



PSRA NEWS

June 2021

IN THIS ISSUE:

- Appointment of New Chairperson and Board Members to PSRA Board
- Cessation of EFT Payment Option
- Six Week Licence Renewal Deadline
- Collection of Personal Data Prior to Viewing a Property
- Notice to Property Services Providers Regarding the Charging of Fees
- AML – Identification and Verification of Beneficial Owners
- Working group to examine defects in housing – Online Consultation
- Submission of Documentation
- Auctioneering and Property Services Apprenticeship
- PSRA CPD 2021

PSRA CONTACT DETAILS:

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

Email: info@psr.ie
Web: www.psr.ie

Phone Hours:
PH: 046-9033800
Lo-Call: 1890-252712
10 am — 12:30 pm

Appointment of Chairperson and Board Members to PSRA Board

The Property Services Regulatory Authority (PSRA) is pleased to announce the appointment by the Minister for Justice, Helen McEntee of Mr Michael Quinlan as Chairperson to the Board of the PSRA.

Michael joins the Board with extensive experience, having previously served as Chairman of the Law Society Regulation of Practice Committee, President of the Law Society of Ireland and President of the Dublin Solicitors Bar Association.

Also newly appointed to the Board of the PSRA are Ms Geraldine Hynes, Ms. Áine Myler and Mr. Seamus Clifford.

Speaking on his appointment as Chairperson of the PSRA, Mr Quinlan outlined “I recognise the important role that the PSRA plays in regulating and supporting property service professionals. The sector has developed significantly since its establishment and the consequent introduction of regulation, licensing and standards. The Authority has made significant progress in protecting the interests of service providers and consumers. I look forward to working with the Board and staff of the Authority over the coming years”.

PSRA CEO, Maeve Hogan stated “I am delighted at the appointment of Michael as Chairperson of the Board of the PSRA and welcome him along with newly appointed Board members Ms Geraldine Hynes, Ms Áine Myler and Mr Seamus Clifford. We wish them every success in their appointments to the Board of the Authority and look forward to working with them over the coming years”.

Further information on all PSRA Board members can be found [here](#).

Cessation of EFT Payment Option

Further to the notification issued earlier this year by the Property Services Regulatory Authority (PSRA) regarding the cessation of the EFT payment option on www.licences.ie, we wish to remind you that this payment option is no longer available.

Licence and compensation fund fees may only be paid by debit or credit card. No other payment method will be accepted.

The onus is on Licensees to ensure they have the necessary capability in place to make a payment by debit or credit card. A licence application cannot be submitted without payment.

This notification should be brought to the attention of all those responsible for paying for licence and compensation fund fees to the PSRA.

Six Week Deadline

Licensees are reminded that renewal applications must be submitted through www.licences.ie six weeks before the expiry date of your licence.

This deadline date is contained in the renewal invitation issued by the Authority.

Failure to submit your renewal application by this date will result in the expiration of your licence on its expiry date.

Collection of Personal Data Prior to Viewing a Property

Following recent media coverage concerning property services providers (PSPs) requesting personal and financial information from potential purchasers prior to viewing of properties, the Data Protection Commission (DPC) has issued a guidance document called "Guidance on the Collection of Personal Data Prior to Viewing a Property" for data controllers (PSPs).

The document is available at:

https://www.dataprotection.ie/sites/default/files/uploads/2021-06/Guidance%20Collection%20of%20personal%20data%20prior%20to%20viewing%20a%20property_0.pdf

Any queries relating to this guidance should be directed to the offices of the DPC at www.dataprotection.ie.

Notice to Property Services Providers Regarding the Charging of Fees

Recently, the PSRA has received a number of complaints and requests for clarification from the sector regarding charging of administration fees to persons other than the client e.g. tenants or purchasers.

Section 8(2) of the Minimum Standards Regulations 2020, addresses this matter and provides that a licensee shall not charge any fee in respect of the sale or letting of property or incomplete sale or letting of property, including lease preparations, tenancy extension or tenancy renewal to any person other than the licensee's client.

Section 90 of the Property Services (Regulation) Act 2011 provides that a licensee cannot charge a tenant or purchaser any fee in relation to the

licensee's fees or expenses in relation to the property service concerned.

It is not permissible for licensees to charge buyers or tenants, potential buyers or tenants, or any form of bidder, an administration fee or any fee. Fees owing to licensees are payable by their client.

Where licensees are charging fees other than to their client in relation to the provision of a property service, this practice should cease **immediately**. Where the PSRA receives complaints of this nature, a complaint investigation will be commenced. If you have any queries in relation to this matter, contact the PSRA at info@psr.ie

■ AML – Identification and Verification of Beneficial Owners

Section 35 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010, as amended, requires a Property Services Provider to check the relevant Beneficial Ownership register before engaging with a client who is a Company, Society, Credit Union, Unit Trust or Collective Asset-Management Vehicle. Following the recent amendment to the Act, this is now mandatory.

Beneficial Ownership information for companies and industrial and provident societies can be found on the Central Register of Beneficial Owners - <https://www.rbo.gov.ie/>

Beneficial Ownership information for Credit Unions, Unit Trusts and Irish Collective Asset-Management Vehicles (ICAVs), can be requested from the Beneficial Ownership Register for Certain Financial Vehicles - <https://www.centralbank.ie/regulation/anti-money-laundering-and-counteracting-the-financing-of-terrorism/beneficial-ownership-register>

■ Working group to examine defects in housing – Online Consultation

The Programme for Government sets out a number of commitments in respect of the important policy area of building defects and provides for an examination of defects in housing, having regard to the recommendations of the Joint Oireachtas Committee on Housing report, "Safe as Houses". In this regard, the Department of Housing Local Government and Heritage has established a working group to examine defects in housing.

Later this year the working group will run a number of online consultations to engage with a

range of interested parties, including property management agents, homeowners and other stakeholders.

The Department of Housing, Local Government and Heritage have advised that the participation of those licensed to provide Property Management Services in the consultation process is encouraged and will be of great benefit to the deliberations of the working group. Further information will be provided by the Department of Housing, Local Government and Heritage in the coming months.

■ Submission of Documentation

The Authority would like to advise that functions undertaken by the staff of the Authority are independent of each other.

As such, for example, any documentation provided as part of a compliance inspection is not forwarded to the licensing team for submission as part of a licence application.

Should documentation be requested by a member of the Authority a response should be provided to the requesting officer.

■ Auctioneering and Property Services Apprenticeship

The Auctioneering and Property Services Apprenticeship recently launched a promotion campaign to raise awareness of the apprenticeship programme and the benefits for employers. The apprenticeship programme, which began in September 2018 provides a new pathway to a career as a property services provider. Apprentices are mentored through a two-year, work-based learning programme, which consists of four days a week with a registered employer and study one day a week in the academic year with a local college on a two-year fixed term employment contract.

The programme is coordinated by City of Dublin Education and Training Board and delivered through Ballsbridge College, Cork College of Commerce and Galway Roscommon ETB and is designed for new entrants and existing employees

who want to build a career in the sector, including school leavers, college students, new graduates, career changers and those already working in the industry.

Funding for the programme is provided by the state body, SOLAS, ensuring there is no registration fee for apprentices and employers. A new Government incentive until 30th June 2021 also offers €3,000 to take on an apprentice - €2,000 in the first year and €1,000 in the second.

Since the programme's inception, 231 apprentices from 17 counties in Ireland are currently in training or have graduated from the programme.

More details about the apprenticeship programme are available at

www.auctioneeringapprenticeship.ie

■ PSRA CPD 2021

PSRA CPD for 2021 is now available for completion online. This year the content is being provided via webinars and on demand modules, allowing you to complete your 5 hours of PSRA CPD at a time that is convenient for you.

To avoid issues relating to verifying your completion of PSRA CPD, please ensure that when registering, you submit your PSRA licence number exactly as it appears on your PSRA licence card and also that you are undertaking PSRA accredited CPD.

More details about 2021 PSRA CPD are available on the [Continuous Professional Development page](#) of our website.

The deadline for completion of 2021 PSRA CPD is 31st December, regardless of the expiry date of your licence.

Non completion of your PSRA CPD requirement for 2021, may result in a sanction against you.