

SEANAD ÉIREANN

AN BILLE UM PLEANÁIL AGUS FORBAIRT (TITHÍOCHT) AGUS UM
THIONÓNTACHTAÍ CÓNAITHE, 2016
—AN COISTE

PLANNING AND DEVELOPMENT (HOUSING) AND RESIDENTIAL TENANCIES
BILL 2016
—COMMITTEE STAGE

*Leasuithe
Amendments*

SECTION 5

In page 8, between lines 40 and 41, to insert the following:

“(viii) information as to what percentage of the proposed development will meet the definition of “universal design” as set out in section 52 of the Disability Act 2005, as well as plans to ensure the accessibility of any proposed development to amenities and services.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 9, after line 40, to insert the following:

“(i) considerations, related to sustainable development, universal design and accessibility to services as set out in section 52 of the Disability Act 2005.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

SECTION 9

In page 17, between lines 15 and 16, to insert the following:

“(d) an assessment of housing needs of people with disabilities in the relevant area, and whether the level of universal design set out in the proposed development will appropriately increase the available housing stock for people with a disability in that area, with due regard to the Disability Act 2005.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

SECTION 27

In page 33, between lines 25 and 26, to insert the following:

“Amendment of section 5 (“relevant date”, “landlord”, “tenant”, “lease”, etc.) of Act of 2004

27. Section 5(1) of the Act of 2004 is amended by deleting the definition of “landlord” and substituting the following:

[SECTION 27]

“ ‘landlord’ means the person for the time being entitled to receive (otherwise than as agent for another person, excepting where that person is acting as receiver) the rent paid in respect of a dwelling by the tenant thereof and, where the context so admits, includes a person who has ceased to be so entitled by reason of the termination of the tenancy;”.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 33, between lines 25 and 26, to insert the following:

“Amendment of section 19 (setting of rent above market rent prohibited) of Act of 2004

27. Section 19(2)(b) of the Act of 2004 is hereby repealed.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 33, between lines 25 and 26, to insert the following:

“Amendment of section 19 (setting of rent above market rent prohibited) of Act of 2004

27. The Act of 2004 is amended by inserting the following new section after section 19:

“19A. Any subsequent increases in the level of rent under the tenancy of a dwelling shall not be greater than the rate of inflation, as provided for by the Consumer Price Index as issued by the Central Statistics Office.”.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 33, between lines 25 and 26, to insert the following:

“Amendment of section 19 (setting of rent above market rent prohibited) of Act of 2004

27. The Act of 2004 is amended by inserting the following new section after section 19:

“19A.(1) Any subsequent increases in the level of rent under the tenancy of a dwelling shall not be greater than the rate of inflation, as provided for by the Consumer Price Index as issued by the Central Statistics Office.

(2) The provision outlined in subsection (1) will remain in effect until 31 December 2019 at which point the Minister may by order extend the specified period which this section will continue to apply.”.”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

SECTION 30

In page 34, line 41, to delete “20 or more” and substitute “5 or more”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

[SECTION 30]

In page 34, line 41, to delete “20 or more” and substitute “10 or more”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, to delete lines 3 to 18.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, line 7, to delete “20 per cent” and substitute “40 per cent”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, line 7, to delete “20 per cent” and substitute “30 per cent”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, to delete lines 9 to 13.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, line 12, to delete “undue unfairness to, or”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, line 15, after “amount” to insert “as determined by a state body”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, line 15, after “amount” to insert “as determined by an independent, non-commercial expert body”.

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*

In page 35, between lines 18 and 19, to insert the following:

“(c) Where a landlord has successfully received exemption from subsection (2), the landlord intending to transfer to another for full consideration their interest will be required to pay, as compensation, to any affected tenants, an amount equivalent to two weeks of current rent for every year of occupancy.”

—*Senators Alice-Mary Higgins, Colette Kelleher, Lynn Ruane, Grace O’Sullivan.*