



2nd March 2023

TO: THE MAYOR AND EACH MEMBER OF LIMERICK CITY AND COUNTY COUNCIL

Adoption of Scheme of Priority for Affordable Dwelling Purchase Arrangements

A Chomhairleoir, A Chara,

In accordance with the Affordable Housing Act 2021, all Housing Authorities must make a Scheme of Priority for Affordable Dwelling Purchase Arrangements. The Scheme of Priority agreed must be in accordance with the Affordable Housing (No. 2) Regulations 2023.

The following process, in bringing forward the proposed Scheme of Priority for Affordable Dwelling Purchase Arrangements, has been undertaken:

Workshop on Scheme of Priority for Affordable Dwelling Purchase Arrangements	5 th December 2022
Further Workshop on Scheme of Priority for Affordable Dwelling Purchase Arrangements	30 th January 2023
Survey of all Council members regarding their preferred Scheme of Priority Option for Affordable Dwelling Purchase Arrangements	30 th January 2023 to 7 th February 2023
Draft Scheme of Priority for Affordable Dwelling Purchase Arrangements presented and endorsed at Home and Social Development SPC meeting	15 th February 2023

The next step is for the Council to consider and adopt the Limerick City and County Council Scheme of Priority for Affordable Dwelling Purchase Arrangements. The proposed Scheme of Priority for Affordable Dwelling Purchase Arrangements is attached for your consideration.

Caroline Curley
Director of Service
Housing Directorate

Limerick City and County Council
Proposed Scheme of Priority for Affordable Dwelling Purchase Arrangements

The Affordable Housing Act 2021 (“the Act”) (No. 25 of 2021) was enacted on 21st July 2021. Part 2 of the Act, the Affordable Housing Regulations 2023 (S.I. No. 20 of 2023) and the Affordable Housing (No. 2) Regulations 2023 (S.I. No. 21 of 2023) refers.

This legislation sets out a requirement to establish a Scheme of Priority by which affordable dwelling purchase arrangements are made available by Limerick City and County Council (“the Council”). Additionally, it sets out the methodology to be applied to determine the order of priority accorded to eligible households where demand for such arrangements exceeds the number of dwellings or resources available. This Scheme of Priority is made under Section 11 of the Act.

Eligibility of households will be assessed in accordance with Section 11 of the Affordable Housing Act 2021 and Regulation 5 of the Affordable Housing (No. 2) Regulations 2023 (S.I. No. 21 of 2023).

PART 1: MANNER IN WHICH AFFORDABLE DWELLINGS WILL BE MADE AVAILABLE

1. Where the Council intends to make dwellings available in a particular location or locations for affordable dwelling purchase arrangements in accordance with the Act, it will:
 - 1.1. Calculate, in accordance with relevant legislation, the relevant income limits for the purposes of determining a household’s eligibility for each type of dwelling that will be made available.
 - 1.2. In advance of the date when the particular properties are scheduled to be completed, the Council will advertise the availability of the properties in at least one newspaper circulating within the administrative area and on the Council’s website.
 - 1.3. The information to be provided in the advertisement shall include:
 - 1.3.1. the location, number and type of dwellings to be sold;
 - 1.3.2. that the dwellings shall generally only be available to first-time buyers subject to certain exceptions;
 - 1.3.3. that dwellings will be sold at a price that is lower than market value (such price to be determined in accordance with the income of the purchaser) and that the Council will take a percentage equity share in the dwelling equal to the difference between the market value of the dwelling and the price paid by the purchaser, expressed as a percentage of the market value of the dwelling;
 - 1.3.4. that the Council’s equity may subsequently be redeemed by the purchaser by making payments to the Council (minimum repayment amount may apply);
 - 1.3.5. that dwellings will be made available to eligible applicants in accordance with the Council’s Scheme of Priority; date and time of application will be one of the

criteria on which eligible applications will be prioritised. The public will be informed as to where the scheme may be obtained;

1.3.6. the minimum prices to be paid by eligible purchasers for dwellings and the typical gross income limits for eligibility for each type of dwelling;

1.3.7. the manner in which an application can be made, including where the application form and further details may be obtained, the date from which the Council will accept applications and the documentation required to accompany the application form. The closing date for receipt of such applications will be stated.

2. Applications will only be considered for the scheme which is the subject of the advertisement. A household must submit a separate application for each scheme advertised.

PART 2: ORDER OF PRIORITY FOR ELIGIBLE HOUSEHOLDS

3. In cases where the number of eligible applicants exceeds the number of dwellings available for purchase, this scheme of priority shall be used to determine the order of priority for all applicants.

4. An order of application will be assigned to applications received before the closing date. Applications that appear to meet the eligibility criteria, on the basis of the information supplied by the applicant household, will be considered eligible for the purpose of applying the Scheme of Priority in accordance with the Affordable Housing (No. 2) Regulations 2023 (S.I. No. 21 of 2023). This is subject to later confirmation through the production of documentary evidence in relation to eligibility.

5. The Council will then decide which of the available types of dwelling would adequately cater for the housing needs of the applicant households. More than one type of dwelling might be deemed to cater adequately to the accommodation needs of a particular house, so that an applicant household may be prioritised for more than one type of dwelling where they indicated such interest in their application form.

- 5.1. Should the number of eligible applicants exceed the number of affordable dwellings for which applications have been accepted, the priority as to which type of dwelling is deemed to adequately cater to the accommodation needs of a household, will be made on the following basis:

Dwelling Type	Meets accommodation needs of:
Four-bedroom dwelling	3 or more person household
Three-bedroom dwelling	2 or more person household
Two-bedroom dwelling	1 or more person household
One-bedroom dwelling	1 or more person household

- 5.2. Where, having applied the criteria in Section 5.1, the number of eligible applicants still exceeds the number of dwellings for which applications were made, priority shall be given to eligible applicants in the date and time order that their applications were received.
- 5.3. In addition to submitting evidence in relation to a household's eligibility criteria, additional documentation may be requested from applicants to assess their place in the order of priority under the criteria set out in the Scheme of Priority. This request to be made and satisfied prior to an Affordable Dwelling Purchase Arrangement being offered.
6. Furthermore, in relation to 30 per cent of the dwellings the subject of applications accepted under Regulation 5(1) and 5(2) of the Affordable Housing (No. 2) Regulations 2023, the Council will prioritise households in the following order:
- 6.1. Where the number of applicants exceeds the number of affordable dwellings for sale, the Council shall, in relation to any particular type of dwelling, give priority to households whose accommodation needs would be adequately catered for by the type of dwelling in question, as per Section 5.1 above.
- 6.2. If, following the prioritisation of applicants based on household size, it remains that the number of prioritised applicants still exceeds the number of affordable dwellings for sale, the Council will further prioritise households as follows:
- 6.2.1. Priority to be given to eligible households based on any person making the application being or having been resident, in the administrative area of Limerick City and County Council for a minimum period of 3 years.
- 6.2.2. Where having applied the above criteria in Section 5.1 and Section 6.2.1, the number of eligible applicants still exceeds the number of dwellings for which

applications were made, priority shall be given to the eligible applicants in the date and time order that their applications were received.