



PSRA NEWS

June 2020

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PSRA CONTACT DETAILS:

Property Services
Regulatory Authority,
Abbey Buildings,
Abbey Road,
Navan, Co Meath,
C15 K7PY .

Email: info@psr.ie

Web: www.psr.ie

A Message from the Chief Executive Maeve Hogan

Over the past few months we have all faced a time of immense challenge, not only for business but for our families and friends due to the ongoing COVID-19 pandemic.

The Authority remains open for business and has actively put measures in place to ensure, in so far as possible, the smooth running of day to day activities of the Authority and we continue to adapt to the situation as required. This issue of the PSRA newsletter will outline some of the measures undertaken to date, such as the extension of licence expiry dates, as well as providing an update in relation to other measures the Authority is currently developing.

With the reopening of the property sector on the 8th of June, I wish to acknowledge the support, assistance and co-operation of IPAV and SCSi in developing the Joint Sector Protocol for Property Services Providers.

On behalf of the Authority, I would like to thank you for your support with regard to the Covid-19 measures detailed herein and to send you good wishes for the weeks and months that lie ahead of us all.

Maeve Hogan

Chief Executive

General Queries

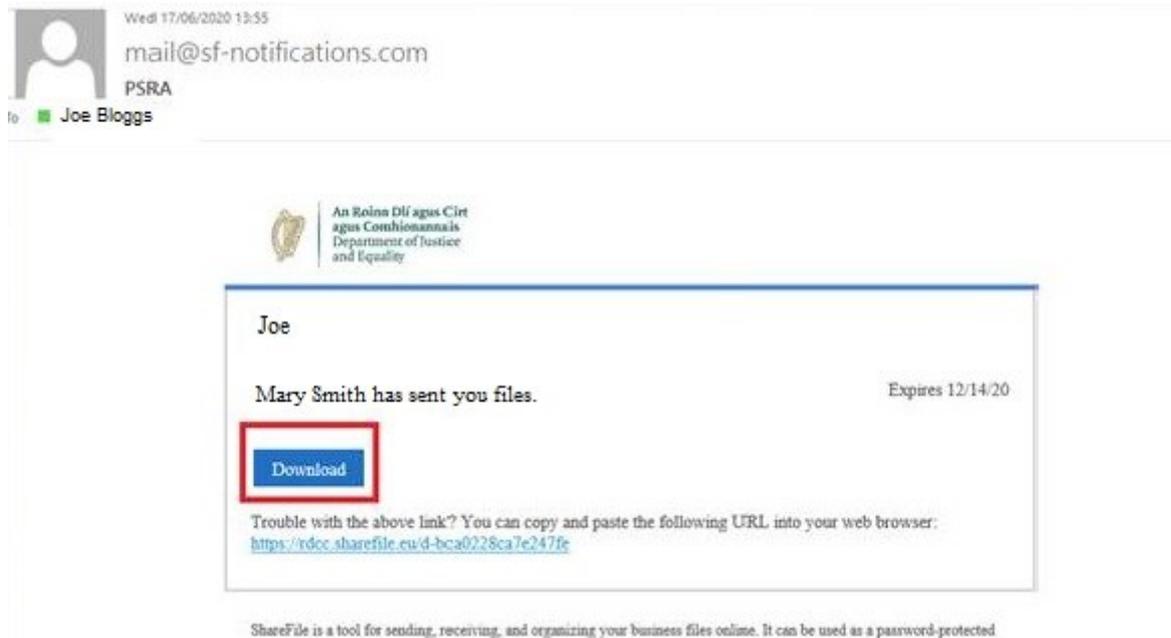
The PSRA offices remain closed to the public for now, however, our staff continue to work remotely. Our telephone lines are currently closed but emails are being dealt with in the normal manner. Should you wish to speak to a member of staff in the Authority, please submit a request for call back, specifying the nature of the request (eg Licensing, Complaint, Commercial Leases, general query) along with your contact details and licence number (if applicable) to info@psr.ie and we will contact you.

Complaint Investigations

All complaint investigations are ongoing, however, face to face meetings and engagements are postponed. Where possible technology will be utilised to engage with relevant persons. Complaints, claims on the PSRA Compensation Fund and reports of unlicensed operators can still be made to the PSRA via e-mail to info@psr.ie. Further details are available on our website www.psr.ie.

Licensing Update

With the move to Phase 2 of the Roadmap for Reopening Society and Business, the Authority wishes to advise that the Licensing Section will issue certain correspondence by post to Licensees and Licence Applicants. Where correspondence is issued electronically, the Authority will shortly commence issuing this correspondence through Sharefile. Licensees should note that where correspondence issues through Sharefile, you will receive an email, which will reference PSRA in the subject line. The correspondence will appear as a link in the email such as in the example below.



Licence renewal invitation notices will issue by post. The Authority will endeavour to issue renewal notices well in advance of licence renewal dates to allow additional time for Licensees to submit their licence renewal applications through Licences.ie. The Authority would recommend that Licensees submit their renewal applications as soon as possible after receipt of the renewal invitation to allow additional time for the processing of applications.

PSRA Extension of Licence Expiry Dates



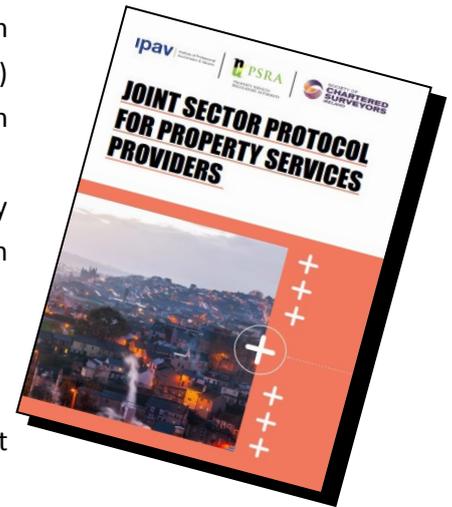
The PSRA recently announced the commencement of S.I. No. 162 of 2020, Property Services (Regulation) Act 2011 (Section 95) (Extension of Licences) Regulations 2020. The introduction of this regulation grants a four month extension to licences due to expire between 7 May 2020 and 31 August 2020.

In granting the extension of the licence by four months the Authority acknowledged the practical difficulties for Licensees in fully complying with licence renewal requirements and therefore, this extension enabled the sector to continue to legally trade during the Covid 19 emergency. The licence extension is subject to the availability of the required level of Professional Indemnity Insurance (PII).

A Licence Certification letter has now issued to all Licensees who have received an extension to their licence detailing the new expiry date. This should be available for inspection on request. The new expiry date is also reflected on the Register of Licensed Property Services Providers available at www.psr.ie.

PSRA Releases Joint Sector Protocol For Property Services Providers

The 'Joint Sector Protocol for Property Services Providers' developed in collaboration with the Institute of Professional Auctioneers and Valuers (IPAV) and the Society of Chartered Surveyors Ireland (SCSI), was published recently in preparation for the reopening of the property services sector on 8th June 2020. The Protocol is applicable to the auction, sales, lettings, valuations and property management environment and is designed to protect all parties involved in property services. The provisions outlined in the Protocol include:



- All viewings and auctions should be undertaken online, where possible.
- Viewings must be pre-booked and interested parties to an auction must register with the auctioneer prior to the auction.
- Where physical viewings/auctions take place detailed Covid-19 signage must be displayed and hand sanitation facilities must be widely available. HSE Guidelines must be adhered to at all times.
- Arrangements for collection of auction lots must be by appointment only and where social distancing can be observed.
- Property employers must develop a business COVID-19 Response Plan.

The strict application of this comprehensive guidance by property services providers and valuers will facilitate a safe reopening of the property sector. Licensees are therefore strongly advised to review the contents of this Protocol and adhere to the provisions relevant to their particular business.

The protocol document is available to download from our website at www.psr.ie.

Conducting Compliance Audits Remotely

Compliance Audits are currently suspended as Inspectors are unable to attend places of business. The Authority is however developing a process to conduct compliance audits remotely in order to continue its legislative function.

Licensees selected for audit will be required to submit a number of documents electronically for inspection. To facilitate this process and to ensure documents are uploaded in a safe and secure manner the PSRA will manage this process by operating the Sharefile system.

Detailed instructions on how to operate the Sharefile system, along with supplementary documents which will assist in the preparation for an Audit, will be forwarded electronically to the Licensee on whom an audit is to be conducted by the Inspector. It is hoped that the remote audit process will begin in late summer 2020. Further information on how this process will operate will be made known in advance to licensees selected for audit.

High Court Grants PSRA first Injunction

On Monday, 9 December 2019, the President of the High Court, Mr Justice Peter Kelly granted to the PSRA an injunction preventing Ms. Catherine (otherwise Kathy) Walsh, C E Walsh Limited, trading as Letting & Property Management Solutions and / or Letting & Management Solutions, Castle Hill Centre, Castle Hill, Carlow, Co. Carlow from providing property services without the appropriate licence. The injunction also prevents Ms Walsh from holding herself out as being available to provide property services or from advertising property services in any way.

Ms Walsh consented in court to the injunction. The injunction was sought following an investigation by the PSRA into Ms Walsh providing property services without a licence, which is an offence under Section 28 of the Property Services (Regulation) Act 2011 (the Act). The PSRA has powers under Section 89(7) of the Act to seek a High Court injunction requiring a person trading illegally without a licence to cease trading immediately. Anyone who has concerns about a property services provider operating without a licence should contact the PSRA at info@psr.ie.

Successful Unlicensed Prosecution by the PSRA



On Tuesday 18 February 2020, Mr Patrick Strapp, Strapp Auctioneers and / or Pat Strapp, Auctioneer & Financial Service, New Hill, Two Mile Borris, Thurles, Co. Tipperary was convicted at Thurles District Court of five breaches of Section 28 of the Property Services (Regulation) Act 2011, following a prosecution by the Property Services Regulatory Authority for unlicensed trading during 2017 and 2018.

Mr Strapp did not appear in court, however Judge Elizabeth McGrath heard the case and convicted Mr Strapp on all five counts. Judge McGrath adjourned the matter in respect of costs to Wednesday, 18th March, 2020. This matter was further adjourned to Tuesday, 28th July, 2020, due to the Covid-19 pandemic.

2020 PSRA CPD

Current face to face delivery of PSRA CPD has been cancelled. CPD courses are scheduled to take place in the Autumn. This is however subject to change. The PSRA is reviewing processes concerning providing online, additional hours of CPD. Any such change would require legislation changes.

At present, Licensees can undertake 2 hours of their PSRA CPD requirement online. You should contact either provider (IPAV or SCSI) for details of how to access the online platform.

In the meantime, it is worth remembering the following points in relation to PSRA CPD:

- PSRA CPD must be completed in each calendar year, regardless of when your licence is due to be renewed.
- When booking and registering for PSRA CPD please ensure that you use your full and correct PSRA licence number as it appears on your licence card. The use of incomplete or incorrect licence numbers will result in your attendance at CPD not being recorded. Non-completion of PSRA CPD is improper conduct under the Act and may result in a sanction being imposed.
- Only PSRA accredited CPD is recognised by the Authority. IPAV and SCSI are the two providers of PSRA CPD. You are not required to be a member of either body in order to attend PSRA CPD provided by either entity.

The Continuous Professional Development section of our website, www.psr.ie, will be updated as further information becomes available.