

Common Issues which do not fall under the remit of the Property Services Regulatory Authority (PSRA):

<u>Subject Matter:</u>	<u>Type of Allegations/Issues:</u>	<u>Recourse:</u>
Complaint against an Owner Management Company (OMC)	- Complaint against OMC/ property service provider acting on their behalf on issues including service charges, AGM'S, Maintenance of Common areas etc.	OMCs are governed by the Multi-Unit Development Act 2011 (MUD) and are subject to company law. Any member of an OMC has recourse to the circuit court.
Complaint that an OMC is providing Property Services without a licence	- Complaint against OMC alleging they are carrying out property services in a multi-unit development without a licence.	An OMC is entitled to self-manage and are not obliged to appoint a management agent to manage the multi-unit development on the OMC's behalf. The OMC is the management body.
Complaint against Landlord	- Complaint by tenant against landlord/letting agent regarding tenancy agreement, inspections, rent increases, issues with neighbouring tenants etc.	The Residential Tenancies Board (RTB) - www.rtb.ie
Complaint against a licensed Property Services Provider regarding a property In Receivership	- Complaint by previous owner against estate agent regarding the sale of property in receivership.	Agent must act on instruction of their client (the receiver), contact bank/receiver and seek legal advice.
Complaint against a licensed Property Services Provider regarding a Valuation	- Complaint against agent regarding a valuation or the conduct of a property service provider while carrying out a valuation.	Valuation is not defined as a 'property service' within the Act. You may wish to seek legal advice or seek advice from a reputable firm.

<p>Complaint against a licensed Property Services Provider regarding the successful bidder.</p>	<ul style="list-style-type: none"> - Complaint against estate agent regarding a situation when you were not the successful bidder e.g. Gazumping/ Gazundering. 	<p>Agent is contracted by their client (the vendor) and must act on their instruction. Ultimately, it is the vendor's decision on the price to sell the property at and to whom.</p>
<p>Complaint against a licensed Property Services Provider regarding Issues Pre-Property Services (Regulation) Act 2011</p>	<ul style="list-style-type: none"> - Any complaint made against a licensee regarding matters pre 2012. 	<p>The Act is intended to be prospective, not retrospective and on that basis, the Authority is unable to investigate matters that occurred prior to the enactment. You may wish to seek legal advice on this matter.</p>
<p>Complaint against a licensed Property Services Provider regarding Property Management Services</p>	<ul style="list-style-type: none"> - Complaint made against an agent regarding the management of a property where the agent had not let the property to the tenant/sourced the tenant. 	<p>This is not considered as a 'property service' within the Act. You may wish to seek legal advice or contact your landlord.</p>
<p>Complaint against a licensed Property Services Provider regarding Data Protection matters</p>	<ul style="list-style-type: none"> - Complaint made against an agent regarding a data protection breach. 	<p>Data Protection Commission (DPC) – https://www.dataprotection.ie/</p>