



Comhairle Chontae Uíbh Fhailí
Offaly County Council

OFFALY COUNTY COUNCIL

DIFFERENTIAL RENT SCHEME

2022

HOUSING (MISCELLANEOUS PROVISIONS) ACT 2009

Signed:

Sharon Kennedy
Director of Services
Housing, Community, Culture,
Emergency Services and
Edenderry Municipal District

Date:

26/8/2022

OFFALY COUNTY COUNCIL
Differential Rent Scheme 2022

Scope

The Scheme applies to any dwelling provided by Offaly County Council under the Housing Acts 1966 to 2014 as amended or Part V of the Planning and Development Act 2000 of which Offaly County Council is the owner, or of which Offaly County Council is not the owner and which is provided under a contract or lease between the housing authority and the owner of the dwelling through leasing initiatives, the Housing Assistance Payment (HAP), Rental Accommodation Scheme (RAS) and a dwelling provided by an Approved Housing Body.

Charges to be determined under this Scheme generally relate to rent for the tenancy or occupation of a dwelling only and will not include charges relating to the provision of services to, and insurance of, a dwelling and other charges relating to the management and control of the dwelling.

Certain charges may be levied for thermal heating applied to OPD schemes, bin and utility charges for permanent halting sites and other charges agreed with Voluntary Housing Bodies for the management of social housing stock under service level agreement with Offaly County Council.

Commencement Date

This Rent Scheme is made in accordance with s.31(5) of the Housing (Miscellaneous Provisions) Act 2009 to replace all existing Rent Schemes and with effect from 3rd September 2022. The Scheme will be subject to a review from time to time.

Differential Rent

Rents will be calculated as a percentage of **Assessable Principal Income** together with a contribution from any **Subsidiary Income** in the household. Means other than income is disregarded.

Principal Income

The Principal Income is the income of the tenant(s) and also the income of his / her spouse / partner normally resident in the house.

Subsidiary Income

Subsidiary income is income of all other members of the household other than the tenant(s) and his / her spouse / partner. (Including adult children in receipt of social welfare or other assessable income)

Definition of Assessable Income

The Assessable Income of either a Principal Earner or a Subsidiary Earner is considered a person's normal weekly / monthly wage / salary and / or social welfare payment, less Income Tax, PRSI, Universal Social Charge (where applicable). All income including shift allowances, bonus, commission and overtime are included as Assessable Income.

Income from the following sources is assessed in full for rent purposes:

- (i) Income from employment, including self-employment.
- (ii) Social insurance and social assistance payments, allowances and pensions allowances, including all qualified child payments and Working Family payment. In the case of social welfare income which is reduced due to a previous overpayment by The Department of Social Protection, the reduction is not taken into account when calculating the rent which is assessed on the full rate.
- (iii) Carer's Allowance: For a sole tenant where Carer's Allowance for a child / spouse is the only assessable income, the minimum rent will apply. Where the sole tenant / joint tenants are in receipt of social welfare income and / or income from employment in addition to Carer's Allowance, only the income from social welfare and / or employment will be assessed for rent.
- (iv) Income from the following shall be assessed at the basic social welfare rate for the income earner – National Internship Scheme, TUS Scheme, Rural Social Scheme, Community Employment Scheme, Youth Reach Training Scheme, Back to Education Allowance, Vocational and Educational Schemes provided by the State
- (v) Income from any pensions not included in No. (ii) above, irrespective of source.
- (vi) Maintenance Payments, whether under a formal or informal arrangement or whether procured by Court Order or otherwise.
- (vii) Income from rental properties, dividends, capital investments and other similar sources of income.
- (viii) Any other income source not identified below as an income disregard

Income from the following sources shall **NOT** be regarded as Assessable Income for the purpose of calculation of rent:

a) Payments by the Department of Social Protection in respect of:

- i) Child Benefit or Guardian's Payment (Contributory / Non-Contributory)
- ii) Carer's Support Grant (formerly called Respite Care Grant)
- iii) Rent and mortgage interest subsidies
- iv) Living Alone Allowance
- v) Over 80's Allowance
- vi) Telephone Allowance
- vii) Electricity or Gas Allowance
- viii) Fuel Allowance
- ix) Dietary Supplement
- x) Exceptional Needs Payment

b) Payments by the Health Service Executive in respect of:

- i) Fostering Allowance
- ii) Domiciliary care allowance

- iii) Blind Welfare Allowance
- iv) Mobility Allowance
- v) Home Care Grant
- vi) Boarding-out payments

c) Payments by the Department of Education and Skills in respect of:

- i) Student grants schemes
- ii) Home Tuition Scheme

d) Other Payments as follows:

- i) Payments by charitable organisations
- ii) Payments made by another EU Member State and / or the United Kingdom (Common Travel Area) that correspond to Child benefit
- iii) Payments received as a training allowance while undergoing a course of rehabilitation training by an organisation approved by the Minister for Health
- iv) Scholarships in respect of attending approved course provided by approved institutions, within the meaning of the Student Support Act 2011

Where the Principal or Subsidiary Earners have more than one source of assessable income e.g. employment and social welfare, both incomes will be added together and the total income will be assessed for rent purposes.

Rent Reviews

The Rent Scheme will be reviewed from time to time and amended as appropriate. Tenants will also be requested to submit current details of certified income during the annual review process which generally takes place in the summer months.

Where a tenant(s) fails to submit income / household details when requested by Offaly County Council, the rent will be automatically increased to the maximum rent amount.

In the case of a new or transferred tenancy, rent will be calculated on the basis of the certified income of the household as at the date of commencement of the tenancy. **Tenants must notify Offaly County Council immediately of any changes in income or in family circumstances.** Failure to do so will result in rent being backdated up to a maximum of 10 weeks and applied to your account.

Allowance for Dependent Children

An allowance of €10.00 per week is made for each dependent child under 16 years or under 23 years in the case of dependent children who are attending a full-time course of education and wholly or mainly maintained by the tenant(s).

Calculation of Rent

Weekly rents will be determined as follows: -

22% of the **Principal Assessable Income** in excess of €70 in the case of one principal earner.

OR

22% of the **Combined Principal Incomes** in excess of €110 in the case of more than one principal earner.

PLUS

22% of any **Subsidiary Assessable Income** in excess of €70 to a maximum of €25.

The total rent calculation should not exceed the maximum rent referred to in the section below nor will it be less than the minimum rent also specified below.

Minimum Rents from 1st July 2022

€14	-	Demountable Dwelling (Prefab)
€19	-	Older Persons Dwellings (OPD's)
€25	-	2 bed family type dwelling or apartments
€30	-	3 bed or larger family type dwelling

Bays

All Bays charged at a flat rate of €15.00 per week

Maximum Rents

The maximum weekly rent of each dwelling will be calculated on the basis of 5.25% of the 'All-In' Unit Cost Ceilings for Offaly (as published by the Department of Housing, Planning and Local Government) for new build social housing schemes appropriate to the dwelling and divided by 52.

Hardship Cases

In exceptional circumstances where payment of a rent calculated according to the Scheme would in the opinion of the Council give rise to hardship, the Council may at its discretion agree to accept a lesser sum from a tenant for a specified period. However, each case will be examined individually on its own merits.

Rounding Up and Down

All rents when calculated in accordance with the Scheme will be rounded up or down to the nearest Euro – i.e. 0.50c or over will be rounded up and 0.49c or under will be rounded down to the nearest Euro.

