



An tÚdarás Rialála Seirbhísí Maoine
Property Services Regulatory Authority



Strategic Plan 2020 – 2023





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An aerial photograph of a coastal town, likely in Ireland, featuring a row of colorful houses (red, yellow, green, blue) along the waterfront. In the background, a large, rounded hill or mountain is visible under a clear sky. The foreground shows a rocky shoreline and the sea.

The Authority's mission through regulation is to licence, supervise and regulate Property Services Providers (Auctioneers, Estate Agents, Letting Agents and Management Agents) and to protect the interests of the public in their interaction with Property Services Providers by ensuring that high standards are maintained and delivered.

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Foreword by the Chairperson

It is my pleasure to introduce the third Strategic Plan of the Property Services Regulatory Authority. This Strategic Plan covers the period 2020 to 2023 and maps out the key goals on which the Authority will focus over that period. These key goals identified are in addition to the day-to-day operation of the Authority and the outcome of the planned review of staffing levels and requirements necessary to deliver the Authority's mandate and strategic objectives will be instrumental in ensuring the effective delivery of this ambitious Plan.

The Authority in drafting this Plan, consulted with a wide range of stakeholders, ensuring that the goals developed were inclusive of their views and experiences. The Authority is committed to continuing to work with stakeholders during the course of this Plan.

I am confident that, with the appropriate resources, the Authority and its staff have the vision, enthusiasm and commitment to deliver the goals of the Strategic Plan which will enhance regulation of Property Services Providers and promote public confidence in the providers of property services.

I, along with the other members of the Authority, am committed to the delivery and implementation of this Plan.

A handwritten signature in black ink, appearing to read 'G. Clarke'. The signature is fluid and cursive.

Geraldine Clarke
Chairperson



Introduction by the Chief Executive

I am very pleased to submit the Property Services Regulatory Authority's Strategic Plan to the Minister for Justice and Equality in accordance with Section 17 of the Property Services (Regulation) Act 2011.

The Authority has successfully completed the transition from its establishment phase to having robust Licensing and Investigation systems in place. This organisational consolidation allows the Authority to now focus on key strategic areas as outlined in this Strategic Plan. Much is required in terms of resources to develop and implement the goals outlined in this Plan and ensure the Authority will continue to effectively regulate the property services sector.

This Strategic Plan provides a clear path for the Authority to continue to enhance a professional service to licensees, promote further transparency in the property services sector and build on the systems that are in place in striving to protect consumers and the public. It will form the basis of the Authority's business planning, performance management and development over the lifetime of the Plan which includes commitments to:

Goal 1	Goal 2	Goal 3	Goal 4	Goal 5
Develop an enhanced register and effective system of regulation to support professional practice	Continuously enhance the Authority's processes and arrangements to deliver targeted inspections on a cost effective basis	Promote professional standards, address unlicensed activity and operate an effective complaints management process	Promote engagement, awareness and continuous professional development to the benefit of all stakeholders	Resource and manage the Authority to optimise organisational efficiency and effectiveness

These goals are aligned with the Department of Justice and Equality's Strategy Statement and particularly the key principles as articulated under the goal of maintaining a safe and secure Ireland.

A core central component to the success of this Plan is the availability of both financial and human resources. Staff of the Authority continually prove their commitment to delivering the best possible service to the property sector despite increasing demands. I am confident that given the necessary resources, their continued commitment will ensure an effective regulatory system. Also crucial to its success will be the ongoing collaboration with stakeholders which the Authority will continue to foster and develop.

I look forward to working with all my colleagues and stakeholders in the period ahead.



Maeve Hogan
Chief Executive



The Role of the Authority

The Property Services Regulatory Authority (“the Authority”) was established on 3 April 2012 under the Property Services (Regulation) Act 2011. The principal statutory functions of the Authority are set out in the Act and include:

To operate a comprehensive licensing system covering all Property Services Providers;

To specify and enforce: -

- standards for the granting of licences to Property Services Providers (e.g. educational/training standards; levels of professional indemnity insurance), and;
- standards to be observed in the provision of property services by Property Services Providers (e.g. technical standards; appropriate ethical standards);

To administer a system of investigation and adjudication of complaints against Property Services Providers;

To promote increased consumer protection and public awareness of property services in general;

To maintain and administer a Compensation Fund;

To develop a Code of Practice for Property Services Providers;

To maintain a Public Register of Property Sales Prices;

To maintain a Commercial Leases Database;

To maintain a Public Register of Licensed Property Services Providers;

To Act as State Competent Authority for Property Services Providers for the purposes of Part 4 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010.

Operating Environment & Consultations

Operating Environment

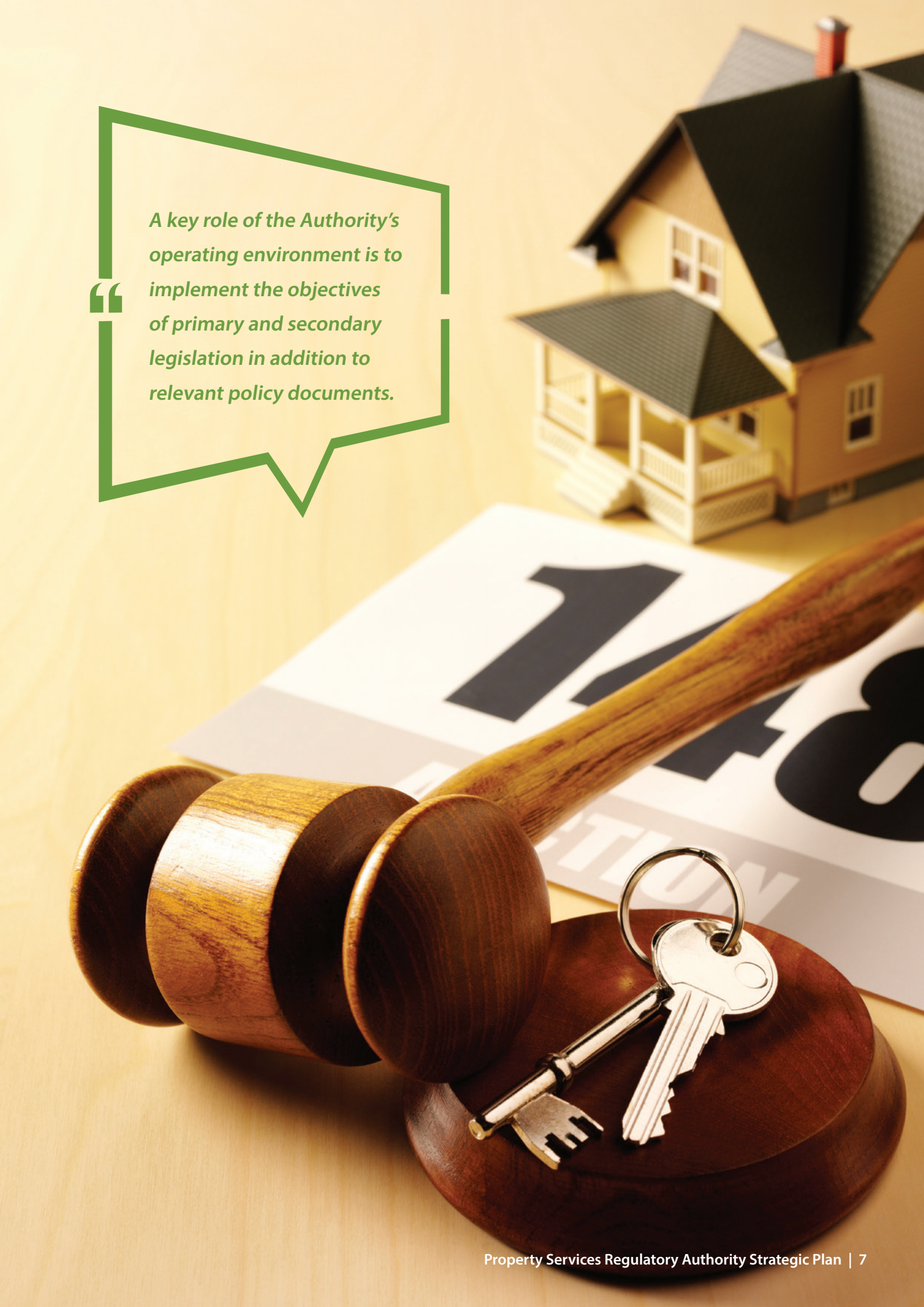
A key role of the Authority's operating environment is to implement the objectives of primary and secondary legislation in addition to relevant policy documents. This ensures that those licensed to provide property services meet the highest standards in service provision and that consumers are fully protected.

To further enhance standards, the Authority is drafting a formal Code of Practice which will give clarity to the sector in ensuring professional standards are met. The Code will also provide transparency to members of the public and stakeholders as to what can be expected in the provision of property services by professional and ethical providers.

The Authority has submitted proposed legislative amendments to its primary legislation, which will enhance the operation of the legislation.

An aspect of property service provision in Ireland that has come very much to the fore for the Authority in recent times is that of the provision of property services by providers from EU Member



A photograph of a wooden gavel and keys on a document with a house model in the background. The gavel is positioned diagonally across the frame, with its head resting on a circular wooden base. Two keys are attached to the gavel's head. The document beneath the gavel has large, bold letters, including '1' and '8'. In the background, a small model of a house with a porch is visible. The entire scene is set on a light-colored wooden surface.

A key role of the Authority's operating environment is to implement the objectives of primary and secondary legislation in addition to relevant policy documents.

States. The Authority and the Department of Justice and Equality have a responsibility to ensure the legislation of the Authority is in full compliance with EU legislation. Engagement between the European Commission and the Department is ongoing to ensure that provisions of the Act are compliant with EU legislation allowing for the provision of property services in Ireland by Property Services Providers established in other EU Member States. It is anticipated that amendments to primary legislation will be necessary in order to implement these changes. As a result of discussions with the European Commission, the Authority is also reviewing current licensing processes with a view to introducing a new registration process for licensees. This review is expected to result in further changes to primary and secondary legislation which will impact on all licensees.



In developing this Strategy, the Authority recognised the importance of taking on board the views of a wide range of stakeholders in determining the Authority's future priorities.

In addition to the expected legislative changes, the Authority is monitoring the outcome of Brexit trade negotiations to assess any impact it may have on the provision of property service within Ireland and on our legislation.

The Authority will also continue to monitor its capacity for business continuity, brought into particular focus by the Covid-19 pandemic. The impact of this unprecedented situation on the operations of the Authority has resulted in changes in work practices as well as the introduction of new regulations. The Authority will continue to be impacted until normal

business can resume but will endeavour to address any challenges encountered as effectively as possible having regard to available resources and capacity of the organisation.

Consultations

In developing this Strategy, the Authority recognised the importance of taking on board the views of a wide range of stakeholders in determining the Authority's future priorities. Consultations were held with both internal and external stakeholders, through staff workshops, Board workshops, interpersonal interviews with senior managers, external stakeholder interviews including an interview with representatives of the Department of Justice and Equality and a workshop with the Authority's Forum. This consultation process ensures that the strategic objectives outlined in this Plan reflect the views, perspectives and inputs of the Department and all key stakeholders.

Equality & Human Rights

Consistent with our commitment to the promotion of equality and human rights in all aspects of our work, the Authority has established a process to review and assess current arrangements in this important area. This analysis will assist in identifying gaps and ascertain how further enhancements may be made across actions, activities, policies, programmes and initiatives.

The results of the review and assessment will inform the development of a human rights and equality action plan. This action plan will address identified gaps and priorities for implementation.

Resources

The Authority is allocated an annual budget from the Department of Justice and Equality and recognises the importance of prudent management of its administrative budget. Expenditure and commitments are therefore carefully monitored by the Authority, ensuring the optimisation of value-for-money.

As the Authority moves from its establishment phase, targeted and more complex investigations (with the potential for further prosecutions) will become a hallmark of our role as a Statutory Regulator. Though resource intensive, such activity is critical in protecting the interests of the public and all stakeholders. Allied to this is our continued focus on the promotion of



compliance and our work with the sector to improve standards and practice, while maintaining a zero-tolerance approach to unlicensed trading and similar matters.

In addition to enabling the delivery of its statutory functions, PSRA resources are planned and deployed to deliver on its annual work programme. Resources are also deployed to meet governance requirements, financial reporting and to support the operation of an effective organisation, together with its facilities and systems.

Recruitment challenges have impacted upon the Authority's ability to reach its minimum staffing level and the organisation currently operates with a total headcount of just 30.8 full time equivalents. In addition, the operational demands and statutory functions of the Authority have greatly expanded since its establishment. This, together with the pursuit of the ambitious Strategic Plan as outlined herein means that a review of the Authority's staffing levels and requirements is warranted. In order for the Authority to fully implement this Strategic Plan, a review of resource requirements, both financial and staffing, has become necessary if the Authority is to meet the demands of the legislation and continue to drive professionalism within the sector.

Legislation

The work of the Authority is key to promote professionalism and integrity within the Property Sector and this is underpinned in primary and secondary legislation. The primary legislation, Property Services (Regulation) Act 2011, provides for the licensing and regulation of Property Services Providers in Ireland. This Act provides the foundations for standards in provision of property services and is augmented by secondary legislation in the form of Statutory Instruments which provide clarity regarding the regulation of Property Services Providers within Ireland.

The Authority is continually seeking ways in which the regulatory landscape can be further enriched for the benefit of the sector, its stakeholders and the public. To this end, we hope to introduce amendments to primary and secondary legislation with Ministerial approval during the course of this Strategic Plan, subject to availability of resources. The Authority will also endeavour to be responsive to any new legislation or policy changes during the course of this Plan.

Review

The Authority commits to keeping this plan under regular review and will assess the impact of any changes to its operating environment on the achievement of the goals and objectives identified. The Authority will report to the Board on the progress of each of the goals identified and these goals will form the basis of the annual Business Plan agreed with the Board as well as the Performance Delivery Agreement agreed with the Department of Justice and Equality.



Key Achievements of the Authority

Significant achievements of the Authority to date include:

Implementation of **online end to end licensing application** system for all licence application types



1517



compliance audit investigations concluded under the Property Services (Regulation) Act 2011



Elimination of complaint arrears



Implementation of a programme of **Continuous Professional Development** regionally for all licensees

Inaugural Property Services Regulatory Authority conference held in 2019





**Compensation
Fund insured**

**Successful
prosecutions
undertaken for
unlicensed
trading**

1168

compliance audit investigations
concluded under the **Criminal
Justice (Money Laundering and
Terrorist Financing) Act 2010**



**Two
High Court
injunctions
undertaken**

**Major
Sanctions
confirmed by
the High
Court**



**Revamped
publication
of the Register
of Licensed Property
Services Providers**



**First ever survey
of the Authority's
licensees
undertaken**



**Publication
of the
report**

**Substantial increase
in Commercial Lease
Compliance rate**



**'The Impact of Regulation
on the Property Services
Sector in Ireland'**

**Increase in public awareness of the
Authority through attendance at
Public Events and media campaigns**





Mission and Values

Mission

The Authority's mission through regulation is to licence, supervise and regulate Property Services Providers (Auctioneers, Estate Agents, Letting Agents and Management Agents) and to protect the interests of the public in their interaction with Property Services Providers by ensuring that high standards are maintained and delivered.



Goals & Objectives

The Authority has adopted the following key goals and objectives:

Goal 1: Develop an Enhanced Register and Effective System of Regulation to Support Professional Practice	
Objectives:	KPIs/Deliverables:
1. Introduce a single on-line Register of Property Services Providers (PSPs) which is accessible and offers relevant search functionality ¹	<ul style="list-style-type: none"> ● Automation of Register ● Publication of enhanced interactive Register
2. Stipulate revised sector minimum professional indemnity requirements and engage with insurance bodies/industry to promote the development of related offerings for PSPs	<ul style="list-style-type: none"> ● Minimum PII sector requirements reviewed and defined ● Insurance industry engaged in developing sector related PII policies for PSPs
3. Ensure successful transition from annual licensing, to initial licensing and registration followed by 3 year employee registration renewal ² to include review of relevant fee structure and application requirements	<ul style="list-style-type: none"> ● Implementation of revised licensing, registration and renewal arrangements ● Related Registration SI in place ● Review of fee structure and application requirements completed
4. Review online licence application system to align with proposed changes to the licensing process and ensure maximum effectiveness in the delivery of online services to licensees	<ul style="list-style-type: none"> ● Current online licence application system reviewed ● Requirements identified and appropriately addressed ● IT requirements continually assessed and addressed
5. Complete review of qualification requirements for sector specific practice ⁵	<ul style="list-style-type: none"> ● Determine requirements & transition to sector specific qualifications ● Promote sector specific qualification requirements
6. Agree processes for relevant/established operators to practice in the State and determine position on requirements for UK operators post-Brexit	<ul style="list-style-type: none"> ● Agree practice requirements and necessary processes implemented ● Determine post-Brexit position ● Promote and publish details of requirements

¹ By e.g. name, company or trading name, number, location, business address, etc.

² Subject to legal advice/confirmation and any differences for employers and employees

³ Ensuring that learning is targeted to specific areas of practice

Goal 2: Continuously Enhance the Authority's Processes and Arrangements to Deliver Targeted Inspections on a Cost Effective Basis

Objectives:	KPIs/Deliverables:
1. Review and develop audit inspection processes by undertaking an independent objective evaluation	<ul style="list-style-type: none"> ● Review completed ● Enhancements identified ● Recommendations considered for implementation
2. Complete cost-benefit analysis to determine total value-for-money associated with insourced -v- outsourced audit inspections	<ul style="list-style-type: none"> ● Cost-benefit analysis undertaken ● Incorporation of value-for-money recommendations considered
3. Adopt a risk based approach to the selection of licensees for audit inspection and determine themes for priority and focus	<ul style="list-style-type: none"> ● Agree criteria and themes for targeting of inspections ● Ensure targeted inspections are undertaken



Goal 3: Promote Professional Standards, Address Unlicensed Activity and Operate an Effective Complaints Management Process

Objectives:	KPIs/Deliverables:
<p>1. Encourage early identification of unlicensed activity through: (i) sector awareness/engagement, (ii) internal sharing of intelligence and (iii) public awareness</p>	<ul style="list-style-type: none"> • Agree engagement strategy • Development of channels for reporting unlicensed activity • Launch of media and awareness campaigns
<p>2. Implementation of policy of zero tolerance for unlicensed operators in the sector</p>	<ul style="list-style-type: none"> • Robust processes and procedures in place • Court prosecutions undertaken • Court injunctions undertaken
<p>3. Streamline the complaints process and support complainants by: (i) highlighting what the Authority can investigate and (ii) explore development of an on-line (step-by-step) complaints form</p>	<ul style="list-style-type: none"> • Guidelines on the Authority's complaint powers developed/promoted • Streamline complaints process • On-line complaints form developed
<p>4. Agree and promote awareness of: (i) stages and (ii) target timelines for acknowledging, processing and adjudicating on complaints received</p>	<ul style="list-style-type: none"> • Complaints process and target timelines agreed • Performance against targets monitored
<p>5. Develop relevant investigation training to address additional standards for investigation and application of same (i.e. following publication of SI Minimum Standards)</p>	<ul style="list-style-type: none"> • Relevant training identified and undertaken • Processing of complaints to new minimum standards operational



Goal 4: Promote Engagement, Awareness and Continuous Professional Development to the Benefit of all Stakeholders

Objectives:	KPIs/Deliverables:
1. Develop and implement customised engagement strategy to reflect stakeholders' needs, enhance communications ⁴ and optimise accessibility of key messages ⁵	<ul style="list-style-type: none"> 📍 Engagement strategy agreed and implemented 📍 Communication content and channels developed
2. Establish expert committee to review practitioner CPD arrangements with a view to enhancing: (i) relevance and (ii) value of learning	<ul style="list-style-type: none"> 📍 Committee established 📍 CPD reviewed and findings considered
3. Explore opportunities for enhanced methods of CPD delivery and potential for validation of learning	<ul style="list-style-type: none"> 📍 Develop/agree enhancement recommendations for CPD: (i) delivery and (ii) validation of learning
4. Undertake review of Registers (PPR & Commercial Leases) to increase search functionality and interactivity	<ul style="list-style-type: none"> 📍 Develop and implement associated recommendations
5. Develop and implement a Code of Practice addressing sector standards and legislative requirements	<ul style="list-style-type: none"> 📍 Statutory engagement undertaken 📍 Code of Practice in place and available publicly
6. Design, develop and deliver sector specific engagement strategy to address statutory and compliance requirements relevant to licence types	<ul style="list-style-type: none"> 📍 Sector specific engagement strategy designed and developed 📍 Delivery of engagement strategy
7. Subject to sanction, design and develop procedures and relevant Authority logo formats for issuing to sector	<ul style="list-style-type: none"> 📍 Procedures for issuing and governance of logo to sector developed and published 📍 Authority logo issued to sector on request

⁴ Newsletter, website content and navigation, etc.

⁵ Plain English, conventional (non-legalistic) language, etc.

Goal 5: Resource and Manage the Authority to Optimise Organisational Efficiency and Effectiveness

Objectives:	KPIs/Deliverables:
1. Continue to monitor the implementation and delivery of PSRA strategic objectives.	<ul style="list-style-type: none"> • Board to review progress of Strategic Plan at each meeting • Board to approve annual Business Plan of the Authority • PSRA to agree annual Performance Delivery Agreement (PDA) with the Department of Justice and Equality • Bi-annual meetings held with the Department of Justice and Equality to review goals and KPIs set out in the PDA
2. Complete external review of staffing levels and requirements necessary to deliver the Authority's mandate and strategic objectives	<ul style="list-style-type: none"> • Terms of reference developed and agreed • Review completed and recommendations explored with relevant stakeholders
3. Continuing ongoing transition from paper based processes through implementation of digital and on-line solutions as appropriate	<ul style="list-style-type: none"> • Complete process review • Implement digital/on-line solutions
4. Undertake analysis of internal organisational training needs to deliver efficiencies, interoperability across functions/areas and to support succession planning	<ul style="list-style-type: none"> • Training needs analysis undertaken • Training requirements identified and addressed • Efficiency, succession and internal organisational interoperability opportunities identified
5. Enhance collaboration and internal communication on matters which may impact the effectiveness and operation of the Authority	<ul style="list-style-type: none"> • Protocols and Standard Operating Procedures (SOPs) developed • Collaborative and internal communication arrangements operational





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Property Services Regulatory Authority

Property Services Regulatory Authority

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