a) General Information

The Residential Tenancies Board (formerly Private Residential Tenancies Board) was set up under the Residential Tenancies Act 2004 (“the Act”) and has its head office at D’Olier Street Dublin 2. The Board’s name was changed in 2016 to the Residential Tenancies Board (RTB) to reflect the extension of its remit to the Approved Housing Body sector. In addition, during 2016 the functions of the Rent Tribunal were transferred to the RTB.

The Residential Tenancies Board’s primary functions as set out in the 2004 Act (as amended) are as follows:

- a) the resolution of disputes between tenants and landlords,
- b) the registration of particulars in respect of tenancies including tenancies for student specific accommodation (SSA) and Approved Housing Bodies (AHBs),
- c) the provision to the Minister of advice concerning policy in relation to the residential rented sector,
- d) the development and publication of guidelines for good practice by those involved in the residential rented sector,
- e) the collection and provision of information relating to the sector, including information concerning prevailing rent levels,
- f) where the Board considers it appropriate, the conducting of research into the sector and monitoring the operation of various aspects of the sector or arranging for such research and monitoring to be done,
- g) the review of the operation of the Act and any related enactments and the making of recommendations to the Minister for the amendment of the Act or those enactments,
- h) confirming to the Minister whether an area meets the criteria for designation as a rent pressure zone (RPZ) as defined in the Act,
- i) the conduct of investigations into alleged breaches of the Act and the power to issue sanctions where a breach has been determined,
- j) the performance of any additional functions conferred on the Board under the Act or other laws passed by the Oireachtas.

b) Statement of Compliance

The financial statements of the Residential Tenancies Board for the year ended 31 December 2023 have been prepared in accordance with the applicable legislation and with FRS 102 the Financial Reporting Standard applicable in the UK and the Republic of Ireland issued by the Financial Reporting Council in the UK.

c) Basis of Preparation

The financial statements have been prepared under the historical cost convention, except for certain assets and liabilities which are measured at fair value as explained in the accounting policies below. The financial statements are in the form approved by the Minister for Housing, Local Government, & Heritage with the concurrence of the Minister for Finance under the Residential Tenancies Act 2004.

Notes to the Financial Statements cont'd

d) Currency

The financial statements have been presented in Euro (€), which is the functional currency of the RTB.

e) Income

Registration Fees

Private and Approved Housing Body (AHB) registration income, which represents the majority of the RTB's income, is recognised upon receipt of the private or AHB registration fee payment along with a valid application to register the tenancy. The RTB recognises a provision in relation to registration fees which may be returned to applicants in instances where the application is incomplete or where the incorrect fee has been paid.

For Student-specific accommodation (SSA) tenancies, registration income is recognised when RTB issues a request for payment for tenancies which have been notified to us by the accommodation provider.

Dispute Fees

Income is recognised when a dispute application fee is paid.

Exchequer Funding

Exchequer Funding is recognised on a payment received basis..

Other Income

Other income generally represents interest accruing on deposits held with financial institutions and any legal costs recovered in the year. Interest income is recognised on an accrual basis using the effective interest rate method while legal costs recovered and sundry income are recognised when the funds are received.

f) Property, Plant, & Equipment and Intangible Assets

Property, plant, & equipment, and intangible assets other than goodwill, are stated at cost less accumulated depreciation or amortisation, adjusted for any provision for impairment. Depreciation is provided on all property, plant and equipment, and amortisation on intangible assets, at rates estimated to write off the cost less the estimated residual value of each asset on a straight-line basis over its estimated useful life, as follows:

Leasehold Improvements	5% per annum
Fixtures & Fittings	10% per annum
Office Equipment	20% per annum
Computer Equipment	20% per annum
Software Development	20% per annum
Systems under Development	Not depreciated

The costs of systems under development are capitalised to the extent that they satisfy the requirements of FRS 102 for capitalising intangible assets other than goodwill. Depreciation at the rate shown above for software development is charged from the point at which the development is complete and the system is put into service.

Residual value represents the estimated amount which would currently be obtained from disposal of an asset, after deducting estimated costs of disposal, if the asset were already of an age and in the condition expected at the end of its useful life.

If there is objective evidence of impairment of the value of an asset, an impairment loss is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves in the year.

Notes to the Financial Statements cont'd

g) Receivables

Receivables are recognised at fair value, less a provision for doubtful debts. The provision for doubtful debts is a specific provision and is established when there is objective evidence that the Residential Tenancies Board will not be able to collect all amounts owed to it. All movements in the provision for doubtful debts are recognised in the Statement of Income and Expenditure and Retained Revenue Reserves.

h) Operating Leases

Rental expenditure under operating leases is recognised in the Statement of Income and Expenditure and Retained Revenue Reserves over the life of the lease. Expenditure is recognised on a straight-line basis over the lease period, except where there are rental increases linked to the expected rate of inflation, in which case these increases are recognised when incurred. Any lease incentives received are recognised over the life of the lease.

i) Cash and cash equivalents

Cash and cash equivalents include cash on hand and deposits held on call with banks.

j) Employee Benefits

Short-term Benefits

Short term benefits such as holiday pay are recognised as an expense in the year, and benefits that are accrued at year-end are included in the Payables figure in the Statement of Financial Position.

k) Retirement Benefits

The Residential Tenancies Board (RTB) operates a defined benefit pension scheme which is funded annually on a pay as you go basis from monies available to it. Statutory Instrument (S.I. No 625 of 2011) gave effect to the RTB Superannuation Scheme and was approved by the Minister for Environment, Community, & Local Government with the consent of the Minister for Public Expenditure and Reform in November 2011 (commencing with effect from 1 September 2004). The RTB also operates the Single Public Service Pension Scheme ("Single Scheme") which is the defined benefit pension scheme for public servants recruited on or after 1 January 2013. Single Scheme members' contributions are paid over to the Department of Public Expenditure and Reform.

Pension costs reflect pension benefits earned by employees in the period and are shown net of staff pension contributions which are treated as payable to the Department of Housing, Local Government, & Heritage. An amount corresponding to the pension charge is recognised as income to the extent that it is recoverable and offset when necessary by grants received in the year to discharge pension payments.

Actuarial gains and losses arising on scheme liabilities are reflected in the Statement of Comprehensive Income and a corresponding adjustment is recognised in the amount recoverable from the Department of Housing, Local Government, & Heritage.

Pension liabilities represent the present value of future pension payments earned by staff to date. Deferred pension funding represents the corresponding asset to be recovered in future periods from the Department of Housing, Local Government, & Heritage.

l) Foreign Currencies

Transactions denominated in foreign currencies are translated into euro at the rates of exchange prevailing at the transaction date. Any differences arising on translation between transaction dates and payment dates are charged to the Income and Expenditure account. Monetary assets and liabilities denominated in foreign currencies are translated into euro at the rates of exchange ruling at the reporting date.

Notes to the Financial Statements cont'd

m) Capital Account

The capital account represents the unamortised amount of income used to finance fixed assets.

n) Critical Accounting Estimates and Judgements

The preparation of the financial statements requires management to make judgements, estimates and assumptions that affect the amounts reported for assets and liabilities as at the balance sheet date and the amounts reported for revenues and expenses during the year. However, the nature of estimation means that actual outcomes could differ from those estimates. The following judgements have had the most significant effect on amounts recognised in the financial statements.

Impairment of Property, Plant & Equipment and Intangible Assets

Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount. The recoverable amount is the higher of an asset's fair value less cost to sell and value in use. For the purpose of assessing impairment, assets are grouped at the lowest levels for which there are separately identifiable cash flows (cash generating units). Non-financial assets that suffered impairment are reviewed for possible reversal of the impairment at each reporting date.

Depreciation and Residual Values

The Directors review the asset lives and associated residual values of all fixed asset classes on an annual basis to confirm that the asset lives and residual values are appropriate.

Provisions

The Residential Tenancies Board will make provisions for legal and constructive obligations which are likely to be outstanding at the period end date when the amount of the obligation can be estimated reliably. These provisions are generally estimated based on historical experience, recent trends, or other pertinent information. They are estimates of the financial costs of uncertain obligations that may not occur for some time after the period end date. Therefore, the actual out-turn may differ significantly from the estimated provision.

Provisions for Registration Fee Refunds

RTB receives applications and fees from landlords to register tenancies. Section 135 of the Residential Tenancies Act 2004 requires incomplete applications or those without the correct fee to be returned to the applicant together with any fees paid.

RTB seeks to resolve issues arising and has developed systems to make this process more effective. Where the issue cannot be resolved in a timely manner the application and the fee are returned to the applicant and the tenancy is not registered.

RTB makes a provision for the probable return of registration fees on a portion of the inventory of incomplete registration applications held at the end of the year using estimates based on historical experience.

Retirement Benefit Obligation

The assumptions underlying the actuarial valuations for which the amounts recognised in the financial statements are determined (including discount rates, rates of increase in future compensation levels, mortality rates and healthcare cost trend rates) are updated annually based on current economic conditions, and for any relevant changes to the terms and conditions of the pension and post-retirement plans.

The assumptions can be affected by:

- (i) the discount rate, changes in the rate of return on high-quality corporate bonds; and
- (ii) future compensation levels and future labour market conditions.

Notes to the Financial Statements cont'd

2 Fee Income

	2023	2022
	€	€
Registration fees		
Private and Approved Housing Body accommodation	12,638,258	11,444,596
Student-specific accommodation	1,180,020	887,662
	13,818,278	12,332,258

Private and Approved Housing Body (AHB) registration income, which represents the majority of the RTB's income, is recognised upon receipt of the private or AHB registration fee payment along with a valid application to register the tenancy. The payments received through the RTB's payment gateway are reconciled to RTB's bank accounts, which provides assurance that the income has been recorded correctly. Private and AHB registrations are only valid when the registrations are complete on the tenancy system and the required fees (including late fees, if applicable) are paid. See Note 9 which discloses the number of incomplete registrations at year end and the associated provision.

Private and Approved Housing body registration Income recorded in these accounts reflects payments received by RTB plus a number of accounting adjustments. Therefore this income will not align precisely with tenancy registration volume information. In addition, the RTB Tenancy Management system reports were not designed to count and categorise the type of registration paid for, nor can they be modified to do so.

On 4 April 2022 Annual Registration of tenancies was introduced upon commencement of the relevant legislation. The standard registration fee for Annual Registration of a private tenancy is €40 and €20 for an Approved Housing Body tenancy. The previous standard registration fee was €90 for private tenancies and Approved Housing Body accommodation. The standard registration fee for a student-specific accommodation (SSA) tenancy is €40. For all tenancies there are reductions available for relevant multiple registrations, and late fees may apply. Private and AHB income in 2023 was materially higher than in 2022 primarily as a result of the completion of the first year of Annual Registration which led to higher volumes of registrations in 2023 compared to 2022 which was a transition year.

SSA income is recorded in the accounts based on billing issued by RTB to the SSA provider. This recorded income creates a receivable on the balance sheet (Note 7). As the SSA providers pay their bills, the money received is applied to reduce the receivable. The increase in SSA fees in 2023 compared to 2022 is explained by an increase in the usage of student accommodation and greater awareness of the obligation to register.

	2023	2022
	€	€
Dispute fees		
Dispute fees	141,084	117,917

The standard fee for the RTB's paper-based adjudication service is €30. If both parties to a dispute choose mediation instead of adjudication there is no charge. If the decision of an adjudicator is appealed there is an appeal fee of €85. The fee to refer a matter to a Tenancy Tribunal following a mediation is €30.

Notes to the Financial Statements cont'd

3 Exchequer Funding – Vote 34, Subhead A.24

	2023	2022
	€	€
Funding for operating cost	13,140,000	11,000,000
Funding for pensions	230,000	138,132
Employee pension paid to Exchequer	(237,720)	(221,459)
	13,132,280	10,916,673

The Exchequer funding was provided to the RTB by the Department of Housing, Local Government, & Heritage. Funding for pensions includes the cost of pensions in payment and related actuarial and administration costs. Employee pension deductions paid to the Exchequer were higher in 2023 than 2022 due to salary inflation.

4 Other Income

	2023	2022
	€	€
Sundry Income	0	40
Legal costs recovered	6,459	4,972
	6,459	5,012

Legal costs recovered by RTB can vary year to year depending on the outcome of legal cases RTB might be involved with.

5a Staff Costs

	2023	2022
	€	€
RTB staff & secondees' pay	5,645,621	5,171,668
Staff training	130,499	74,896
PRSI costs	513,899	467,403
Other staff costs	643,704	693,480
	6,933,723	6,407,447

RTB staff & secondees' pay in 2023 includes €353,373 for employer pension contributions to the Single Public Service Pension Scheme (2022: €311,981). Other staff costs in 2023 include recruitment costs and agency costs incurred when staff vacancies arose in the year. There were 91 staff directly employed by the RTB at year end 2023 (2022: 90). No staff members were seconded to the RTB from any other Government Department at year end (2022: 0). No termination, post-employment, or other long-term benefits were paid to any employees during the year. The cost of RTB staff and secondees' pay in 2023 reflects the impact of national pay awards and staff increments compared to 2022. Other staff costs in 2023 reflect decreased agency costs compared to the prior year.

During 2023 employee contributions to the RTB superannuation scheme in the amount of €119,929 were paid to the Department of Housing, Local Government, & Heritage (2022: €117,465) and employee contributions to the single pension scheme in the amount of €117,791 were paid to the Department of Public Expenditure, NDP Delivery and Reform (2022: €103,994).

Notes to the Financial Statements cont'd

Key management personnel	2023	2022
	€	€
Short-term benefits paid	1,190,770	934,795

The total value of short-term benefits, including salary, paid to the RTB's key management personnel is shown above. These amounts are included within RTB staff & secondees' pay under Staff Costs. Key management personnel at the RTB include the Director, the Deputy directors and Assistant directors.

On 10 July 2023 Karen Roantree was appointed as Deputy Director. Niall Byrne, RTB Director, resigned from the RTB on 31 January 2024 and Owen Keegen was appointed as Interim Director on 26 February 2024. On 16 May 2024, following an open recruitment process the Board agreed, subject to the approval of the Minister, to appoint Rosemary Steen as Director of the RTB. It is expected that she will be formally appointed in accordance with the provisions of Section 160 of the Residential Tenancies Act 2004 and take up her role as Director of the RTB in September 2024.

The value of short-term benefits does not include the value of retirement benefits earned during the year. The Director and other key management personnel are members of one of the public service pension schemes and their entitlements do not extend beyond those in the model public sector defined benefit superannuation scheme.

Directors' remuneration	2023	2022
	€	€
RTB Director's remuneration	159,739	139,816

Niall Byrne was appointed Director of the RTB with effect from 24 January 2022 taking over from Padraig McGoldrick who was Interim Director. The RTB Director's remuneration for 2023 reflects Niall Byrne's remuneration for the year. He was not in receipt of any bonuses or benefit in kind in 2023. The RTB Director's remuneration for 2022 reflects Padraig McGoldrick's remuneration up to 23 January 2022 and Niall Byrne's remuneration thereafter. The RTB Director's remuneration is included within Short-term benefits under Key management personnel.

Thirty-one staff members received gross pay in excess of €60,000 in 2023 (2022: 22). These payments are analysed on the following table.

Range of Total Employee Benefits		Number of Employees	
From	To	2023	2022
€60,000	€69,999	10	11
€70,000	€79,999	11	4
€80,000	€89,999	6	6
€90,000	€99,999	3	0
€130,000	€139,999	0	1
€150,000	€159,999	1	0

Notes to the Financial Statements cont'd

5b Board & Panel Member Costs

	2023	2022
	€	€
Board members' fees	117,793	126,219
Tribunal members' fees	1,248,528	735,123
Adjudicators', mediators' & other fees	1,140,404	952,836
Travel & subsistence - Board	7,536	10,447
Travel & subsistence – panel members	5,090	6,047
Training – Board	12,760	0
Training – panel members	14,112	37,240
	2,546,22	1,867,912

The decrease in Board members' fees in 2023 reflects one Board vacancy throughout the year. The increases in Tribunal members' fees and in Adjudicators' mediators' & other fees reflect an increase in the volume of hearings of each type in 2023 compared to 2022.

5c Administrative Costs

	2023	2022
	€	€
Customer contacts ¹	7,097,492	4,565,640
Legal fees	2,071,354	1,764,000
Professional fees	412,872	353,076
Communications & education	396,400	769,729
Rent index & research	305,362	447,794
Print & postage	1,921,675	1,547,193
Administration	431,991	385,321
Meeting rooms	18,947	20,946
Rent & insurance	964,959	875,694
Premises	104,332	107,654
ICT services	3,389,363	2,515,590
Subscriptions	23,158	34,308
Stenography	85,171	50,582
Translation	115,263	81,563
Initiatives & projects	289,751	874,859
Travel and subsistence	5,189	5,113
	17,633,279	14,399,062

¹ Customer contact costs relate to expenditure incurred with a third-party service company which provides customer contact (telephone, webchat, e-mail) and administrative services to the RTB's customers.

Notes to the Financial Statements cont'd

The increases in Customer contact, Print & postage, and ICT service costs reflect the additional costs incurred in 2023 arising from increased customer volumes during the first full year of Annual Registrations. The increased costs were also caused by issues which customers experienced with the system leading to increased volumes in RTB's outsourced service centre.

The increase in legal costs reflect increased volumes of enforcement activity during the year and a number of individual legal issues which arose in the year.

The reduction in Initiatives & projects reflects a reduction in operating costs incurred to remediate issues with the tenancy management system. During 2023 RTB completed a significant capital project to remediate issues with the system, the costs of which were capitalised and are reflected in Note 6.

6 Property, Plant, & Equipment

	Computer Equipment	Software Development	System under Development ²	Leasehold Improvements	Furniture & Fittings	Office Equipment	Total
Cost	€	€	€	€	€	€	
Opening balance	2,937,255	7,532,210	282,391	2,116,746	452,060	84,328	13,404,990
Additions	79,358	0	915,844	0	9,168	0	1,004,370
Disposals ³	(2,485,841)	0	0	0	0	0	(2,485,841)
Transfer	0	1,198,235	(1,198,235)	0	0	0	0
At 31 December 2023	530,772	8,730,445	0	2,116,746	461,228	84,328	11,923,519
Depreciation							
Opening balance	2,753,016	1,752,190	0	1,384,732	307,967	84,328	6,282,233
Disposals	(2,485,496)	0	0	0	0	0	(2,485,496)
Charge for the year	108,302	1,547,360	0	105,002	25,045	0	1,785,709
At 31 December 2023	375,822	3,299,550	0	1,489,734	333,012	84,328	5,582,446
Net Book Value							
At 31 December 2022	184,239	5,780,020	282,391	732,014	144,093	0	7,122,757
At 31 December 2023	154,950	5,430,895	0	627,012	128,216	0	6,341,073

² System under development represents the cost of developing enhanced functionality and features within the RTB's tenancy management system. The development was completed during the year and went live in October 2023, at which point it was transferred to Software Development and amortisation commenced.

³ The Disposals line above reflects the removal of obsolete and discarded Computer Equipment and its accumulated depreciation from the RTB's asset register during 2023.

Notes to the Financial Statements cont'd

7 Receivables

	2023	2022
	€	€
SSA registrations receivable	181,361	120,060
Prepaid expenses	209,874	157,342
Accrued income	260,354	250,019
Voluntary deductions receivable	4,718	3,486
	656,307	530,907

SSA registrations receivable are amounts due from Student Specific Accommodation providers for registrations RTB processed and billed to them. The balance owing at year end 2023 is represented by €126,601 for the academic year beginning in September 2023, and by €27,750 and €27,010 for the two preceding academic years respectively. The full €181,361 is deemed to be collectible so no provision has been made for uncollectable amounts.

8 Cash and cash equivalents

	2023	2022
	€	€
AIB Bank	10,319,844	10,634,073
Ulster Bank	0	43,676
Bank of Ireland	0	39
	10,319,844	10,677,788

Cash and cash equivalents are represented by balances held at Irish banks. During the year RTB closed its accounts at Ulster bank and Bank of Ireland.

9 Amounts falling due within one year

	2023	2022
	€	€
Creditors	1,743,633	1,294,391
Accrued Invoices	2,307,369	2,173,864
Other liabilities	958,330	992,192
	5,009,332	4,460,447

Included in Other liabilities are provisions of €506,229 for refunds due to customers (2022: €402,016) and a provision in respect of 1,978 incomplete registration applications with a value of €99,889 (2022: 3,571 applications, value €180,336).

Notes to the Financial Statements cont'd

10 Accumulated Surplus

The accumulated surplus at the end of 2023 is €5,966,819. The Board is committed to spending down RTB's accumulated surplus over the lifetime of the current strategy (2023 to 2025). The accumulated surplus decreased by €781,429 over the course of 2023 and is expected to decrease further during 2024. The Board, in consultation with the Department of Housing, Local Government, & Heritage, will keep the RTB's financial situation, in particular any surplus of funds, under review throughout the coming year.

11 Capital Account

	2023	2022
	€	€
Opening balance	7,122,757	8,277,792
Transfer (to) / from Income and Expenditure Account		
Funding to acquire assets	1,004,025	569,453
Amortisation in line with asset depreciation	(1,785,709)	(1,724,488)
	(781,684)	(1,155,035)
Closing balance	6,341,073	7,122,757

12 Accommodation

In October 2007 the Residential Tenancies Board signed a 20 year leasehold agreement in respect of its premises at O'Connell Bridge House, D'Olier Street, Dublin 2. In October 2018 the RTB took additional space in the same building to accommodate growth in staff and expectations for future growth as the mandate of the organisation expands. The lease for the additional space will expire at the same time as the original 20 year leasehold agreement on 23 October 2027. The annual commitment under these leases at year end was €701,247.

On 31 December 2023 there were annual lease commitments under operating leases as follows:

	2023	2022
Expiry date:	€	€
Between 0 and 1 years	701,247	701,247
Between 1 and 5 years	1,971,173	2,672,420
Greater than 5 years	0	0
Total	2,672,420	3,373,667

Notes to the Financial Statements cont'd

13 Superannuation

a) Analysis of total pension costs charged to expenditure

	2023	2022
	€	€
Net current service cost ⁴	691,000	1,152,000
Interest on pension scheme liabilities	(652,000)	(343,000)
Pension costs charged to expenditure	39,000	809,000

b) Movement in net pension liability during the financial year

	2023	2022
	€	€
Net pension liability at start of year	(17,512,000)	(21,526,000)
Current cost	(929,000)	(1,375,000)
Benefits Paid	220,000	154,000
Interest costs	(652,000)	(343,000)
Actuarial Gain/(Loss)	(1,735,000)	5,578,000
Pension deficit at end of year	(20,608,000)	(17,512,000)

c) Deferred Funding for Pensions

The RTB Superannuation Scheme was approved by the Minister for Environment, Community, & Local Government with the consent of the Minister for Public Expenditure and Reform in November 2011 (with effect from 1 September 2004). The RTB recognises amounts owing from the State for the unfunded deferred liability for pensions arising from this approved superannuation scheme on the basis of the set of assumptions described in (e) and a number of past events. These events include the statutory basis for the establishment of the superannuation scheme, and the policy and practice currently in place in relation to funding public sector pensions including contributions by employees and the annual estimates process.

The Net Deferred Funding for Pensions recognised in the Income and Expenditure Account was as follows:

	2023	2022
	€	€
Funding adjustment in respect of current year pension charge	39,000	809,000
Employee pension contributions	237,720	221,459
	276,720	1,030,459

The deferred funding asset for pensions as of 31 December 2023 amounted to €20,608,000 (2022: €17,512,000).

⁴ Current Service cost is net of contributions remitted back to the Exchequer. The amount remitted to the Exchequer was €237,720 (2022: €221,459) comprising of €237,720 in employee pension contributions and €0 in value transferred in from another public sector employer. The 2022 amount comprised of €221,459 in employee pension contributions and €0 in value transferred in from another public sector employer.

Notes to the Financial Statements cont'd

d) History of defined benefit obligations

	2023	2022
	€	€
Defined Benefit Obligations	20,608,000	17,512,000
Experience Losses/(Gains) on Scheme Liabilities & Change in Assumptions	1,735,000	(5,578,000)
Percentage of Scheme Liabilities	8%	32%

e) General Description of the Scheme

The RTB pension scheme is a defined benefit final salary pension arrangement with benefits and contributions defined by reference to current “model” public sector scheme regulations. The scheme provides a pension (one eightieth per year of service), a gratuity or lump sum (three eightieths per year of service) and spouses’ and children’s pensions. Pensions in payment (and deferment) normally increase in line with general public sector salary inflation.

The Single Public Service Pension Scheme (“Single Scheme”) is the defined benefit pension scheme for pensionable public servants appointed on or after 1 January 2013 in accordance with the Public Service Pension (Single Scheme and Other Provisions) Act 2012. The scheme provides for a pension and retirement lump sum based on career- average pensionable remuneration, and possible spouses’ and children’s pensions. The minimum pension age is 66 years (rising in line with State pension age changes). It includes an actuarially reduced early retirement facility from age 55. Pensions in payment increase in line with the consumer price index. There were 56 active members of the Single Scheme in 2023 (2022: 54).

The results set out above are based on an actuarial valuation of the liabilities in respect of the staff as of 31 December 2023. This valuation was carried out by a qualified independent actuary for the purposes of the accounting standard, Financial Reporting Standard 102 – Pension Plan disclosures.

The financial assumptions used to calculate scheme liabilities were::

	2023	2023
Discount rate	3.30%	3.65%
Salary increase assumption	3.80%	4.15%
Pension increase – Superannuation Scheme	3.30%	3.65%
Pension increase – Single Scheme	2.30%	2.65%
Price inflation (CPI)	2.30%	2.65%

The life expectancy assumptions underlying the calculations were:

Current Age	Life Expectancy (years) at 65	
	Male	Female
45 years	24.3	24.3
65 years	22.1	22.1

Notes to the Financial Statements cont'd

14 Late Payments in Commercial Transactions

The Board is aware of its responsibilities under the Late Payments in Commercial Transactions Regulations 2002 and has established appropriate procedures and processes to ensure that all payments are made in accordance with the Regulations. Late payment costs for the year ended 31 December 2023 were €0 (2022: €0).

15 Unresolved Cases

The Board had 2408 dispute resolution cases awaiting hearing on 31 December 2023 (2022: 1,504). As the cost of the dispute resolution process varies greatly from case to case no provision for the future costs of processing these cases received prior to 31 December 2023 is included in the Financial Statements. All costs incurred by the RTB in processing these cases up to the end of 2023 have been included in the 2023 *Statement of Income and Expenditure and Retained Revenue Reserves*.

16 Board Members' Interests and Fees

The Board has adopted procedures in accordance with guidelines issued by the Department of Public Expenditure, NDP Delivery and Reform in relation to the disclosure of interests by Board Members, and these procedures have been adhered to in the year. There were no transactions in the period in relation to the Board's activities in which any Board Members had a beneficial interest.

Board Members' fees are set out in the Schedule of Board Members' Fees, Attendance, and Expenses in the Governance Statement and Board Members' Report. The fee rates are set by the Department of Public Expenditure, NDP Delivery and Reform and the Department of Housing, Local Government, & Heritage.

17 Financial Sanctions Imposed by Decision Makers

In 2023, RTB received €64,361 from landlords on foot of sanctions imposed by Decision Makers on them under S148X (4) (a) of the Residential Tenancies Act 2004 (as amended) (2022: €39,322). Under this section of the Act a Decision Maker may impose a sanction of a written caution and/or a sum of up to €15,000 and up to €15,000 in costs on a landlord if they see fit to do so in the circumstances of the case. In accordance with public financial procedures, financial sanctions in the sum of €53,261, which included €28,416 owing at year end 2022, was remitted by the RTB to the Exchequer in 2023 (2022: €16,471). The balance of €39,516 to be paid to the Exchequer in 2024 is included in Other Liabilities (Note 9) at year-end.

18 Related Party Disclosure

During the year the RTB had no transactions or balances with related parties as defined in FRS 102 (section 33).

19. Approval of Financial Statements

The Financial Statements were approved by the Board on **20 June 2024**.

Appendix

Chapter 1 – The RTB Regulatory Function

Registration figures

Table 1

Private, Approved Housing Body (AHB), Student Specific Accommodation (SSA) and Cost Rental Tenancies at end of year (point in time*), 2018 - 2023 (2021 is estimated)

	2018	2019	2020	2021 Estimate	2022	2023
Number of private rented tenancies registered with the RTB	307,348	303,023	297,837	276,223**	246,453*****	223,979*****
Number of Approved Housing Body (AHB) tenancies registered with the RTB	29,542	32,662	34,169	38,255***	38,756	44,128
Number of Student Specific Accommodation (SSA) tenancies	-	28,414	10,691	21,681	23,577	33,704
Number of Cost Rental tenancies					543	848
Total number of tenancies registered (AHB, Private & SSA)	336,890	364,099	342,697	336,159****	309,329*****	302,659

* Tenancy registration data is point in time, taken at the end of year, from the RTB Register and is based on the number of tenancies that have registered and paid.

** The registration figure is an estimation and has been developed using existing RTB data available to identify the estimated number of tenancies that would have been removed or renewed on the RTB Register in 2021, had the changes to the length of part 4 tenancies not been introduced. Further information is available on the RTB Research and Data Hub on the reasons why an estimation was required, and the methodology adopted.

*** Due to changes to the platform which hosts the RTB Register in November 2021, this figure has been derived from data sourced from both platforms.

**** As outlined above the 2021 figures are estimated.

***** This refers to the total number of tenancies on the RTB Register on the 31st of December 2022.

***** The reduced figures are as a result of improved data quality stemming from the introduction of AR and the RTBs new tenancy management system.

Table 2

The Number of tenancy registration Applications* Received by the RTB 2018 - 2023**

	2018	2019	2020	2021***	2022**	2023
Private rental tenancies registration applications (new & renewal) ***	98,362	95,245	95,646	60,993	159,618	264,235
Approved Housing Body (AHB) tenancies registration applications (new & renewal) ****	3,738	3,878	21,587	5,220	34,045	44,120
Student Specific Accommodation (SSA) tenancies registered with the RTB*****		28,414	12,784	30,908	43,186	44,666
Cost Rental tenancies registration applications received by the RTB.					518	871
Total number of tenancy registration applications received.	102,100	127,537	130,017	97,121	237,367	353,892

*Applications represent the number of tenancy registration applications received, not the total number of tenancies registered with the RTB.

** On April 4th, 2022, Annual Registration of Tenancies was introduced which required all tenancies to be registered with the RTB annually.

***Changes to the length of part 4 tenancies from four to six years means that in 2021 there were a limited number of late renewals.

**** Changes to the length of part 4 tenancies from four to six years means that in 2021 there were a limited number of AHB tenancy renewals.

***** The registration data shows registrations completed early in the year, as well as new registrations as students leave and new students enter the accommodation concerned.

Registration Enforcement figures

Table 3

Sources of information on potential non-compliance

	2020	2021	2022*	2023
Referrals from Members of the Public	1,010	846	694	835
Department of Social Protection -Rent Supplement Allowance	7,540	3,433	1119	786
Housing Assistance Payment (HAP)	16,630	16,537	10,862	10,345
Local Authorities - standards inspections	289	105	573	151
Internal Information	332	506	198	164
Total	25,801	21,427	13,446	12,281

Table 4

Number of Issued Registration Enforcement Notices and Letters, 2018 – 2023

	2018	2019	2020	2021	2022	2023
1st Notice	4,651	6,013	1,282	3,524	3,084	200
2nd Notice	2,384	1,823	148	330	1,615	255
Warning Letter	748	540	167	0	175	155
2nd Solicitor Letter	253	188	73	0	0	0
Other*	363	111	108	137	174	17,870
Total	8,399	8,675	1,778	3,991	5,048	18,480

Note: Warning Letters were previously referred to as 1st Solicitor Letters.

* The number of letters increased in 2023 due to a targeted campaign to tackle non compliance.

Investigations and Sanctions figures

Table 5

Breakdown of approved investigations into alleged Improper Conduct by source of investigation* - Number

		2019 (Jul-Dec)	2020	2021	2022	2023
Own volition*	Phone call or email or letter received	19		135	81	33
	RTB proactive monitoring of the market	20				
Complaints Received		12		34	49	49
Total		51	245	169	130	82

*Own volition includes information provided by members of the public other than through the formal complaints process and information sourced by the RTB from data available to it under the RTA.

Table 6

Number of Alleged Improper Conducts by Type of Allegation for Investigations Approved per Year*

	2019 (Jul-Dec)	2020	2021	2022	2023
Rent raised above the amount allowed by RPZ** restrictions	49	230	135	87	25
Non-Registration	8	37	30	36	45
Failure to offer a tenant a tenancy back	4	11	11	3	2
False or misleading reason on NoT***	3	6	11	4	15
Failure to notify the RTB of changes to a tenancy				6	11
Seeking a deposit in excess of 1 months' rent				2	3
Seeking an advance payment in excess of 1 month's rent				1	6
Falsely relying on an RPZ exemption					1
Failure to notify the RTB of an RPZ exemption					1
Total alleged improper conducts	64	284	187	139	109
Total investigations approved	51	245	169	130	82

Table 7

Total number of Decisions Issued to Relevant Landlords per Year

2020	2021	2022	2023
30	90	106	149

Table 8

Appeals

	2020	2021	2022	2023
Appeals Received		1	21	3
Appeal resolution			1 appeal unsuccessful	2 appeals withdrawn

No appeals against the RTB have been successful to date.

Table 9

Number of Published Confirmed Sanctions: Reasons for Improper Conduct per Year*

Reasons for Improper Conduct	2020	2021	2022***	2023
Breach of RPZ** requirements		28	36	67
Failure to notify the RTB of reliance on a rent exemption			1	0
Failure to notify the RTB of changes to a tenancy			2	5
Failure to offer back			2	1
Failure to register		1	10	17
Total Reasons for Improper Conduct		29	51	87
Total Published Confirmed Sanctions		29	47	85

* A sanction may cover more than one allegation of Improper Conduct.

** RPZ refers to Rent Pressure Zone

*** Please note one sanction published in 2022 was to be on the website for 1 year only and has therefore been taken down in 2023 so the current number of court orders on the website showing as published in 2022 when you apply the filter is 46.

Table 10

Overcharged Rent Returned to Tenants & Amount Paid in Sanctions by Landlords

	2019 – 2021	2022	2023	Total
Overcharged rent (€) returned to tenants*	€284,341	€62,659.00	€88,787.88	€435,787.88
Amount paid (€) in sanctions by landlords**	€28,545.66	€39,322.09	€64,360.87	€132,228.62

*This includes all overcharged rent repayment as a result of investigations that the RTB have been informed of and for which the RTB have received evidence that the repayment has been made or is underway. Repayment is made either directly by transfer of money or, with the agreement of the tenant, by way of discounted rent for the appropriate period.

**This includes all monies received by the RTB from landlords as payment of sanctions to date.

Table 11

Circuit Court Confirmed Sanctions Published in 2022/2023*

	Acknowledgements published	Investigations published	Published Acknowledgements average monetary (€) sanction	Published Investigations average monetary sanction	Overall average monetary amount of sanctions published (acknowledgements & investigations)	Lowest sanction	Highest sanction
2022	39	7	€1,356.06	€2,382.59	€1,484.38	225	3963.76
2023	69	16	€802.26	€2,146.43	€1,042.13	100	11,396.76

*Not all sanctions involve monetary amounts the Decision Maker takes many factors into account in determining a sanction apart from whether the landlord acknowledged, for example, if the landlord paid back any overpaid rent, the duration of the Improper Conduct, and the explanation given for the improper conduct.

Chapter 2 – The RTB Dispute Resolution Service

Dispute Activity Tables

Table 12

Total Number of RTB Dispute Resolution Service Applications Received, 2021 - 2023

Application type	2021	2022	2023
Mediation applications	2,336	2,796	7,223
Adjudication applications	3,321	4,621	2,685
Total	5,657	7,417	9,908

Table 13

Total Number of RTB Dispute Resolution Service Hearings Which Took Place for Telephone Mediation and Adjudication, 2018 - 2023

	2018	2019	2020	2021	2022	2023
Telephone Mediation & Adjudication Hearings which Took Place	4,757	4,655	2,732	3,046	3,005	3,940

Table 14

Number of Determination Orders Issued, 2018 - 2023

	2018	2019	2020	2021	2022	2023
Determination Orders issued	3,132	3,130	1,794	2,759	2,656	2,977

Table 15

Breakdown of Applications for RTB Dispute Resolution that were Withdrawn/Closed before a Hearing was Scheduled

Reason for Withdrawal	2018	2019	2020	2021	2022	2023
Applications that were withdrawn/closed before a hearing was scheduled following early RTB intervention	1,500	1,705	1,587	1,645	2,307	3,582
Applications assessed as incomplete/RTB has no jurisdiction/tenancy not registered	522	485	931	889	1,458	1,144
Total	2,022	2,190	2,518	2,534	3,765	4,726

Table 16

Number of RTB Dispute Resolution Cases Withdrawn after a Hearing was Scheduled but before Determination Order Issued

Reason for Withdrawal	2018	2019	2020	2021	2022	2023
Hearing scheduled but case withdrawn before Determination Order issued	856	930	568	568	575	633
Total	856	930	568	568	575	633

Table 17

Appeals (Tribunals), 2022-23

Reason for Withdrawal	2022	2023
Appeal Applications Received	664	1,218
Appeals Approved	504	1,088
Tribunal Hearings that took place	429	1,008

Dispute applicants

Table 18

Breakdown of Applications for Dispute Resolution the RTB Received in 2023 by Case Parties, by Frequencies and Percentage

	2023	
Tenant	5,208	53%
Landlord	4,439	45%
Third Party	261	3%
Total	9,908	100%

Table 19

Appeals to Tenancy Tribunal by Applicant Type, 2023

	2023	
Tenant	588	48%
Landlord	616	50%
Third Party	14	1%
Total	1,218	100%

Dispute Application Type

Table 20

Breakdown of Dispute Resolution Applications the RTB received in 2021 - 2023 by Dispute Types

	2021		2022		2023	
	Count	% cases*	Count	% cases*	Count	% cases*
Rent arrears/rent arrears and overholding	1,805	32%	2,429	33%	2,973	30%
Deposit retention	1,093	19%	1,207	16%	1,606	16%
Validity of Notice of Termination (Disputing the validity of a termination notice)	970	17%	1,383	19%	1,740	18%
Breach of landlord obligations**	951	17%	1,232	17%	1,667	17%
Overholding	690	12%	1,053	14%	1,408	14%
Standard and maintenance of dwelling	570	10%	767	10%	983	10%
Breach of tenant obligations**	548	10%	772	10%	1,053	11%
Anti-social behaviour	469	8%	552	7%	730	7%
Unlawful termination of tenancy (illegal eviction)****	371	7%	486	7%	696	7%
Validity of notice of rent review	283	5%	243	3%	363	4%
Damage in excess of normal wear and tear	262	5%	307	4%	404	4%
Rent review not in line with Rent Pressure Zone	222	4%	203	3%	306	3%
Breach of fixed term lease	172	3%	162	2%	231	2%
Rent more than market rate (not applicable to Approved Housing Body Tenancies)	122	2%	165	2%	236	2%
Other***	716	13%	919	12%	1,208	12%
Total	9,244 (cases 5,657)		11,880 (cases 7,417)		15,604 (9,908 cases)	

* There can be multiple reasons, referred to as dispute types, on each application for dispute resolution % of cases is based on the number of applications (cases).

** For more information on the tenant and landlord obligations please visit the RTB website at www.rtb.ie

*** Please note 'Other' may be marked on an application form alongside additional dispute types.

Please note that individual cases can cover more than one issue and therefore the percentages add up to more than 100.

****Unlawful termination of tenancy (Illegal eviction) is based on the dispute type chosen by the applicant at the point of application. The case type is subject to change once the case has been assessed in more detail and validated by the RTB.

Dispute Processing times

Table 21

Breakdown of Overall Average Closed Adjudication, Tribunals and Mediation Case Processing Times (weeks)
2020 – 2023

2020 Adjudication	2021 Adjudication	2022 Adjudication	2023 Adjudication
Average number of weeks			
19.6	19.45	20.45	22.66
2020 Tribunal	2021 Tribunal	2022 Tribunal	2023 Tribunal
Average number of weeks			
39.4	33.35	31.48	29.42
2020 Mediation	2021 Mediation	2022 Mediation	2023 Mediation
Average number of weeks			
9.1	9.7	8.87	9.33

Rent Tribunal

Table 22

Rent Tribunals activity 2023*

Number of	Total
Number of applications	1
Number of Hearings	0
Number of Determination Orders issued	1

* Please note a Determination Order can issue from the previous year.

Order Enforcement

Table 23

Breakdown of Case Parties Who Requested Enforcement in 2023

	2023
Tenant	223
Landlord	157
AHB	9
Third Party	1
Total	390

Table 24**Number of Requests to Pursue Enforcement Received, 2018 - 2023**

	2018	2019	2020	2021	2022	2023
Number of Requests to Pursue Enforcement Received	348	510	294	412	440	390

Table 25**Court Orders Obtained by the RTB on Behalf of Case Parties, 2013 – 2023**

2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
140	158	302	204	107	108	153	123	136	106	50

Table 26**Number of requests received to pursue enforcement, approved for RTB legal assistance**

	2018	2019	2020	2021*	2022	2023
Approved	209	324	181	200	328	292
Not Approved	139	186	113	211	23	67
Total	348	510	294	411	351	359

NB: Based on the stagnant annual figures as opposed to cases which were brought to the Board/Executive for a decision on whether to grant Legal Assistance.

Table 27**Number of cases approved for legal assistance, settled prior to a solicitor having to be engaged**

Cases approved for legal assistance, settled prior to a solicitor having to be engaged	2018	2019	2020	2021*	2022	2023
Amount	11	28	10	21	81	47
Total				327	328	

Table 28**Number of reasons for case closures**

	2018	2019	2020	2021	2022	2023
Full compliance or settlement agreements	45	57	29	71	139	81
Matters were withdrawn or not pursued following initial engagement by the RTB	21	17	10	14	28	35
Total	66	74	39	85	167	116

Table 29

Number of cases closed per year

Cases closed per year	2018	2019	2020	2021	2022	2023
Total	318	588	367	433	536	534

*This blended figure includes cases opened in previous years.

Table 30

Number of cases, in addition to the cases where RTB enforcement cases were granted Court Orders, fully complied with, or agreed settlement terms either before the Court date or on the day of the Hearing

	2019	2020	2021	2022	2023
Total	74	17	52	13	80

Chapter 3 – The RTB Information and Data Function

Customer service figures

Table 31

RTB Customer Service Contacts

Method	2021	2022	2023
Phone calls received	88,938	251,865	215,582
Phone calls answered	82296	115063	155,470
Email received	99,412	223,776	306,109

Table 32

Breakdown of Complaints the RTB Received by Complaint Type, 2021 – 2023

Complaint Reason	2022 N%		2023 N%	
Registration	981	83.14%	488	71.97%
Dispute Resolution Service	130	11.02%	127	18.73%
Tribunals / Appeals	12	1.02%	16	2.35%
Sanctions	6	0.51%	2	0.29%
Data protection	4	0.34%	8	1.17%
Other	47	3.98%	35	5.30%
Order Enforcement			2	0.29%
Total	1,180	100.00%	678	

Communications and Engagement

Table 33

Communications and Engagement activity in 2023

Item	Total
No. of Stakeholder events	15
No. of unique website visitors	714,442
No. of website page views	4,388,667
No. of twitter followers	5059
No. of people reached through the twitter account	151,5000
No. of advertising campaigns	<ul style="list-style-type: none"> > 1 campaign for students > 3 campaigns in printed media for RPZ designations (July, September, December 2023) > 1 “Always on campaign Google” October to December 2023 Total 4
No. of readership (if applicable)	595,097 from 15 region papers

Oireachtas figures

Table 34

Number of Oireachtas Member’s Queries Received, 2018 - 2023

	2018	2019	2020	2021	2022	2023
Number of Oireachtas Members’ Queries Received per Year	35	42	86	116	543	484

Chapter 4 – The RTB Organisational Structure and Governance

HR

Table 35

HR and Facilities activity in 2023

Item	Total
No of staff	At the end of 2023, the RTB had sanction for 118 staff and 91 staff were in situ.
No of Recruitment campaigns	<ol style="list-style-type: none"> 1. Accounting Specialist (EO) – open competition – 1 appointment 2. Acting Assistant Principal (AP) – confined competition – 2 appointments 3. Acting Higher Executive Officer (HEO) – confined competition – 2 appointments 4. Deputy Director – Digital & Data Services – open competition - 1 appointment 5. Facilities Manager (HEO) – open competition – 1 appointment (early 2024) 6. HR Specialist (HEO) – open competition – 1 appointment 7. Services Officer (SO) – open competition – 1 appointment 8. (other appointments were made on foot of competitions commenced in 2022).
No of new staff	18
Staff promoted	3 permanent promotions in 2023 (all CO to EO) and a further 4 temporary promotions to acting up positions (2 AP and 2 HEO).
No of the Access Officer requests	25

Finance

Table 36

Finance activity

Item	Total
No of interest or penalties relating to late paid invoices in 2023	0
No of contracts the Director formally approved the formal renewal	3*
No of new services tendered for (this does not include the three-quote process)	1**

* Contracts. They are: Rent Index - RTB Average Rent Report, General insurance services, Payroll

** New contract was tendered for in 2023 and this was Organisational Development Services

Information Governance

Table 37

Finance activity

Item	Total
No of Subject Access Requests	50
No of Freedom of Information requests	94
No of the Access to Information on the Environment regulations requests	0
No of Data erasure and data rectification requests	47
No of protected disclosures made	1

RTB Key Words

Access Officer: The RTB has an Access Officer to assist persons with disabilities to access RTB services.

Adjudication: Adjudication is one of the Dispute Resolution options offered by the RTB to resolve a rental dispute between parties. In an Adjudication, case parties (usually landlords, tenants and/or third parties like neighbours) present evidence in a hearing in front of an Adjudicator, or Decision Maker, who makes a decision based on the evidence presented.

Adjudicator: The Adjudicator is the decision maker at the Adjudication hearing. He or she decides the outcome of the case based on the evidence presented by the case parties involved in the rental dispute.

Approved Housing Bodies (AHBs): Approved Housing Bodies (AHBs) provide and manage social rented housing. They are not-for-profit organisations which provide affordable rented housing for people who cannot afford to pay private sector rents or buy their own homes. They also provide housing for particular groups, such as older people or homeless people.

In 2016, AHBs came under the RTB's remit, requiring them to register their tenancies with the RTB. This change gave AHB landlords and tenants access to the RTB's Dispute Resolution Service should a tenancy issue arise.

Authorised Officer: A person appointed by the RTB for the purposes of carrying out an investigation into an alleged breach of rental law by a landlord. The Authorised Officer has the power to enter and inspect a dwelling, take copies of records, require any person at the dwelling to provide information and records, require a landlord to provide records and conduct an Oral Hearing under oath.

Circuit Court: The Circuit Court sits above the District Court and below the High Court and has the power to award damages of up to €75,000 and deal with most criminal cases. Circuit Courts must confirm any sanctions imposed by RTB Decision Makers as result of an investigation.

Compliance: To comply or compliance is when a person or organisation follows the rules or laws. It is the opposite of breaking the rules. In the rental sector, the RTB manages compliance with the Residential Tenancies Act, ensuring all those living and working in the rental sector are following rental law.

Cost Rental: Cost Rental is a form of not-for-profit housing where the rent the tenant pays covers the cost of the construction, management and maintenance of the home.

Customer Charter: The RTB Customer Charter is a statement of the standards of service our customers can expect from the RTB. More information can be found on www.rtb.ie.

Customer Relationship Management (CRM): CRM is a strategy that companies use to manage interactions with customers and potential customers.

Decision Maker: A person appointed by the RTB to determine what sanction, if any, should be imposed on a landlord under investigation. Decision makers are legal professionals with extensive experience in decision making roles and are independent from the RTB.

Deposit: A deposit, sometimes referred to as a security deposit, is an amount of money that is paid by a tenant to the landlord usually before a tenancy commences or on the date the tenancy starts. This deposit is held by the landlord and is returned at the end of the tenancy to the tenant. The deposit is considered the lawful property of the tenant until the landlord establishes a right to it. The reasons landlords can keep some or all of the deposit include where there are rent arrears, bills, taxes or charges due; or where there has been damage to the property beyond normal wear and tear; or where a tenant provides insufficient notice to end a tenancy or if they end their fixed-term tenancy before the end of the agreed terms.

Determination Order: Determination Orders are issued by the RTB following Telephone Mediation, Adjudication and Tenancy Tribunal hearings. A Determination Order is a legally binding document which gives the outcome of a case and outlines the terms that need to be complied with and how long the person has to comply with the terms.

District Court: The District Court is the lowest court in the Irish Judicial System with power to award damages of up to €15,000 in civil cases and to deal with most minor criminal cases. Determination Order enforcement proceedings take place in the District Court. Case parties can take proceedings themselves or with the help of the RTB. Within the investigations remit, the RTB or the Authorised Officer can apply to the District Court, if necessary, for an Order to require a person to attend an Oral Hearing or to co-operate with an investigation.

Evidence: Any information and records relating to any activity in connection with the letting or tenancy of a rental property. Evidence can either be presented at a dispute resolution hearing by case parties or gathered by Authorised Officers during an investigation.

Improper Conduct: The RTB can investigate landlords for certain breaches of the Residential Tenancies Act defined as Improper Conduct, which include: failing to comply with Rent Pressure Zone (RPZ) requirements; failing to register a tenancy; failing to notify the RTB of changes to the particulars of a tenancy; failing to notify the RTB when claiming an exemption to RPZ requirements or seeking to rely on an exemption to the RPZ requirements that do not comply with those requirements; failing to offer a tenancy back where specific grounds of termination are no longer relevant; providing false or misleading reasons for ending a tenancy; or seeking a deposit/advance payment in excess of one month's rent, this applies in the case of a tenancy created from 9 August 2021 onwards.

High Court: The High Court is the court above the Circuit Court with full jurisdiction to decide all matters of law and fact. The RTB, or a landlord who is the subject of a decision by the Circuit Court on an appeal may, by leave of the Circuit Court, appeal that decision to the High Court on a point of law.

LEA Boundaries: Local Electoral Area (LEAs) boundaries are the areas that are designated within a county or city for the purposes of local elections. Municipal districts correspond to Electoral Areas.

When a Rent Pressure Zone is designated, it normally is designated to a specific Local Electoral Area.

Local Authorities: There are 31 Local Authorities in Ireland, this includes 26 County Councils, 2 City and County Councils and 3 City Councils.

City and County Councils deliver a broad range of services in relation to roads; traffic; planning; housing; economic and community development; environment, recreation and amenity services; fire services and maintaining the register of electors. In relation to housing, Local Authorities manage housing inspections to check that rental property standards are being adhered to, along with managing rental support schemes such as HAP and Rent Supplement Allowance.

Overholding: Overholding is when a tenant continues to live in a rental property past the end of the notice period, even though the landlord issued a valid Notice of Termination and gave the correct amount of notice period for the tenant to vacate the property.

Procurement: Procurement is the process of finding and agreeing to terms, and acquiring goods, services, or works from an external source, often via a tendering or competitive bidding process.

Protected Disclosures: The Protected Disclosures Act 2014 enables workers to disclose information in relation to wrongdoing in the workplace by ensuring that safeguards exist should reprisals be taken against them.

Notice of Rent Review: All landlords are entitled to review the rent amount paid for their properties. Depending on where the rental property is, rent reviews can only take place every 12 months if within a Rent Pressure Zone or every 24 months if outside a Rent Pressure Zone. When reviewing rent amounts, landlords must inform tenants by giving them a written Notice of Rent Review with at least 90 days' notice of the change in rent.

Notice of Termination: This is the official document which ends a tenancy, which the landlord must give to the tenant(s). There are strict rules in place around this Notice in order for them to valid, including that the Notice needs to be in writing, include the date it was served and when the tenancy will end, be signed by the landlord or agent, and provide a valid reason for ending the tenancy if it has lasted more than six months. Copies must be sent to the RTB.

Regulator: A Regulator is a person or an organisation that supervises whether a business or sector is following certain rules and laws. For example, the RTB is the regulator for the residential rental sector, which means it implements the Residential Tenancies Act to help make sure everyone is following the rules in the rental sector.

Regulatory Framework: The regulatory framework is a combination of all the rules, laws, guidelines and procedures that guide a specific industry or sector. For example, the Residential Tenancies Act forms a large part of the regulatory framework that guides the rental sector in Ireland.

Rent Arrears: If a tenant does not pay rent, the amount of rent owed to the landlord, is called rent arrears.

Rent Arrears and Overholding: This occurs when a tenant has not paid their rent and is also still living in the rental property past the end of the notice period, even though the landlord issued a valid Notice of Termination and gave the correct amount of notice period for the tenant to vacate the property.

Rent Pressure Zone (RPZ): A Rent Pressure Zone (RPZ) is a designated area where rents cannot be increased by more than general inflation, as recorded by the Harmonised Index of the Consumer Price (HICP). Any rent increase in an RPZ cannot exceed general inflation, as recorded by Harmonised Index of the Consumer Price (HICP) and the rent previously set, cannot increase by more than 2% per year pro rata, where HICP inflation is higher. This applies to new and existing tenancies (unless an exemption is being applied).

Rent Pressure Zone (RPZ) Exemption: In some instances, rental properties do not need to apply the RPZ rent setting rules and can instead set the rent to market levels. These instances are called an RPZ exemption. There are three ways that landlords can be exempt from RPZ rent setting rules: exemption 1 - when a property has not been rented in the previous two years; exemption 2 - when the property is, or is in, a protected or proposed protected structure and has not been rented in the last 12 months; or exemption 3 - when the nature of a property has undergone 'substantial change' (which must meet criteria set out in law). When a landlord is relying on one of these exemptions, they must inform the RTB.

Rental Stock: Rental stock is the amount of rental accommodation that is available at any one time.

Rent Tribunal: The RTB Rent Tribunal was established in 1983 to decide on rent and other tenancy terms, which were previously rent controlled under the Rent Restrictions Acts 1960-1981. In 2016, the Rent Tribunal was dissolved by the Minister for Housing, Planning, Community and Local Government and its functions were transferred to the RTB. Residential Tenancies Act (2004, as amended): Referred to as the 'Act' or RTA, this is the name of the legislation that created the RTB and is the law that underpins the rental sector in Ireland, providing the legal basis for tenants' and landlords' rights and responsibilities.

RTB's Jurisdiction: The Jurisdiction of the RTB is the extent that the RTB can make legal decisions and judgements. Underpinning this is the Residential Tenancies Act which outlines the role and powers of the RTB; anything not outlined in the Residential Tenancies Act is likely outside of the RTB's jurisdiction and the RTB would not be able to act or make a decision. Examples of where the RTB does not have jurisdiction is in dealing with rent-a-room or Airbnb arrangements.

Sanction: The RTB can impose sanctions of a written caution and/or up to a €15,000 fine and/ or up to €15,000 in RTB investigation costs on a landlord found to have breached the law (Improper Conduct).

Stakeholder: An RTB stakeholder is a person or organisation that lives or works in the rental sector. The RTB has various stakeholders that it engages and communicates with on a regular basis, including landlords, tenants, Approved Housing Bodies, Universities, students, Local Authorities, policymakers, Government Departments, media and the general public.

Statutory: When something is statutory it means it is required by law.

Statutory Declaration: A Statutory Declaration is a legal document that landlords need to issue to a tenant along with a Notice of Termination when ending a tenancy under certain grounds. These grounds include when the landlord intends on selling their property; when they intend on moving back or a family member intends on moving into the property; or to change the use of the dwelling.

A Statutory Declaration is a signed document that outlines the landlord's declaration that the information in the document is correct.

Student Specific Accommodation (SSA): Student Specific Accommodation (SSA) is accommodation specifically built for the use of students, including accommodation provided for by universities and educational institutions.

Telephone Mediation: Telephone Mediation is a free and confidential service provided by the RTB to tenants, landlords and third parties who have an issue with their tenancy that cannot be resolved informally amongst themselves. An independent and trained Mediator will work with each party separately to reach a mutually acceptable agreement in a short period of time.

Tenancy Tribunal: If the case parties involved in an Adjudication or Telephone Mediation hearing are not satisfied with the result of the case, they can appeal the decision to a Tenancy Tribunal. The appeal hearing is held in a Tenancy Tribunal, and it involves a full re-hearing of the dispute unless the parties agree to limit it to certain issues. Even though the case may have been through Telephone Mediation, or an Adjudicator has heard the case, both parties will be given the opportunity to present the full case again.

Third parties (in relation to rental sector): Third parties are those who are directly and adversely affected by neighbouring tenants and have the right to bring a case against the landlord of those tenants

Unlawful termination of tenancy: Also known as an illegal eviction, may occur where a landlord, through force, intimidation or otherwise (such as cutting off utilities, changing the locks etc.) denies a tenant from accessing a rented dwelling or removes the tenant's belongings from the dwelling.

Virtual hearings: The procedures for a virtual hearing are very similar to those for a face-to-face hearing, both are evidence-based processes, but a Virtual Hearing takes place via MS Teams. Case parties have a chance to speak directly to the Adjudicator and explain their issues.

WebChat Service: The RTB's WebChat Service is a channel of communication that allows customers to communicate directly with the RTB on the RTB website in real time.



ISSN 1649-9247



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