

**COMHAIRLE CONTAE FHINE GALL**  
**RECORD OF EXECUTIVE BUSINESS AND MANAGERS ORDERS**

**FINGAL COUNTY COUNCIL DIFFERENTIAL**

**RENT SCHEME 2011**

(1) Circular Letter HRT 3/2002 from the Department of the Environment confirmed the responsibility on individual housing authorities for making and amending rent schemes in respect of local authority dwellings. It is now proposed to amend the current rent scheme with effect from 1<sup>st</sup> January 2011. I recommend that the following revised rent scheme be implemented in the Council's administrative area with effect from 1<sup>st</sup> January 2011.

(2) Commencement Date

This Scheme will apply with effect from 1<sup>st</sup> January 2011.

(3) Calculation of Rent

The rent of dwellings let on Differential Rent will in all cases be calculated on the basis of current income.

The rent attributable to the Principal Earner will be calculated at 11% of Income.

After the rent payable in respect of the principal earner has been assessed, the following will apply to Subsidiary Earners:

- (a) For incomes up to and including €200 per week, rent will be calculated at one sixth of the income of each subsidiary earner who exceeds €26 per week to a maximum of €15 per week per subsidiary earner.
- (b) For incomes in excess of €200 per week, rent will be calculated at 10% of income of each subsidiary earner to a maximum of €35 per week per subsidiary earner.

In determining rent in the case of a new or transferred tenancy, assessable income will be reckoned by reference to the income situation of the family at the date of letting.

(4) Principal Earner

The Principal Earner is the person who is in receipt of the highest assessable income.

(5) Subsidiary Earner

A subsidiary earner is a member of the household, other than the principal earner, who has an income or who is entitled to an income.

(6) Assessable Income of an Employed Person

The assessable income of an employed person is the gross pay less tax, PRSI and income levy. Overtime payments, shift allowances, bonuses, commission, Family Income Supplement etc. are included in the calculation of rent.

In the case of self-employed persons a Notice of Assessment is required. If satisfactory documentary evidence is not received or persons become Self-Employed, assessment will be on the following assumed net incomes:

| OCCUPATION:   | ASSUMED NET INCOME: |
|---|---------------------|
| Newsvendors, Ice Cream Vendors,<br>Coal Vendors, Vegetable Roundsmen,<br>Hairdressers, Musicians, Fishermen<br>Window Cleaners, Car Park Attendants,<br>Scrap Collectors, Chimney Sweeps,<br>Unskilled Workers and Couriers ----- | €470                |
| Tradesmen -----   | €550                |
| Taxi Drivers: - Licence Plate Owners -----  | €580                |
| Hackney Drivers and Cosey Drivers -----   | €470                |
| Other Businesses -----  | €470                |

(7) Assessable Income of Principal Earner

The assessable income of the principal earner is his/her gross income reduced by pay-related social insurance contributions (where payable), income levy and any income tax payable on such income.

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

- (a) Income from employment, including self-employment and social welfare income.
- (b) Employment pensions
- (c) All Social Welfare payments including Family Income Supplement, Carer Allowance/Benefit and Back to Education allowances. Health Service Executive allowances, FAS training allowances, VTOS and Youthreach.
- (d) Income from investments
- (e) Income from pensions from other countries
- (f) Maintenance payments from another person
- (g) Income from any other sources not included above

(9) Income from the following sources is disregarded:

- (a) Child benefit, orphans allowances or orphans pensions.
- (b) Scholarships, Higher Education Grants.
- (c) Allowances payable for fostering children.
- (d) Allowances for domiciliary care of a child suffering from a severe disability.
- (e) Assistance received from any charitable organisation.
- (f) Fuel Allowance
- (g) Living Alone Allowance.
- (h) Extra Allowance for people aged 80

(10) Community Employment Programme

Where a tenant's income is increased as a result of participation in Community Employment Programme(s) the rent of the tenant shall not be increased solely as a result of such participation for a cumulative period of 3 years.

(11) Back to Work Allowance

The rent of any tenant who is certified by the Department of Social and Family Protection as participating in a Back to Work Allowance Scheme shall not be increased solely as a result of such participation for a period of twelve months from the date of certification, as long as the combined gross income from the Back to Work Scheme and employment/self employment does not exceed €500 per week.

(12) Minimum Rent

A minimum rent of €16.50 will apply in respect of all rented dwellings.

(13) Fixed Rents

In the case of fixed rent, no increase will apply. Tenants may opt to pay rent on an income-related basis in accordance with the provisions of this Scheme.

(14) Household Budget

It is policy for all new lettings that, where appropriate, the Tenant(s) must sign a Household Budget deduction form.

(15) Changes in Income or Family Circumstances

The 2011 weekly debit will be assessed on the 2010 household income. In 2012 the 2011 household income will be re-assessed based on 2011 actual income thus possibly generating either a credit or debit. If the household income changes within 2011 contact can be made with Rent Arrears Section in order to enter an acceptable payment arrangement, pending a full assessment in 2012, in accordance with the tenants revised circumstances.

It should be noted that where the Council specifically requests the return of particular income details, it reserves the right in the event of a failure on the part of a tenant to supply that information, to assume an income for the purposes of assessment.

(16) Penalties

An additional non-refundable €10.00 per week may be added to accounts where fully completed Rent Assessment Forms are not received by 4th March 2011. A non-refundable penalty of €100.00 may be debited to any account where a completed Rent Assessment Form is not received by 31<sup>st</sup> March 2011.

(17) Hardship

Where payment of a rent calculated in accordance with this Scheme would give rise to hardship, the Manager may agree to accept a lesser sum from a tenant for a specified period.

I recommend that the foregoing rent scheme be approved with effect from 1st January 2011.

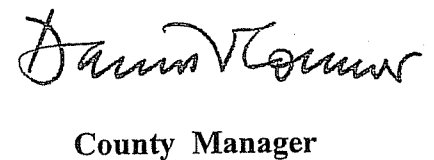
16/12/10  
Date

  
Director of Services

Order: The Annual Differential Rent Scheme in respect of the year 2011 to be implemented with effect from 1st January, 2011 in the Council's administrative area is hereby approved.

| Submission:  | Date:              |          |
|--------------|--------------------|----------|
| Prepared:    |                    |          |
| Checked:     |                    |          |
| Recommended: | M. Horgan 13/12/10 | 13/12/10 |
| Submitted:   | G. Felton          | 13.12.10 |

17<sup>th</sup>/Dec/10  
Date

  
County Manager