

Inter-Departmental Working Group on Student Accommodation

Minutes of Meeting 11th June 2019

Attendees:

Chair: Philip Crosby, Department of Education and Skills

Ben Archibald -Union of Students of Ireland
Mariaam Bhatti – Housing Officer, Union of Students of Ireland
Síona Cahill – President, Union of Students Ireland
Michael Casey - Irish Universities Association
Lorna Fitzpatrick – Incoming President, Union of Students Ireland
Michael Foley - Irish Universities Association / UL
Caren Gallagher – Residential Tenancies Board
Gearoid Hodgins - Technological Higher Education Association
Clodagh Memery – Residential Tenancies Board
Stewart Roche - Higher Education Authority

Apologies:

Craig Ennis – Department of Education and Skills
Emma Leonard –Department of Education and Skills
Peter Reynolds – Trinity College Dublin
Eamonn Halpin – NDFA
Mairead Hughes – NDFA
Stewart Logan - Department of Housing, Planning, Community & Local Government
Colm Lynch - NDFA
Cillian Moran – Department of Public Expenditure and Reform

Secretariat: Donna Maguire, Department of Education and Skills

1. Minutes of Meeting 19th March 2019

The minutes were agreed without amendment.

2. Briefing from RTB on legislative changes

The group welcomed Clodagh Memery and Caren Gallagher of the RTB, who gave a presentation setting out the new requirements under the Residential Tenancies (Amendment) Act 2019 for the registration of student specific accommodation, and the timetable for the introduction of the process for registering student specific accommodation.

It was advised that:

- Registered dwellings will be published on the online register, not resident's details. For the purpose of the student specific sector a dwelling is defined as a room i.e. an 8 bed unit will be defined as 8 separate dwellings
- The registration fee will be €40 for a single dwelling but a composite fee for up to 10 dwellings – all accessed by a single door- will entail a fee of €170
- The registration fee will be annual but if more than one student resides in the same room over the same year (e.g. an erasmus student may reside for the first semester and another may take up residence in the same room for the second semester) the HEI will have to register the second student but no extra fee will apply
- Legislation will commence in July which will capture any tenancies/licences commencing 30 days later and thereafter
- There will be a 4 month transition period until mid-November to allow providers to complete registration, after the transition period the normal period to allow for registration will be 30 days
- A dedicated portal will be made available on the RTB website to facilitate individual and bulk registrations
- The RTB will pre-register all known PBSA providers and provide a unique number
- A requirement of the legislation is the provision of the student's PPSN number in order to ensure verification of accounts. Best efforts must be made by the provider to obtain this detail
- Registration is a self-declaration process – for the first year the RTB will reach out to encourage compliance
- The RTB have been liaising with the IUA to support the registration process and design of bulk-upload system and advised that they are open to working with all stakeholders
- They will hold a series of events for student accommodation providers across the summer and into the autumn
- The RTB will provide a dedicated expert team in their call centre to answer queries for both students and providers via telephone, webchat and email
- The RTB intend to work with USI and HEI accommodation officers to share awareness across the student population of the new and existing regulations.

Some queries were raised by group members with regard to the requirement to provide students' PPS numbers. A discussion ensued surrounding GDPR requirements, the RTB confirmed that they have been through the process over the last year and are fully GDPR compliant but advised that a privacy agreement will need to be ticked off during the registration process. The HEA representative advised that HEIs may need to look at agreement's with students in order to allow data to be shared.

An IUA representative voiced concerns relating to reconciling the duty of care that the HEI has to a student with the new legislative provisions, with concerns arising around the ability

of HEIs to exercise their duty of care in the case of extreme anti-social behaviour while now having to comply with certain notice periods. The RTB advised that this has been raised in consultation with the IUA and emphasise that the key is ‘reasonable grounds’ for termination. This legislation is not about taking capacity away from providers. It was further advised that the RTB have experience in dealing with such instances and in such cases the process can be expedited and there is a mechanism in the legislation to deal with this.

It was queried if a student will be able to remain in the accommodation past the agreed licence duration. The RTB advised that over-holding will not be allowed and clarified that Part 4 rights, which provide security of tenure, have not been extended to the student accommodation sector. If over-holding does occur the provider may bring a case against the student and if the student lost, a determination order would be issued and published on the RTB website which may have serious consequences for the student in the future.

3. Current status and outline of pipeline projects

a) Outline of pipeline projects

<i>Status</i>	<i>End November 2018</i>	<i>End February 2019</i>	<i>End May 2019</i>	<i>Location</i>
Bedspaces completed since <i>Rebuilding Ireland</i>	5,593	6,362	6,691	
Bedspaces on-site	5,187	5,265	5,986	Dublin (Majority), Galway, Cork, Kildare
Planning Permission Granted	7,691	6,747	7,903	Carlow, Cork, Dublin, Galway, Kildare, Louth, Sligo
Planning Permission Applied	524	2,211	816	Kildare, Cork, Dublin, Galway
Totals	19,265	20,585	21,396	

- 5,986 bed currently on-site
- 7,903 spaces have been granted permission – of these c.6,000 are privately owned, with just under 1,500 in the public sector
- Permission has been granted for 816 bed spaces

b) Update on change of use

- The query has been circulated to HEIs in order to ascertain the number of units still in use as PBSA.
- The HEA are currently conducting a revised study on supply and demand figures as the last one was completed in 2015 and will take into account the projected demographic changes from the years 2024-2030.

A further update will be provided to group members at the next meeting of the IDWG in October.

HEA representative Stewart Roche informed the group that this will be his last meeting with the IDWG as he is due to retire in September. The Chair conveyed the thanks of the Department and the group for all of the work that Stewart has carried out and wished him all the best.

4. Review and agreement of revised Terms of Reference

This working group was established by the Department of Education and Skills in October 2015 to *‘provide a coordinating mechanism to ensure the higher education institutions have access to information on new potential funding and delivery models to support the delivery of student accommodation in the coming years’*.

This working group provides updates to the Minister for Education and Skills periodically.

Subsequent to the above, the National Student Accommodation Strategy (NSAS) was published in July 2017. Given the change in focus of the group to supporting and monitoring progress on the NSAS it is timely to review the Terms of Reference of the Group.

Revised draft Terms of Reference were circulated to the group and discussion ensued regarding the original objective of this group.

It was agreed that the issue of membership needs to be addressed to ensure the relevance of the agenda for all participants. The critical point is that this group offers an opportunity for all key stakeholders to share information and it would be of benefit to maintain it in some form.

Further comments are welcomed from members who were present on the day and it was agreed that DES need to liaise with members absent from the meeting to ascertain their views on this issue.

5. Actions arising from the National Student Accommodation Strategy and updates from Members

a) USI National Student Accommodation Survey 2018

The group welcomed the presentation from USI outlining the findings from the 2018 student survey. Some key findings include:

- 6.76% of respondents are residing in digs style accommodation
- Own room is the most desired feature in student accommodation
- Wi-Fi is viewed as an essential which should not entail an extra cost
- Proximity to HEI, shops and local amenities rank next in importance
- Study space in accommodation is not viewed as important
- 28.34% of students have no written agreement with their landlord

USI aimed to illustrate the level of consensus among what is desired by students and the evidence is clear that students want good quality accommodation and access to basic facilities.

It was queried if there appears to be any dissonance between supply and demand, or if students from different backgrounds have different expectations from their accommodation. USI stated that there certainly appears to be a divergence in what students want i.e. good quality, basic facilities as compared to what suppliers are attempting to supply i.e. social spaces, cinemas and on-site gyms.

It was asked if there is any gender breakdown in preferences. USI did not analyse for this but it is possible. They will extrapolate this information and share any findings with the group.

6. A.O.B.

As this meeting was Síona Cahill's last as President of USI the group welcomed incoming President Lorna Fitzpatrick and the Chair thanked Síona for the engagement and commitment she brought to the role and asked her to extend and record the appreciation of the Department and Group to her and her team.

7. Next Meeting

The next meeting of the IDWG for Student Accommodation will take place on Tuesday the 8th October at 2:30pm in room G13/14 in the Department of Education and Skills.