

Statutory Regulation for Approved Housing Bodies

Approved Housing Bodies (AHBs) are independent, private, not for profit organisations, formed for the purpose of relieving housing need. There are over 550 AHBs in Ireland with stock of about 34,000 homes. Regulation of the sector is currently based on a Voluntary Regulation Code which is overseen by an interim Regulatory Committee supported by a Regulation Office based within the Housing Agency. To date, 281 organisations have signed up to the Voluntary Regulation Code.

The Housing (Regulation of Approved Housing Bodies) Act 2019 was signed into law on December 23rd, 2019, commencement dates will be announced in due course. The new Act will allow for the establishment of the Approved Housing Bodies Regulatory Authority to oversee the effective governance, financial management and performance of all voluntary and co-operative housing bodies.

The key functions for the Approved Housing Bodies Regulatory Authority are

- Establish and maintain a register of AHBs
- Register persons as AHBs
- Publish standards
- Monitor and assess compliance by AHBs
- Carry out investigations
- Protect tenants and AHBs and cancel registration of AHBs
- Encourage and facilitate the better governance, administration, and management, including corporate governance and financial management

The transition from voluntary to statutory regulation will mean a few significant changes. All AHBs will be initially deemed as registered once the relevant sections of the legislation have been commenced. This means that all AHBs will be subject to all aspects of the regulatory requirements and the functions of the new Regulatory Body.

By adopting and embedding the Voluntary Regulatory Framework many AHBs have strengthened their governance, financial viability, and performance management. This will leave many in a strong position as they head into statutory regulation.

AHB Boards should prepare for statutory regulation by reviewing and familiarising themselves with the legislation and assessing their own ability to comply with the requirements as set out within the Act. This should include whether the AHB can comply with the eligibility criteria. Additionally, Boards should continue to embed and enhance their Governance, Finance and Performance Management in line with the principles of the existing Voluntary Regulatory Standards, thereby enabling a smoother transition to the statutory framework.

It is anticipated that the new AHB Regulatory Authority will be established on the 1st January 2021. The new Regulator will publish a series of communications, hold stakeholder forums and issue guidance during the transition period.

The legislation can be found at www.irishstatutebook.ie/eli/2019/act/47/enacted/en/html

For further information please contact the Regulation Office at regulation@housingagency.ie