

Residential Tenancies Board
P.O. Box 47
Clonakilty
Cork

St Brendan's
Magazine Road
Cork
T12 A3T3

Date: 3 March 2023

FAO: Mr Niall Byrne (Director) and RTB Board of Directors

Dear Mr Byrne and Board members

It is with disappointment that we, the members of the Magazine Road Residents Association, find ourselves yet again pursuing a substantive response to a series of submissions made over a number of years to the Chairperson and Board members seeking information from the statutory body that is the Residents Tenancy Board.

While we initially wrote to you Mr Byrne, on 12 February 2022, the issues referenced therein had previously been submitted for attention by your predecessor Mr McGoldrick.

Correspondence on these matters had actually commenced back in 2021 when the concerns were first addressed to the RTB under cover of a letter dated 10 June 2021.

In an acknowledgement of the submission of 12 February 2022, an email was received on your behalf from [REDACTED] dated 29 March 2022, advising that "*we have received it and it is currently being dealt with*".

With no further communication from your office, and no indication as to what '*being dealt with*' might entail or who might be a contact point for further queries, a further letter was addressed to you with enclosures dated 19 September 2022, respectfully requesting a response to the issues previously raised.

That letter was acknowledged on 27 September 2022 by [REDACTED], Deputy Director of Compliance Operations, who offered a sincere apology for the lack of response, an assurance that the matters raised were receiving '*appropriate attention*' and that issues of non-compliance were taken '*very seriously*' by the Board.

[REDACTED] further advised a direct response on the matters raised in both these submissions would issue '*at the earliest opportunity*'.

That was a full five months ago with no contact or further communication since.

As outlined in previous submissions a survey of properties in the area around UCC last year (2022) established that **99 out of 269 rented properties in the area remain unregistered. Of that 99, almost 70% (67), were the subject of previous enforcement referrals to the RTB, some of which date back to 2017.**

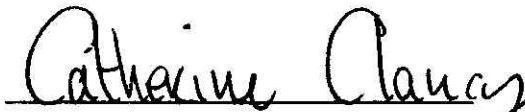
It is unclear how enforcement is put into effect by the RTB.

By way of update on data previously provided, as of January 2023, our research indicates **100 of the 270 rented properties in and around the Magazine Road area remain unregistered, which is approximately 37% of rented properties in that the area.**

It remains the case that recourse under the relevant legislation by third parties, such as our residents, in relation to grievances in respect of any tenancy, continues to be compromised as a consequence of failings by the RTB in its duty to ensure or enforce the registration of tenancies within its remit.

With that position in mind I am asking for a prompt and substantive response to the matters already submitted for your attention and also to advise you that, should such a response not be forthcoming in a timely manner now, these issues will be referred to the Office of the Ombudsman for consideration as appropriate under the available legislation that applies in relation to procedural maladministration and failure by a relevant authority to act in keeping with fair and sound administrative practice.

Yours sincerely



Catherine Clancy

(Chairperson on behalf of Residents' Association of Magazine Road and Surrounding Areas)

CC: An Tánaiste, Micheál Martin.
Minister for Housing, Local Government and Heritage, Darragh O'Brien.
Chairperson of Oireachtas Committee on Housing, Local Government and Heritage, Steven Matthews
Deputy Colm Burke TD.
Deputy Pádraig O'Sullivan TD.
Chief Executive, Cork City Council, Ann Doherty
Deputy Thomas Gould TD

Encs: Letter dated 12 February 2022
Email dated 29 March 2022
Letter dated 19 September 2022
Letter dated 27 September 2022