

30<sup>th</sup> January 2026

**Re: Housing (Regulation of Approved Housing Bodies) Act 2019 review Stakeholder Consultation from ALONE**

To Whom it may Concern,

ALONE welcomes the opportunity to engage with the Department as part of the review of the *Housing (Regulation of Approved Housing Bodies) Act 2019*. ALONE is a national organisation supporting older people to age at home and is also a Tier 2 Approved Housing Body. ALONE has 121 General Housing Stock and an additional 40 homes in Development.

As an organisation and Approved Housing Body (AHB) that supported almost 46,500 older people across our services in 2025, we regularly see the positive impact of the supports provided by the Department of Housing. We also see first-hand the crucial role that AHBs play in Ireland's housing sector by providing affordable housing to people who cannot afford to rent in the private sector or purchase their own homes.

ALONE's key points in the attached consultation document include:

- AHBRA's current mandate has been effective in regulating registered AHBs; however, we believe that AHBRA's remit should be expanded to include reviewing and ensuring the medium- and long-term financial sustainability of the sector.
- As an AHB who provide both Housing and Supports, ALONE would ask that consideration is given to the nature of the tenants in AHB or social housing that require and are provided supports. ALONE would like to see that the Regulator develop an understanding of the impact of the funding limitations on AHB being able to sustainably meet the tenants' wider support needs. This could be achieved by creation of a mandate to ensure these needs are being recognised and met, and introduction of a support protocol to ensure that specialist providers are not penalised in the metrics and KPIs set.
- ALONE would welcome greater supports for volunteer boards, alongside targeted training for those working in the AHB sector on regulatory requirements, including the provision of a support or mentoring role.

We would also like to voice our appreciation to the Department for your ongoing commitment to engagement with NGOs and AHBs. We look forward to seeing the outcomes of this consultation process.

Kind regards,

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Seán Moynihan  
CEO, ALONE



An Roinn Tithíochta,  
Rialtais Áitiúil agus Oidhreachta  
Department of Housing,  
Local Government and Heritage

# Housing (Regulation of Approved Housing Bodies) Act 2019 review

## Stakeholder Consultation

Prepared by the Department of Housing, Local Government and Heritage

[gov.ie/housing](http://gov.ie/housing)

## **AHB legislative review background**

Approved Housing Bodies (AHBs) (also called housing associations or voluntary housing associations) are independent, not-for-profit organisations. They provide affordable rented housing for people who cannot afford to pay private sector rents or buy their own homes; or for particular groups, such as older people, homeless people or those with additional care and support requirements.

The Housing (Regulation of Approved Housing Bodies) Act 2019 under Section 4 requires a review of the Act no later than 5 years after establishment. The review of the legislation has commenced and the Minister is empowered under Section 4 to consult persons that the Minister deems appropriate.

The AHB sector is a critically important social and affordable housing partner. The role of AHBs in the delivery and management of social housing has been enhanced over the past decade, with many AHBs responding to the significant increase in housing need by scaling up the delivering of new social rented homes and more recently, cost rental homes. AHBRA's third sectoral analysis report suggests, as of September 2024, AHBs were responsible for managing and maintaining approximately 68,000 social and affordable housing unit. It is expected that significant growth will continue across the sector in the coming years which warrants effective regulation to ensure a robust and stable sector to protect the State's investment, while maintaining public and funder confidence in the sector.

The purpose of the review is to identify areas of the legislation that may require updating, and to examine the effectiveness of the Act.

The next steps after this consultation will be to consider the submissions before drafting a report for the Minister, which may include recommendations for legislative amendments. Once approved by the Minister, the final report will be laid before the Houses of the Oireachtas.

## **AHB legislative review consultation phase**

The purpose of this the consultation survey is to capture opinions and considerations from the AHB sector and key stakeholders to inform recommendations from the legislative review, as required under Section 4 of the Housing (Regulation of Approved Housing Bodies) Act 2019. The Department of Housing, Local Government and Heritage are seeking input on a number of pillars of the current legislation, and considerations regarding how regulation of the AHB sector could evolve for the benefit of the sector, tenants and the state.

1. Role of the Approved Housing Bodies Regulatory Authority
2. Enforcement powers
3. Intervention powers
4. Assessments and outcomes of assessments
5. Oversight of assets and constitutions
6. Interactions with other regulators/funders
7. Voice of tenants

## **Instructions**

In the space below opposite each of the numbered questions, please provide your considered responses. You are invited to submit your views on all sections but you are welcome to leave any

sections blank where you feel that you have no comment to make. Should you wish to expand on any answer, please submit such documentation as an attachment with your return.

Role of AHBRA		
1	<p>Since the enactment of the Housing (Regulation of Approved Housing Bodies) Act 2019, how has the regulatory framework operated from your organisation's perspective, including any benefits or challenges experienced?</p>	<p>ALONE has fully engaged and reported under the Housing Regulator since 2016, when it was a voluntary requirement. Since the Act came into place, ALONE continues to build on that engagement and meet the requirements. Benefits of the Act include additional support for AHBs, with AHBRA providing guidance documents and support materials.</p>
2	<p>How effective has AHBRA's current mandate been in regulating registered AHBs?</p> <p>Are there any aspects of that mandate that should be clarified, expanded or reduced?</p>	<p>ALONE has incorporated all of the standards within AHBRA's current mandate to ensure strong governance, financial viability, effective management, safeguarding public investment in social housing and protecting tenants' rights. On this basis, we believe AHBRA's mandate has been effective in this regard. However, we believe that AHBRA should have an expanded mandate in reviewing and ensuring that the support needs of tenants in addition to their housing needs are measured and recognised. These are a cost and deliverable for many AHBs providing social housing which are not fully recognised.</p>
3	<p>Given the importance of the AHB sector in the provision of social and affordable housing, if AHBRA was to have an expanded mandate in safeguarding, smooth functioning and enhancing the strategic stability of the sector, what additional functions and activities should be considered? This role could include (but is not limited to) having a strategic mandate, organisational focus and legal powers to support:</p> <ul style="list-style-type: none"> <li>• Monitoring of the profile of debt exposure of the sector and greater powers for the mitigation of systemic financial risks</li> <li>• Regulation of any (non-state) entity providing social or affordable rental housing, regardless of whether they apply to be registered or not</li> </ul>	<p>Given the importance of the AHB sector to the delivery of national housing policy, ALONE believe that AHBRA should have an expanded mandate to review and monitor the efficacy of funding models for social and affordable housing taking onboard the full costs of delivery. For example, funding for elements of the fit-out and common areas as well as internal costs of resources for AHB may be excluded from funding mechanisms, although they are a real outlay for the AHB. In addition, the associated income streams particularly in CAS funding do not cover the cost of compliance on the provision of housing and maintenance. For example the rate for CAS properties is 'Economic Rent' set in 2007 of €368 (state and tenant contribution and has not been indexed in line with inflation). This amount is insufficient to fund and sustain aged properties and delivery on the general costs in providing housing and tenancy management. The shortfall has to be met by AHBs.</p> <p>Greater powers for AHBRA to mitigate systemic financial risks such as this would be welcomed.</p>

	<ul style="list-style-type: none"> <li>• Mitigation of concentration risk</li> <li>• Capacity building in individual AHBs (e.g. .to support greater proportion of Direct Delivery)</li> <li>• Regulation of the provision of accommodation services to individuals who are not classified as tenants, for example licencees in DV/Homeless accommodation.</li> <li>• Targeted mergers and consolidation</li> <li>• Support to volunteer Boards</li> <li>• Responsibility for the managed wind-up of failing AHBs (for merger/transfer of assets etc.)</li> </ul>	<p>Recognising and measuring the provision of non-housing supports to tenants would also be key to providing a true reflection and ensure tenants needs are met</p> <p>Provision of support to volunteer boards would be beneficial, as well as specific training for people working in the AHB sector on the regulations and provision of a support/mentoring role.</p>
4	Does the current regulatory model work equally well for small, medium and large AHBs?	While the model works for ALONE as a medium-sized AHB, it may be more onerous for smaller AHBs with limited staff resources and should be reviewed in this context. Regulatory requirements should be proportionate to organisational size.
Enforcement Powers		
1	<p>Current enforcement powers are largely confined to the following</p> <ul style="list-style-type: none"> <li>• Cancellation of registration</li> <li>• Transfer of properties to a third party under Section 53 to protect tenants</li> <li>• Seeking of High Court Orders under section 54 to protect the AHB.</li> </ul> <p>(note: there are also certain offences under the Act which are limited to obstruction of the Regulator in its duties)</p> <p>Based on your experience, how effective are existing powers under the Act?</p>	<p>ALONE is supportive of compliance and consequences. As with all process, the key to resolution and prevention is engagement before enforcement powers such as these are deemed necessary. However, consequences should be brought where appropriate. Consideration could be given to lesser sanctions in advance of issues getting to this stage, many of which are named in the list below - this may appear as part of an annual return, investigation or notifiable event.</p>
2.	Under what circumstances, if any, should further powers should be included?	

	<p>For example, international comparisons demonstrate the following additional powers available to Regulators in other jurisdictions</p> <ul style="list-style-type: none"> <li>• Financial penalties</li> <li>• Appointment of Managers</li> <li>• Direct removal or suspension of individuals without Orders</li> <li>• Restriction on dealings</li> <li>• Suspension of registration</li> </ul>	<p>As per above, enhancing AHBRA's powers in these ways could increase public confidence in the AHB sector and enable improvements to be made in cases of significant and/or repeated non-compliance with regulations, when used in conjunction with clear processes and guidelines.</p>
3	<p>What safeguards should be in place to protect fairness and natural justice?</p>	<p>Safeguards should involve impact on all stakeholders including tenants, investment, due diligence, governance, a right to reply and a structured process with timely intervention.</p>
<p>Intervention Powers</p>		
1	<p>Current intervention mechanisms are largely confined to the following</p> <ul style="list-style-type: none"> <li>• Annual monitoring programme</li> <li>• Assessments</li> <li>• Investigations</li> <li>• Concerns</li> <li>• Notifiable events</li> </ul> <p>How effective are these at preventing and addressing risk.</p>	<p>The annual monitoring programme is achieving consistently high response rates, which should allow AHBRA to spot sector wide trends before they become crises. Ensuring these response rates are maintained at this level and addressing the results appropriately will enable continued risk prevention and management.</p>
2	<p>What alternative mechanisms should be considered, achieve similar outcomes in a more efficient, effective or proportionate way? For example</p> <ul style="list-style-type: none"> <li>• Powers to issue binding instructions (AHBRA through other regulatory process may become aware of potential issues that could be resolved through a binding instruction without the need for assessment)</li> </ul>	<p>Alternative measures can be considered in conjunction with the powers above, with engagement remaining a priority in these cases.</p>

	<ul style="list-style-type: none"> <li>• Mandatory self-assessment reports</li> <li>• Voluntary undertakings</li> <li>• Mandatory training for staff/Board directed by AHBRA</li> </ul>	
Assessment and outcomes of assessments		
1	To what extent do current regulatory outcomes (including how they are communicated) help build public trust and confidence in the AHB sector?	Increasing public awareness of the role of AHBRA could further enhance this confidence which would in turn be helpful to all stakeholders.
2	Are there any additional approaches to transparency or feedback that should be considered in relation to assessment outcomes?	Capturing the full service provided by AHBs (i.e., both housing and support in some cases) would also help communicate the impact and outcomes that are delivered, as well as provide oversight on areas to address.
Oversight of assets, tenants and constitutions		
1	<p>How effective are existing oversight arrangements regarding assets, tenure and constitutional governance?</p> <p>Are there any additional considerations to be taken into account to ensure that the Act's objectives and oversight are effectively applied across the full diversity of AHB operations?</p>	

2	<p>What level of regulatory oversight, if any, is appropriate regarding State funded housing assets, including notification to the regulator of the following:</p> <ul style="list-style-type: none"> <li>• change of use</li> <li>• disposal of assets</li> <li>• change in tenure type (from social to private/cost rental etc.)</li> <li>• changes to constitutional arrangements</li> </ul>	
Interaction with other Regulators/Funders		
1	How effective are current interactions between AHBRA and other bodies involved in housing for example funders, Local Authorities and other regulators?	In ALONE's experience, current interactions are effective, with a clear delineation between AHBRA and the other state bodies
2	Are there ways these interactions could be better aligned, clarified or streamlined to support good outcomes?	A common method of reporting and/or a reporting framework with the same report style would help to streamline interactions and reduce duplication of work.
Voice of Tenants		
1	How should tenant outcomes and experience be reflected within the regulatory framework?	Tenant surveys are a good tool in reflecting the voice of tenants; consideration should be given to reflection of non-landlord roles carried out by AHBs.
<p>Is there anything else you wish to raise in relation to the Act or its implementation that has not been addressed above?  ALONE is grateful for the opportunity to engage with the Department on this matter and look forward to seeing the outcomes of this consultation process.</p>		

