



An tÚdarás Rialála Seirbhísí Maoine
Property Services Regulatory Authority

Annual Report 2021



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.

Values

PUBLIC INTEREST

The Authority is committed to carrying out its functions independently and in the public interest.

GOVERNANCE

The Authority is committed to compliance with high standards of governance and probity, and to conducting its business in an efficient and effective manner.

PROPORTIONALITY

The Authority regulates proportionately through targeting resources at areas of risk.

CONSULTATION

The Authority is committed to collaborating with its stakeholders in the ongoing development and delivery of its services.

COMMITMENT TO STAFF

The Authority is committed to supporting its staff in delivering on its strategic goals and in developing fulfilling careers within the organisation.



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Chairperson and Chief Executive Statement

We are pleased to present the 2021 annual report of the Property Services Regulatory Authority (the Authority). This report presents an overview of the activities and outputs of the Authority during the year.

The continuation of the Covid-19 pandemic during 2021 required the property services sector and the Authority to remain resilient in responding to challenges the pandemic posed and adaptive in the way that we conduct our work.

It was important to the Authority and the sector to plan for and enable a safe re-opening of the property sector. As the easing of Covid-19 restrictions by Government continued throughout 2021, the Authority in conjunction with the Institute of Professional Auctioneers and Valuers (IPAV) and the Society of Chartered Surveyors of Ireland (SCSI), revised and updated Covid-19 sector guidance documents. The sector engaged positively with this guidance which has led to the safe day to day delivery of services to clients and members of the public, whilst ensuring the safety for all involved.

The Authority remained committed to its mission of licensing and regulating Property Services Providers as well as advancing its strategic goals. One key strategic goal accomplished during the year was the adoption of a risk based approach to the selection of licensees for audit inspection. The organisation also completed a Workforce Planning review of staffing resources and requirements necessary to deliver the Authority's mandate and strategic objectives.

A significant highlight for the Authority in 2021 was the publication of our Code of Practice – 'Property Services Providers - Delivering a Professional Service'. The Code of Practice sets out six fundamental principles which govern the behaviour of Property Services Providers in their daily business interactions and ensure the delivery of a professional service to the highest standard.

We would like to extend a warm welcome to the new Board members who joined the Authority during 2021

and thank all Board members for their continued leadership, commitment and expertise throughout the year.

The positive engagement and ongoing contribution from staff of the Department of Justice, external Committee members, Property Services Providers and all our stakeholders is also highly valued and appreciated.

Finally, we would like to express our gratitude to the dedicated staff of the Authority for their diligence, enthusiasm and commitment. Their ability to effectively adapt to alternative working arrangements ensured the full range of functions of the Authority were delivered, resulting in strong outputs for the organisation and progress on key projects and strategic goals.



A handwritten signature in black ink, appearing to read 'Michael Quinlan', written over a light blue background.

Michael Quinlan
Chairperson



A handwritten signature in black ink, appearing to read 'Maeve Hogan', written over a light blue background.

Maeve Hogan
Chief Executive

Glossary

AML	Anti-Money Laundering
CPD	Continuous Professional Development
IM&T	Information Management and Technology
IPAV	Institute of Professional Auctioneers and Valuers
OMC	Owners Management Company
PII	Professional Indemnity Insurance
PSAB	Property Services Appeal Board
PSP	Property Services Provider
PSRA	Property Services Regulatory Authority
SCSI	Society of Chartered Surveyors Ireland

“The Authority’s mission through regulation is to licence, supervise and regulate Property Services Providers (Auctioneers, Estate Agents, Letting Agents and Management Agents). We work to protect the interests of the public by ensuring that high standards are maintained in the delivery of property services.”

2021 A Year in Review



Publication of
the Authority's new
Code of
Practice



Over **45,000**
Commercial
Lease Returns
Published



5,154
Licence Renewals
Processed



More than
1.64 million
visitors to the
Property Price
Register



550
New Licences
Issued



449
Anti-Money
Laundering audits
completed



243
Complaints
Concluded



500
Compliance Audit
Investigations
Completed

About Us



About Us

The Property Services Regulatory Authority (the Authority) was established on 3 April 2012 pursuant to the Property Services (Regulation) Act 2011 (the Act) and is the statutory body with responsibility for licensing and regulating the property services sector in Ireland.

The Act establishing the Authority provides for the licensing of a number of categories of Property Services Providers namely:

- o **Auctioneers**

- Persons engaged in the auction of property other than land (Licence Category A)

- o **Estate Agents**

- Persons engaged in the purchase or sale of land by whatever means (Licence Category B)

- o **Letting Agents**

- Persons engaged in the letting of land (Licence Category C)

- o **Management Agents**

- Persons engaged in the provision of property management services on behalf of Management Bodies (Licence Category D).

The Authority's Chief Executive is Ms. Maeve Hogan and its headquarters are based in Navan, Co Meath, with a second office in Bishop's Square, Dublin 2. At the end of 2021, in addition to the Chief Executive of the Authority, the Property Services Regulatory Authority (PSRA) had 35.5 staff members.

What We Do



What We Do

The Authority implements the objectives of the Act and works to ensure that those licensed to provide property services meet the highest standards in service provision and that consumers are fully protected.

The key functions of the Authority include:

- To supervise and regulate Property Services Providers (i.e. Auctioneers, Estate Agents, Letting Agents and Management Agents);
- 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 administer a system of investigation of standards in the provision of property services;
- To promote increased consumer protection and public awareness in the provision of property services;
- To maintain and administer a Compensation Fund;
- To develop a Code of Practice for Property Services Providers;
- To maintain a Public Register of Residential Property Sales Prices; a Commercial Leases Database; a Public Register of Licensed Property Services Providers;
- To act as the State Competent Authority for Money Laundering for the property services sector;
- To assist the Minister in the development of policy in regulating the sector;
- To undertake or commission research projects.

Board and Committees of the Authority



Board of the Authority

The Board of the Authority consists of a Chairperson and 10 members, all of whom are appointed by the Minister for Justice. The Board provides effective oversight of the delivery of the statutory functions of the Authority. In appointing members to the Authority under the Act, the Minister for Justice must have regard to the desirability of the members' knowledge or experience in consumer affairs, business, finance, management or administration or any other subject which would, in the Minister's opinion, be of assistance to the Authority in performing its functions under this Act.

The Minister must also, in so far as is practicable, ensure an appropriate balance between men and women in the composition of the Authority. The promotion of diversity and inclusion, including with regard to gender is a key consideration for the Minister in appointing members to the Board. Gender balance was a factor for consideration prior to the appointment of the new members.

The Minister appointed a Chairperson and three new members to the Board of the Authority on 24 March 2021 following cessation of terms of office of three members including the then Chairperson of the Board, in November 2020. The Minister's representative resigned from the Board during 2020. The new members appointed by the Minister to the Board included Chairperson Mr. Michael Quinlan, and ordinary Board members Ms. Geraldine Hynes, Ms. Áine Myler, and Mr. Seamus Clifford.

The Authority is independent in the exercise of its functions and was chaired by Mr. Michael Quinlan, Solicitor, following his appointment as Chairperson on 24 March 2021.

The Board comprises of members from within the property services sector, consumer interest representatives and an officer of the Minister.

The Board of the Authority met on seven occasions during 2021 for statutory Board meetings and a further 12 Board meetings were convened to consider Final Investigation Reports. The consideration of Final Investigation Reports meetings were attended by a quorum of the Board in each case. **Table 1** details the member's role, appointment information and the number of both statutory and Final Investigation Report meetings each member attended during the year. One statutory Board meeting was held prior to the appointment of the new members on 24 March 2021.

Table 1: Board Member Information

Board Member	Role	Term of Appointment	Board Meetings Attended (Statutory)	Board Meetings Attended (Final Investigation Report)
*Mr. Michael Quinlan	Chairperson	24/03/2021 – 23/03/2025	6	-
Ms. Emer Byrne	Member	15/04/2019 – 14/04/2023	6	7
*Ms. Geraldine Hynes	Member	24/03/2021 – 23/03/2025	6	1
Ms. Ella Dunphy	Member	15/04/2019 – 14/04/2023	7	7
Ms. Hilary Griffey	Member	28/11/2016 – 27/11/2024	6	5
Dr. Aideen Hayden	Member	28/11/2016 – 27/11/2024	7	5
Mr. Gordon Hughes	Member	15/04/2019 – 14/04/2023	7	7
*Mr. Seamus Clifford	Member	24/03/2021 – 23/03/2025	6	2
*Ms. Áine Myler	Member	24/03/2021 – 23/03/2025	6	2
**Ms. Orla Moran	Member	15/04/2019 – 14/04/2023	3	5
Dr. Muirís O'Ceidigh.	Member	28/11/2016 – 27/11/2024	5	10

*Denotes member appointed on 24 March 2021

** Denotes member on extended leave

Board Members



Mr. Michael Quinlan



Ms. Emer Byrne



Mr. Seamus Clifford



Ms. Ella Dunphy



Ms. Hilary Griffey



Dr. Aideen Hayden



Mr. Gordon Hughes



Ms. Geraldine Hynes



Ms. Orla Moran



Ms. Áine Myler



Dr. Muiris O'Ceidigh

Consideration of Final Investigations Reports

As outlined, 12 Board Meetings were convened throughout 2021 where members met to consider Final Investigation Reports in respect of five cases investigated. A quorum of the Board met in each case. Of the five Final Investigation Reports, three were concluded in 2021 and two were ongoing as at 31 December 2021.

Table 2 summarises the number of Final Investigation Report meetings held during 2021 and the outcome of the Board's consideration of each report at year end.

Table 2: Final Investigation Report Meetings

Final Investigation Report	Meetings held during 2021	Outcome of the Board's Consideration at year end
Final Investigation Report 1	3	Concluded - Major Sanction Imposed
Final Investigation Report 2	4	Concluded - Major Sanction Imposed
Final Investigation Report 3	2	Concluded - Major Sanction Imposed
Final Investigation Report 4	2	Ongoing
Final Investigation Report 5	1	Ongoing

Committees of the Authority

Audit and Risk Committee

The Audit and Risk Committee is comprised of two Authority members: Ms. Ella Dunphy (Chairperson) and Ms. Hilary Griffey along with two independent members: Mr. David Salter and Mr. Brian Wickham. Ms. Ella Dunphy was appointed to the Committee on 28 June 2021 and Mr. Brian Wickham was appointed to the Committee on 28 July 2021. They replaced Dr. Muiris O'Ceidigh and Ms. Therese Carolan who both reached the end of their term on 14 May 2021. There were four Audit and Risk Committee meetings in 2021. **Table 3** details the member's attendance at these meetings.

Table 3: Audit and Risk Committee - Meetings Attended

Committee Member	Type of Member	Meetings Attended
Dr. Muiris O'Ceidigh	Authority Member (Chairperson)	2
Ms. Ella Dunphy	Authority Member (Chairperson)	2
Ms. Hilary Griffey	Authority Member	3
Ms. Therese Carolan	Independent Member	2
Mr. Dave Salter	Independent Member	4
Mr. Brian Wickham	Independent Member	2

Compensation Fund Advisory Committee

The Compensation Fund Advisory Committee is comprised of three Authority members: Ms. Hilary Griffey, Dr. Aideen Hayden and Dr. Muiris O'Ceidigh. The Advisory Committee considers applications for grants on the Compensation Fund and makes recommendations to grant, part-grant or refuse to grant claims to the Board of the Authority.

In 2021, a total of 27 compensation claims came before the Compensation Fund Advisory Committee of the Authority for their consideration and

recommendation. There were two Compensation Fund Advisory Committee meetings in 2021. **Table 4** details the member's attendance at these meetings.

Table 4: Compensation Fund Advisory Committee - Meetings Attended

Committee Member	Meetings Attended
Ms. Hilary Griffey	2
Dr. Aideen Hayden,	2
Dr. Muiris O'Ceidigh	2

Strategic Plan



Strategic Plan

The Strategic Plan outlines the strategic objectives and direction of the PSRA. It identifies what the Authority expects to achieve for the period of the plan.

The Authority adopted the following key goals in its Strategic Plan 2020 - 2023:

**GOAL
1**

Develop an enhanced register and effective system of regulation to support professional practice

**GOAL
2**

Continuously enhance the Authority's processes and arrangements to deliver targeted inspections on a cost effective basis

**GOAL
3**

Promote professional standards, address unlicensed activity and operate an effective complaints management process

**GOAL
4**

Promote engagement, awareness and continuous professional development to the benefit of all stakeholders

**GOAL
5**

Resource and manage the Authority to optimise organisational efficiency and effectiveness

By year end 2021, a number of objectives identified as part of the Strategic Plan had been achieved and the Authority remains committed to meeting its strategic goals under the Plan.

Licensing



Licensing

The Property Services (Regulation) Act 2011 (the Act) provides that any person providing property services in Ireland must be licensed by the Authority and defines such services as:

- The Auction of Property other than Land (Licence Category A)
- The Purchase or Sale of Land - by whatever means (Licence Category B)
- The Letting of Land (Licence Category C), and
- The Provision of Property Management Services (Licence Category D)

The Authority issues four different categories of licence, which correspond with the four types of property services defined in the Act. Any person may apply for one or more licence category. Licences are renewable annually.

The Authority's licensing process continues to operate in an efficient manner with a total of 5,909 licence applications (new, renewal and additional category) processed in 2021. This compares to 5,947 licence applications (new, renewal and additional category) processed in 2020.

New Licence Applications

The Authority assesses new licence applications from those who wish to work in the property services sector subject to attainment of minimum qualification requirements. In 2021 some 689 new licence applications were submitted to the Authority for consideration of which:

- 550 licences issued,
- 65 applications under assessment at 31 December 2021,
- 62 withdrawn,
- 12 refused.

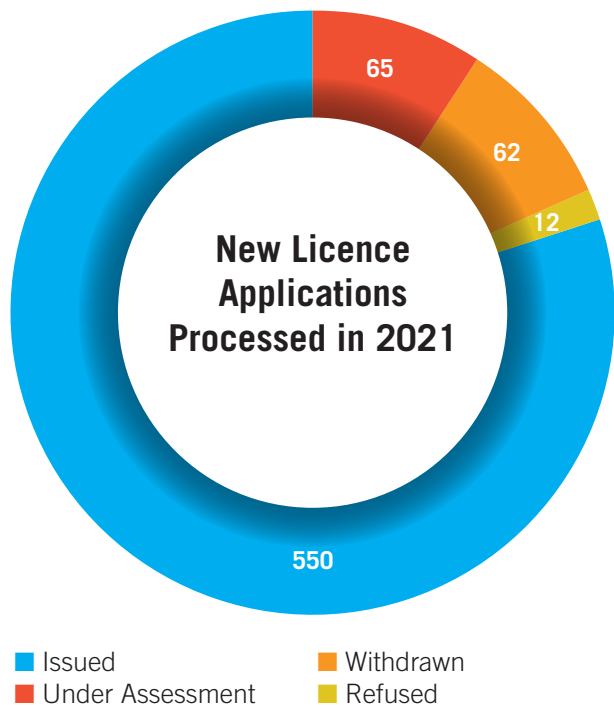
This compares to 535 new licence applications submitted to the Authority for consideration in 2020, representing a 29% increase, which indicates a continued interest in a career in the property services sector.

The Authority assesses each licence application carefully and advises the applicant where an application is falling short of a qualification standard. Applicants are provided every opportunity to submit appropriate evidence of qualification in support of their application prior to the Authority making a final decision. It is for this reason that there were

65 licence applications at assessment stage at year end in 2021. A small number of new licence applications (12) were refused in 2021, with the most common reason for refusal identified as the applicant failing to meet the minimum qualification requirements.

The majority of the 62 applications withdrawn by the applicant can be attributed to the applicant submitting the incorrect application such as applying for a new licence instead of renewing their existing licence.

Chart 1 illustrates the new licence applications processed in 2021.



Licence Renewals

Licence renewal applications, including licence fees and compensation fund payments, are submitted online to the PSRA.

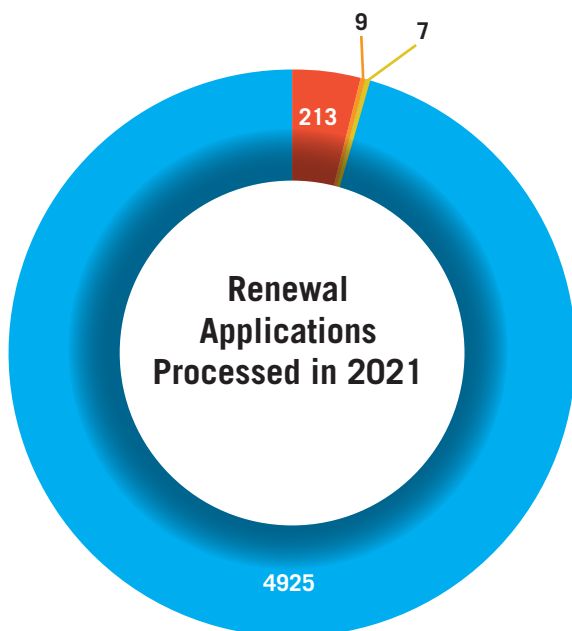
Prior to the granting of the four month licence extension in 2020, a significant proportion of licences then had an expiry date of 5 July, approximately 2,800 licensees. As a result of the four month licence extension granted in 2020 these licences now expire on 5 November. This results in a peak period from September to November during which the Authority receives over 3,000 renewal applications.

The total number of licence renewal applications processed in 2021 was 5,154. **Chart 2** provides a breakdown of renewal applications processed by the Authority which includes:

- 4,925 renewal licences issued,
- 213 renewals under assessment,
- 9 renewals withdrawn by the applicant and
- 7 renewal applications refused by the Authority.

The 7 renewal applications refused by the Authority were individual licence holders who did not have the required level of Professional Indemnity Insurance (PII) coverage.

Chart 2: Renewal Applications Processed in 2021



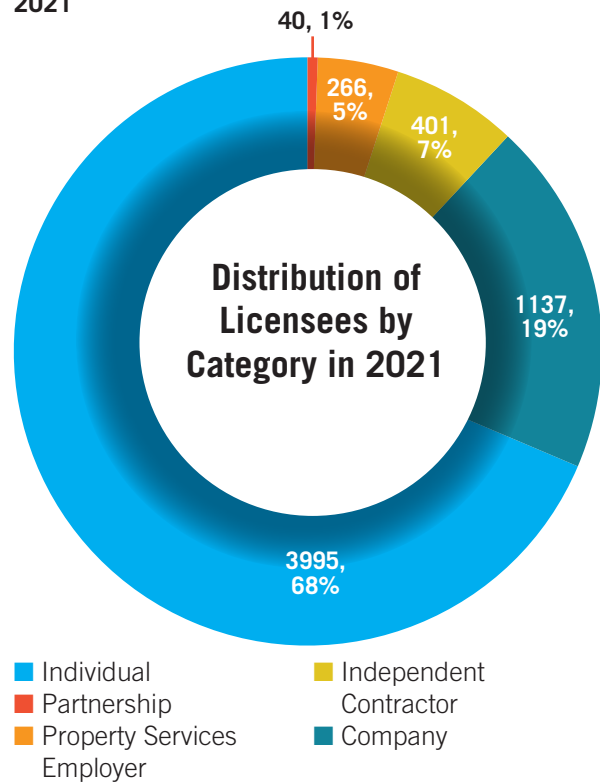
- Issued
- Under Assessment
- Withdrawn
- Refused

Overall Licensing Numbers

At the end of 2021, there was a total of 5,839 licence holders. This compares to 5,698 at year end 2020. This represents a 2.5% increase in licence holders, or 141 overall.

Chart 3 illustrates the distribution of licensee by category in 2021 by Individuals, Companies, Partnerships, Independent Contractors and Property Services Employers.

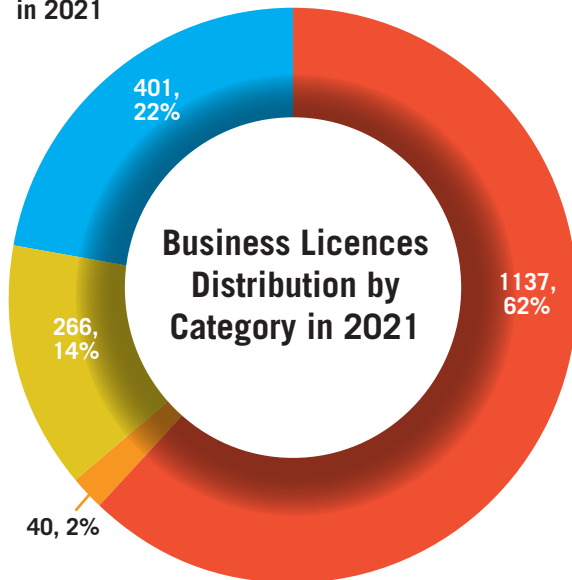
Chart 3: Distribution of Licensees by Category in 2021



- Individual
- Partnership
- Property Services Employer
- Independent Contractor
- Company

An analysis of the distribution of the 1,844 business licences active at the end of 2021 illustrated in **Chart 4** demonstrates that

Chart 4: Business Licences Distribution by Category in 2021



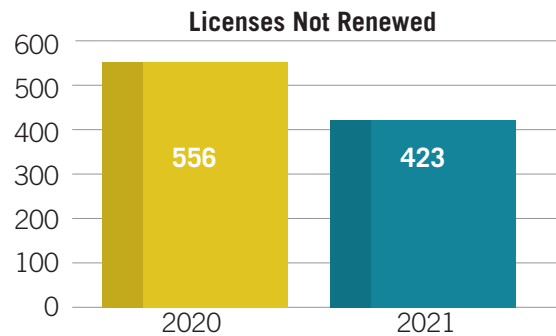
- Independent Contractor
- Partnership
- Company
- Property Services Employer

- 62% of business licences were held by Companies,
- 22% were held by Independent Contractors,
- 14% were held by Property Services Employers and
- 2% were held by Partnerships.

Non-Renewal of Licence by Employers and Employees

The level of non-renewal of licences is outlined in **Chart 5** for 2021 and 2020. In 2021, 423 licensees did not renew their licence, which compares with 556 in 2020. This is a decrease of 24%. The reasons for non-renewal vary but include non-renewal due to retirement, closing of business, emigration and in some cases changing from one legal entity to another. The non-renewals for 2021 is broken down between 90 businesses and 333 employees.

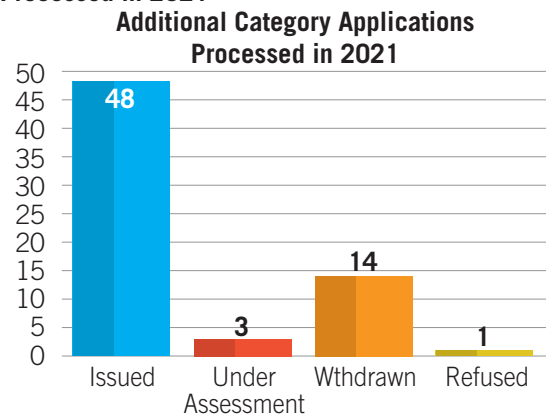
Chart 5: Licences Not Renewed



Additional Licence Category and Change of Property Services Employer Applications

In 2021 the Authority processed 66 Additional Licence Category applications. **Chart 6** illustrates the position of these 66 applications at year end. The number of withdrawals (14) is due to the applicant submitting the incorrect application such as applying for an additional category instead of renewing their existing licence.

Chart 6: Additional Category Applications Processed in 2021



Change of Property Services Employer applications are submitted online when an employee licensed under one business wishes to move their licence to another licensed business. In 2021, the Authority processed 199 Change of Property Services Employer applications.

Licence Application Appeals

There were 3 licence application appeals in 2021 made to the Property Services Appeal Board (PSAB). The PSAB upheld the decision of the Authority in two cases. At the end of 2021, the Authority was awaiting a decision from the PSAB in relation to the third appeal.

Licence Category

As previously stated, at the end of 2021, there was a total of 5,839 active licences compared to 5,698 licences at the end of 2020. 1,844 of these were business licences and **Table 5** illustrates the licence categories associated with current business licences at the end of 2021 compared to active business licences at the end of 2020. Licensees may be licensed for a single licence category or a combination of some or all licence categories.

Table 5: Business Licence Categories Issued in 2021

Licence Categories Issued	2020	2021
[A]	82	79
[A], [B]	19	20
[A], [B], [C]	917	899
[A], [B], [C], [D]	309	332
[A], [B], [D]	0	1
[A], [C]	3	4
[A], [C], [D]	1	1
[B]	18	22
[B], [C]	192	195
[B], [C], [D]	73	78
[C]	82	86
[C], [D]	54	53
[D]	75	74

Table 6 provides a breakdown of the licence categories held by the 3,995 employees at the end of 2021.

Table 6: Employee Licence Categories Issues in 2021

Employee Licence Categories Issued	2021
[A]	139
[A], [B]	37
[A], [B], [C]	1326
[A], [B], [C], [D]	811
[A], [C]	9
[A], [C], [D]	3
[A], [D]	1
[B]	137
[B], [C]	649
[B], [C], [D]	295
[B], [D]	1
[C]	162
[C], [D]	183
[D]	242

Register of Licensed Property Services Providers

The Register of Property Services Providers is published weekly on the Authority's website. The function of the Register is to inform the consumer of whether the Property Services Provider they wish to engage holds the appropriate licence, and therefore is legally entitled to provide property services. In using an appropriately licensed service provider, the client has protections under the Act. The particulars published on the Register of Licensed Services Providers includes:

- Licence Number;
- Name of Licensee;
- The employer's business address. Separately, the employer's name and business address displays after each principal officer/ employee name;
- Business Name, if applicable;
- Class of Provider e.g. Company, Partnership, Property Services Employer, Independent Contractor, Director, Secretary, Partner, Manager or Employee;
- Expiry date of the licence;
- Licence Categories.

Investigations



Investigations

A central element of the Authority's regulatory powers is the investigation of Property Services Providers. There are three types of investigations that the Authority can undertake, namely:

- o The investigation and adjudication of complaints made against licensed Property Services Providers;
- o The investigation of the illegal provision of property services by unlicensed traders;
- o The inspection of standards in the provision of property services and statutory compliance by licensed Property Services Providers.

The legal framework and procedures for these types of investigations are set out in Part 7 of the Act. Briefly, these cover:

- o The circumstances and the manner in which the Authority may commence an investigation of a licensed Property Services Provider;
- o The powers of entry and inspection of Inspectors appointed by the Authority to carry out investigations and the duties of such Inspectors;
- o The duties of the Authority following the conclusion of an investigation; and
- o The matters which the Authority must consider when coming to a decision on foot of an Inspector's report and in imposing sanctions.

There are a number of sanctions that the Authority can impose, which fall under two categories:

1) Major Sanctions, which include;

- (a) the revocation of the licence of the licensee and a prohibition (which may be a permanent prohibition, a prohibition for a specified period or a prohibition subject to specified conditions) against the former licensee applying for a new licence or a particular class of licence,
- (b) the suspension for a specified period of the licence of the licensee or, in any case where the period of such suspension (in this paragraph referred to as "the relevant period") sought to be imposed is longer than the period of validity of the licence left to run, the suspension of the licence during that period and a prohibition for a specified period against the former licensee applying for a new licence or a particular class

of new licence, which periods, added together, are equivalent to the relevant period,

- (c) a direction to the licensee that the licensee pay a sum, as specified in the direction but not exceeding €50,000, into the Fund,
- (d) a direction to the licensee that the licensee pay a sum, as specified in the direction but not exceeding €50,000, to the Authority, being the whole or part of the cost to the Authority of an investigation of the licensee,
- (e) a direction to the licensee that the licensee pay a sum, as specified in the direction but not exceeding €250,000, to the Authority by way of a financial penalty for an act of the licensee specified in the direction, or
- (f) any combination of any of the sanctions specified in paragraphs (a) to (e)

2) Minor Sanctions, which include;

- (a) the issue, to the licensee, of—
 - (i) advice (including advice relating to participation in a professional competence scheme),
 - (ii) a caution,
 - (iii) a warning, or
 - (iv) a reprimand,
 or
- (b) any combination of any of the sanctions specified in paragraph (a)

Investigations and Adjudication of Complaints

Complaints against licensed Property Services Providers can be made in writing to the Authority by members of the public for investigation. During 2021, the Authority received 255 complaints. This represents a 36.36% increase on the 187 complaints received in 2020.

End of Year Status of Complaints

At 1 January 2021, there were 90 complaints on hand.

Of the complaints received in 2021, 155 (60.8%) were concluded without the requirement for the appointment of an Inspector to conduct an investigation. Four of these files are currently with the PSAB. In all such cases, the Authority

explained the reasons as to why an investigation was not carried out. The most common reason for declining to investigate a complaint was that the subject matter of the complaint did not fall within the definition of “improper conduct” as defined in the Act.

By year end, there were 102 open complaint files on hand, 76 which were received in 2021. Of these, 80 were at inspection phase and 22 were at initial assessment awaiting a decision on whether they were to be investigated. Out of the 80 files at inspection phase, 26 of these cases were under investigation based on a potential breach of the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations introduced in November 2020.

The 80 cases at inspection phase relates to complaints where an Inspector was appointed and an investigation was in the process of being carried out.

Table 7 provides an outline of all the complaints dealt with by the Authority in 2021 and the status of those complaints at year end.

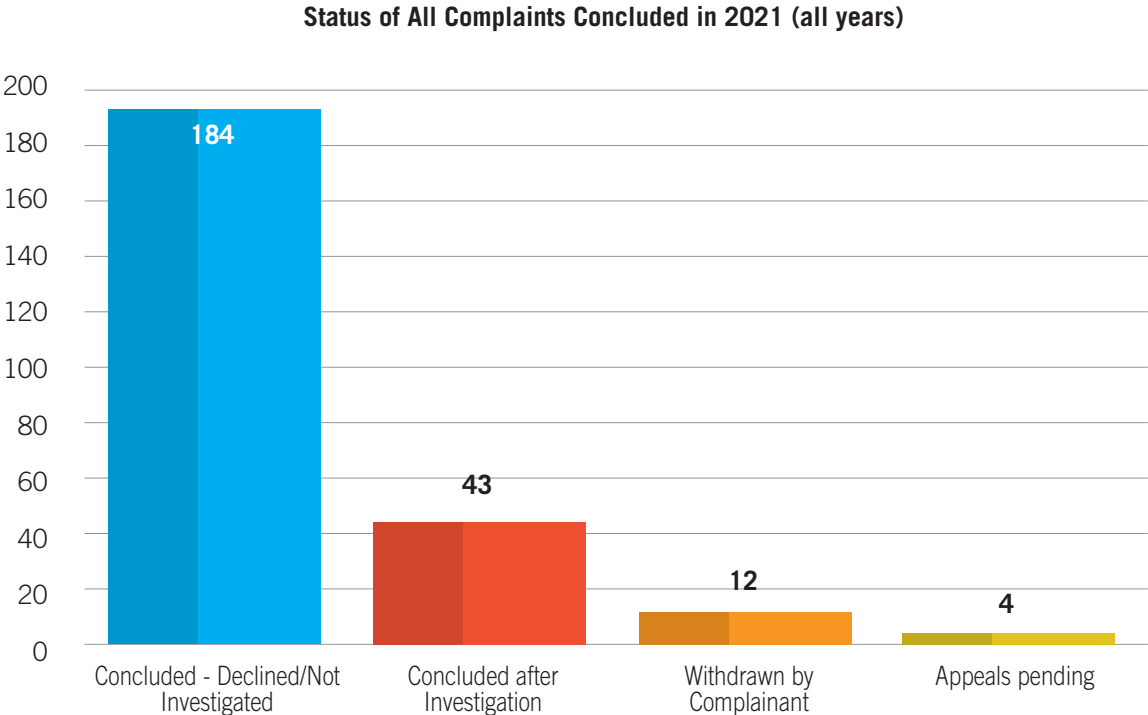
Table 7: End of Year

End of Year Status of Complaints	Total
Complaints on hand at 1 January 2021	90
Total complaints received in 2021	255
Total complaints concluded at year end	243
<ul style="list-style-type: none"> ○ Complaints concluded without requirement for investigation 184 ○ Complaints concluded after investigation 43 ○ Withdrawn 12 ○ Under appeal at year end 4 	
Open complaints at year end	102

Status of Complaints Concluded

Chart 7 represents all complaints concluded during 2021, 243 in total, broken down by status of conclusion. This is 94.4% increase on the amount of cases completed in 2020 (125). This can be attributed to employees adapting to operating in a remote environment, and additional staff joining the organisation.

Chart 7: Status of All Complaints Concluded in 2021 (all years)



Nature of Complaints

The nature of complaints cover a broad range of issues. **Table 8** illustrates the general breakdown of complaints categories received in 2021.

This Table shows the most common categories into which complaints may be placed, based on the nature of the complaint. In interpreting the numbers in the Table, it is important to bear in mind that a complaint may be multi-faceted and, therefore, may fall into more than one category. Accordingly, there may be a greater number of complaint issues contained within any one complaint received. This is evident in **Table 8** which relates to the total of 255 complaints received in 2021 but the issues contained within these complaints total 310. The Table is a good indicator of the expansive nature of the complaints, which the Authority must assess and investigate.

Table 8: Nature of Complaints Received in 2021

Nature of Complaint	No. of Complaints Broken Down by Grounds
Service Provision (Complainant dissatisfied with service provided)	162
Retention of Money by Property Services Provider	37
Duty to Client	47
Ethical Conduct (Complainant feels that the Property Services Providers behaviour was unethical)	24
Advertising	20
Other	20
Total:	310

The behaviours or omissions complained of in some of the categories, for example, service provision or ethical conduct, are open to interpretation. The complainant may genuinely feel dissatisfied or aggrieved at what transpired in their dealings with the property services provider, but it may not fall under the definition of “improper conduct” under section 2 of the Act. This difference between the perception of a wrongdoing and what constitutes improper conduct largely explains the relatively high number of complaints which the Authority declines to investigate as shown earlier in **Chart 7**. It should also be noted that these are allegations made by the complainant and it cannot be stated that improper conduct has occurred until an investigation has been completed and improper conduct found.

Complaint Sanctions Imposed

In 2021, 43 complaints were concluded after an investigation. In 18 of these cases (41.86%) no improper conduct was found. In 22 cases (51.16%) improper conduct was found and a minor sanction was imposed, and in 3 cases improper conduct was found and a major sanction was imposed (6.98%). Out of the 43 complaints concluded after an investigation, 8 were brought to investigation due to a potential breach of the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations introduced in November 2020. Of these 8 files, improper conduct was found in 6 cases and a minor sanction imposed and in 2 cases no improper conduct was found.

Minor Sanction

- In 3 instances, a minor sanction of a **Reprimand** was imposed in relation to section 28(1) and breaches of the Property Services (Regulation) Act 2011 (Client Moneys) Regulations 2012 – section 6(6)(iii), 6(7), 6(13)(a) and 7(3). These related to a case where the licensee withdrew money from the client account when they were not owed to the licensee as fees, monies withdrawn from a client account without authorisation, allowed a debit balance arise on a client’s ledger and where a licensee held other monies than client monies within the client account.
- In 21 instances, a minor sanction of **Warning** was imposed in relation to section 43 of the Act, for non-provision of a letter of engagement; section 28(1) holding themselves out as available to provide a property service without having the appropriate licence in force in respect of that property service; breaches of the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 - section 10(2), a licensee knowingly produced, published or circulated misleading information, section 11, a licensee breached the terms of the letter of engagement and section 15(2), a licensee did not provide written confirmation to each offeror; and breaches of the Property Services (Regulation) Act 2011 (Client Moneys) Regulations 2012 – section 6(13)(a), a licensee allowed a debit balance to arise in the client’s ledger section 5(3), section 10 and section 11, the licensee did not maintain sufficient accounting records in respect of his client.
- In 2 instances, a minor sanction of a **Caution** was imposed in relation to section 43 and a

breach of section 10(5) of the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020. This related to a case where a licensee did not remove advertisements from websites, brochures and portals under their control and signage within 10 working days of the termination of the service agreement.

- o In 3 instances, a minor sanction of **Advice** was imposed in relation to section 43 of the Act, the licensee did not have a valid Letter of Engagement in place and section 37(5), the licensee did not display their licence number on their website, social media, advertisements and business correspondence.

It is important to note that while there was 22 complaint cases concluded after an investigation where improper conduct was found and a minor sanction imposed, 29 sanctions were imposed due to a combination of breaches in 5 cases.

Major Sanction

Members of the Authority met to adjudicate on five major sanction cases throughout 2021.

Due to the complexity of some of the cases, the Board met on a number of occasions to review the Final Investigation Report, seek necessary legal guidance, and consider the appropriate sanctions. In light of this, the number of meetings attended may be higher than the number of major sanction cases considered.

In 3 cases, a major sanction of permanent revocation of their licence (this prevents the licensee from applying for a licence in the future) was imposed.

In 3 cases, a major sanction of directing the licensee to pay a sum by way of financial penalty to the Authority was imposed. The respective amounts were €5,000, €25,000 and €100,000.

In 1 case, a major sanction of directing the licensee to pay a sum of €20,552 to the Authority, for the cost of the investigation was imposed.

In 1 case, a major sanction of directing the licensee to pay a sum of €50,000 into the Property Services Compensation Fund was imposed.



Case Studies of Investigations

Below are two anonymised summaries of investigations into complaints, which were carried out in 2021. These case studies are included to provide a general impression of the kind of investigations which the Authority routinely undertakes.

Case Study 1

Complaint Details: The Authority was contacted by a licensed Property Services Provider who informed the Authority that one of their own licensed employees had misappropriated funds from the Property Services Provider's client account to a personal bank account held by the employee. The Authority initiated an investigation of its own volition into the allegations made. Inspectors of the Authority were appointed to investigate both, whether the allegations made against the employee were true and if the allegations were true, whether the employer bore any responsibility in the improper conduct, be it through collaboration with the employee or neglect in failing to notice and prevent the misappropriation.

Inspection Details: Inspectors required the employer to provide full details of the misappropriation of funds from their client account including details of any processes and procedures that had been put in place to prevent such actions from occurring again in the future.


The employer provided the Inspectors with all relevant details, and informed the Inspectors that on becoming aware of the misappropriation they had carried out an internal investigation to determine the full scale of what had occurred, terminated the employment of the employee concerned, implemented new procedures and reported the matter to the Authority. The employer

had also fully refunded the money which had been misappropriated, to their client account.

The Inspectors contacted the licensed employee and made them aware of the allegations that had been made against them by their former employer. The licensee fully admitted to the misappropriation of funds and informed the Inspectors that the allegations made were accurate.

Findings: The Inspectors prepared a report on the investigation which found that the licensed employee had committed improper conduct under limb (a) of the definition improper conduct as defined by the Property Services (Regulation) Act 2011 no longer fit and proper to conduct property services. The Inspector's report found that in respect of the licensed employer that it had not committed improper conduct as they were not aware of the misappropriation when it had occurred and had acted correctly when the matter came to their attention.

Sanctions Imposed: The Board of the Authority considered the Inspector's report and imposed a Major Sanction on the licensed employee, prohibiting them from ever applying for a new licence in the future and imposed a financial penalty of €5,000. This sanction was confirmed by the High Court.



It is important to note that while there was 22 complaint cases concluded after an investigation where improper conduct was found and a minor sanction imposed, 29 sanctions were imposed due to a combination of breaches in 5 cases.

Case Study 2

Complaint Details: The Authority received a complaint from an Owners Management Company (OMC) concerning a licensed Property Services Provider that had been engaged for property management services for a number of years. The OMC informed the Authority that they had recently terminated their contract with the Property Services Provider and alleged that they had since become aware of concerning financial irregularities in their accounts and records. The concerns of the OMC included:

1. Payments made from the OMC relevant bank account which were not authorised by any Directors of the OMC.
2. The appointment of an employee of the licensed Property Services Provider as accountant to prepare accounts for the OMC, without the knowledge of the Directors of the OMC.
3. Lack of clarity over the level of insurance that was in place for the OMC.

Inspection Details: The Inspectors contacted the Property Services Provider who claimed that all payments from the OMC's bank account had been approved by a Director of the OMC. The Inspectors queried this with the Director of the OMC and the Director claimed the OMC had moved to online banking a number of years previously and the Director had not been asked to approve any payments since the change to online banking.

The inspection revealed;

- o That the Property Services Provider-Management Agent had been appointed as an 'administrator' to the online bank account

where transfer authorisation required only one administrator and also revealed a number of payments were made from the OMC to a personal account owned by the Property Services Provider.

- o That the insurance policy had been allowed to lapse prior to the investigation. Payments allegedly for insurance identified on the OMC's account as payments for 'insurance' were actually transferred by the Property Services Provider to the personal account of the Property Services Provider.
- o That the Property Services Provider had created a fraudulent invoice in an attempt to hide the misappropriation.

Findings: The Inspectors prepared a report on the investigation which found that the licensed employee had committed improper conduct under limb (a) of the definition improper conduct as defined by the Property Services (Regulation) Act 2011 - no longer fit and proper to provide property services.

Sanctions Imposed: The Board imposed a Major Sanction on the Property Services Provider to revoke the Property Services Provider's licence, prohibit the licensee from ever applying for a new licence in the future and imposed the following financial penalties:

1. a payment of €25,000 to the Authority by way of financial penalty,
2. a payment of €50,000 into the Property Services Compensation Fund,
3. a direction that the Property Services Provider pay a sum of €20,552 to the PSRA, being the cost to the PSRA of the investigation.

Complaint Application Appeals

During 2021 the PSAB received 24 appeal cases relating to complaints received by the Authority. There were 12 appeals carried forward from 2020 giving a total of 36 appeals before the PSAB during 2021. By year end 32 appeals had been considered by the Appeal Board with 4 appeal cases awaiting a decision at year end.

The PSAB disallowed submitted appeals in 30 cases (93.75%) of the total where a decision was reached, thereby affirming the decision of the Authority in each case. The PSAB allowed an appeal in 2 complaint cases (6.25%), where they considered the cases needed further information before a decision could be made, and subsequently requested that the Authority investigate the matters.

Table 9 illustrates a summary of the outcomes in the various appeals considered and dealt with by the PSAB.

Table 9: Summary of PSAB Decisions During 2021

Outcome	No. of Appeals	Percentage of Total
Appeal Disallowed – Authority’s Decision Upheld	30	93.75%
Appeal Allowed – Authority’s Decision Overturned	2	6.25%

At year end, there were 4 complaint appeals awaiting decision by the PSAB.

Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 – S.I 564 of 2020

The Minister for Justice Ms Helen McEntee signed the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 effective from 30 November 2020. These Regulations address additional standards to be observed in the provision of property services by property services providers.

Several of the Regulations, without being absolutely prescriptive, contain provisions that licensees act in a fair, reasonable and just manner towards their clients. By way of examples: licensees are obliged to act in the clients’ interests, are obliged to return

client funds within defined timeframes subject to reasonable explanation and reply to queries within a reasonable timeframe.

This is a very significant change to what is considered to be improper conduct. Up to the 30 November 2020, a significant number of complaints received by the Authority were declined for investigation because the behaviour concerned did not fall under the definition of “improper conduct”. Many such cases involved allegations of poor provision of services or breaches of the terms of the letter of engagement. Such cases can now be formally investigated by Inspectors appointed by the Authority and, if following an investigation, improper conduct is found to have occurred, sanctions may result for the licensee.

Investigation of Illegal Provision of Property Services

The Authority takes reports of unlicensed trading very seriously. Companies or individuals providing property services without a licence deprive their clients of the important consumer protections offered by the Act and this constitutes unfair competition for those who provide services in a law-abiding fashion. The Authority conducts investigations into companies or individuals suspected of unlicensed trading with a view to prosecuting or seeking a Court injunction directing the offending party to cease trading.

Unlicensed Reports

In 2021, there were 114 reports received of unlicensed trading.

Table 10 provides an overview of the status of all unlicensed reports at year end.

Table 10: Complaint Status of Unlicensed Reports At Year End

Unlicensed Reports Status At Year End	No. of Unlicensed Reports
Concluded after initial assessment as did not require a licence or not providing a property service	86
Concluded after Investigation	3
Inspection Phase	5
Initial Assessment Phase	20

Inspection of Standards in the Provision of Property Services

The Authority conducts compliance investigations (audits) on all licensed businesses and recognises the benefit of these investigations. Audits ensure compliance with the statutory provisions of the Act and its regulations and instils trust for clients when availing of the services of Property Services Providers. Audit investigations are also a very effective means of engaging with licensed businesses, informing licensed businesses of the standards required when operating as a licensee while also informing the Authority of issues at ground level. A five year programme to complete sector audits commenced in late 2016 and concluded in 2021.

In early 2021, the Authority introduced a risk based matrix by which audits would be scheduled. The risk matrix prioritises licensees based on a number of different factors.

In addition to staff of the Authority conducting audits, the Authority engages an outsourced company, IP Forensics Ltd, to carry out audits on its behalf. The continuance of the Covid-19 pandemic throughout 2021 meant Inspector's visits to licensee's business premises could not take place. In order to continue to meet its statutory obligations under the Act, the Authority conducted audits remotely, optimising the use of secure file sharing and video conferencing facilities. When restrictions were lifted briefly in October 2021, a small number of onsite visits took place. However, remote audits were re-introduced following the governments work from home guidance in November 2021.

The Authority assigned 455 audits to Inspectors in 2021. 244 investigations were ongoing at 31 December 2021. 500 audits were completed in 2021 some (293) of which were assigned in the previous year and concluded in 2021. This is illustrated in **Table 11**.

Table 11: Status of Audits during 2021

Status of Audits during 2021	No. of Audit
Audits ongoing at 1 January 2021	293
Audits assigned to Inspectors in 2021	455
Audits concluded in 2021	500
Audits ongoing at 31 December 2021	248

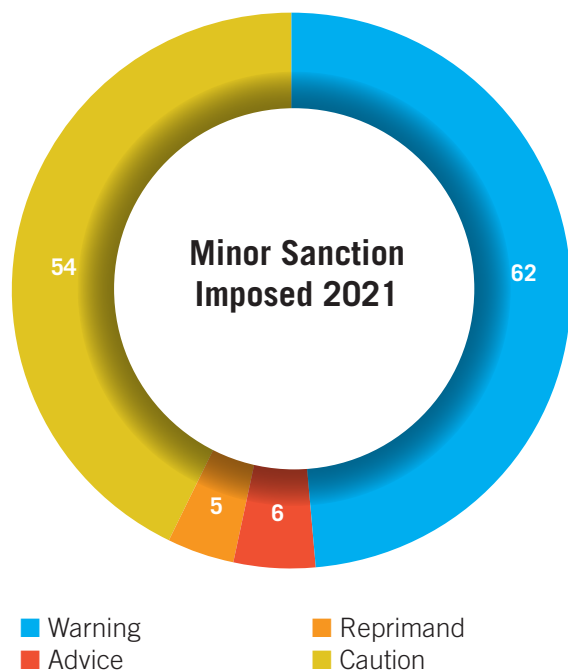
Audit Findings and Sanctions Imposed

A total of 407 (81%) licensed businesses whose audits were completed in 2021 were in compliance with the audited sections of the Act and Client Moneys Regulations. Breaches of the Act and Regulations occurred in 69 (14%) licensed businesses audited and minor sanctions were imposed in these cases. 24 (5%) licensees were found not to be providing property services at the time of audit.

Chart 8 details the breakdown of minor sanctions imposed on the 69 licensed businesses. In total, 127 breaches occurred. In some cases, more than one minor sanction was imposed on a licensed business and as a result, the number of minor sanctions exceeds the number of businesses sanctioned. 2 or less sanctions were imposed on 59 licensees and 3 or more sanctions were imposed on 10 licensees.

There were no major sanctions imposed in relation to compliance investigations carried out in 2021.

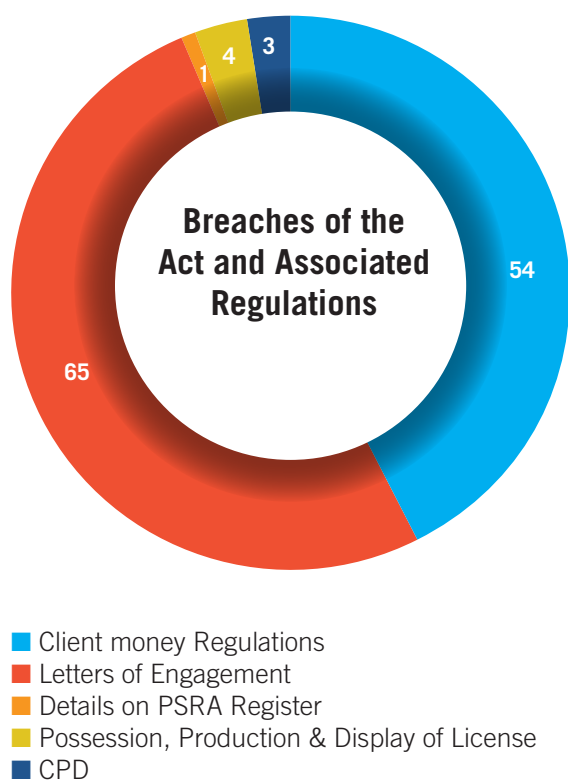
Chart 8: Minor Sanctions Imposed in 2021



Breaches of the Act and Associated Regulations

The compliance audit investigation findings for 2021 highlighted a number of breaches in the sector relating to Letters of Engagement, Client Money Regulations, Possession, Production and Display of licences, incorrect details on the PSRA Register of Licensed Property Services Providers and non-completion of CPD by licensees. This is illustrated in **Chart 9**.

Chart 9: Breaches of the Act and Associated Regulations



Sections of the Act where breaches were identified and Sanctions Imposed

Section 29 – Details on the PSRA Register of Licensed Property Services Providers

One sanction was imposed in respect of a breach of Section 29 of the Act where the licensees trading name was listed incorrectly on the PSRA register and a sanction of Advice was levied on the licensee.

Section 37 - Possession, Production & Display of Licence

Sanctions were imposed in 4 cases where breaches of Section 37 of the Act were found - Warnings were levied on a licensee who was using another licensee's website, online advertising and other advertising platforms and Advice was levied on another licensee who was displaying an incorrect (previous) licence number on their website.

Section 43 – Letters of Engagement

Sanctions of Warning and/or Caution were imposed relating to breaches of Section 43 where no Letters of Engagement were in place, Letters of Engagement were not fully completed or Letters of Engagement not signed within the required timeframe.

Section 81 – Continuous Professional Development (CPD)

3 Sanctions of a Caution were levied on licensees in respect of Section 81, where licensees did not have the full 5 hours of CPD completed.

Client Moneys Regulations

Due to the diverse nature of the Client Moneys Regulations, the sanctions imposed were varied depending on the severity/type of the breach identified and/or taking into consideration evidence provided by the licensee to the Inspector after the draft report was issued.

Breaches of the Client Moneys Regulations resulted in 54 sanctions imposed including: 5 Reprimand, 22 Warning, 23 Caution and 4 Advice levied on licensees in respect of breaches of the Client Moneys Regulations.

Sanctions of a Reprimand were imposed for breaches of;

- o Regulation 6(1) (Not using the nominated client account for the business).
- o Regulation 6(13)(b) (Discharge of personal expenditure from the client account).
- o Regulation 7(3) (Moneys paid into the client account that were not client moneys).

Sanctions of Caution were imposed where;

- o Regulation 10(5)(b) (Up to date/most recent balancing statement not provided).
- o Regulation 6(1) (Not using the nominated client account for the business).
- o Regulation 7(3) (Moneys paid into the client account that were not client moneys).

Sanctions of Warning were imposed where;

- o Regulation 6(1) (*Not using the nominated client account for the business*).
- o Regulation 7(3) (*Moneys paid into the client account that were not client moneys*).
- o Regulation 6(13)(b) (*Discharge of personal expenditure from the client account*).

Sanctions of Advice were imposed where;

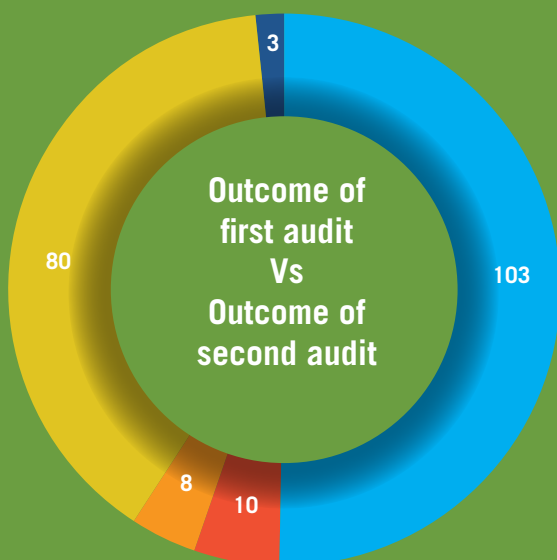
- o Regulation 6(13)(b) (*Discharge of bank charges from the client account*).

Licensees who have been audited twice

204 licensees have now been audited for a second time. A small number have been audited more than twice due to issues of concern identified by the Authority.

Chart 10 indicates the outcome of the licensee's second audit in comparison to their first audit. Of the 204 licensees previously audited, 90 had sanctions imposed at first audit. Of those 90 licensees audited for the second time, there was a compliance rate of 89%.

Chart 10: Comparisons between first and second audits



- Found to be Compliant in first and second audit
- Found to be Non-Compliant in first and second audit
- Found to be Compliant in first audit and Non-Compliant in second audit
- Found to be Non-Compliant in first audit and Compliant in second
- Not providing a property service at time of second audit

It was also found that 8 licensees who were compliant in the first audit were non-compliant in the second audit.

Appeals against Sanctions Imposed

In 2021 the PSAB received 1 appeal against sanction imposed following audit. The PSAB concluded 1 appeal received in 2020 which was ongoing at the end of 2020. The outcome of both appeals resulted in sanction(s) being mitigated to a lesser sanction.

In the case of the appeal received in 2020, the licensee received sanctions of Warning due to breaches of Section 43(1)(a), 43(2)(b) and 43(3) of the Act. The breaches resulted from the licensee's failure to ensure all Letters of Engagement were completed in line with the requirements of Section 43. The findings were:

- o Details of all properties for which the agreement was in place were not included
- o The Letter of Engagement signed by an individual who is not a licensee,
- o The Letter of Engagement not dated by either party; and
- o The property service commencing prior to the date indicated on the Letter of Engagement.

The PSAB were in agreement that these breaches did occur, however, having considered matters to be taken into account in determining the sanctions to be imposed under Section 73 of the Act, and following further evidence provided by the licensee to the PSAB, they were satisfied that the lesser sanction of Caution was appropriate.

Regarding the appeal received in 2021, a sanction of Warning was imposed on the licensee due to breaches of Section 43(1)(a) of the Act:

- o a Letter of Engagement with the commencement date omitted; and
- o Letter of Engagement not signed by the licensee.

The PSAB were in agreement that the breaches did occur however, having considered matters to be taken into account in determining the sanctions to be imposed, under Section 73 of the Act, including under sub-section (xiv), previous sanctions, of which there were none in the case of the licensee, the PSAB were satisfied that a sanction of Caution was appropriate.

Compensation Fund

The Authority administers the Property Services Compensation Fund established under the Act. The Fund is financed by annual contributions from the sector where the level of contribution payable into the Fund by a Property Services Employer is €200 per annum while that for an Employee is €50 per annum. Additionally, where a Property Services Provider has been found to have committed improper conduct as a result of an investigation, they can be directed to make a payment into the Compensation Fund.

The Authority, where it is satisfied that a client of a Property Services Provider has sustained a loss as a result of the dishonesty of the Property Services Provider and, subject to certain conditions specified in the Act, may make a grant from the Fund to the client.

At 31 December 2021, the amount standing to the credit of the Fund was approximately €4.4 million.

On 1 January 2021, the Authority had 7 claims on the Compensation Fund awaiting a decision. During the year an additional 34 Compensation Fund Claims were received. A decision was reached on 27 claims, 3 of these were awaiting payment at year end. 14 claims were awaiting a decision on the 31 December 2021.

Table 12 outlines claims processed in 2021, a decision of the Authority was reached in 27 claims on the compensation fund, 23 claims were fully granted relating to one licensee who was licensed at the time the dishonesty occurred, 2 were partially granted and 2 claims were refused. At year end there were 14 claims pending on the Fund.

Table 12: Summary of Claims on the Compensation Fund 2021

Compensation Fund Claims	Number of Claims
Compensation Claims On Hand at 1 January 2021	7
Claims Received in 2021	34
Grants made in 2021	
Claims Fully Granted	23
Claims Partially Granted	2
Claims Refused	2
Claims on Hand 31 December 2021	14
Total Grants made from the Fund	25
Total paid from the Compensation Fund 2021	€196,446
Total grants awarded in 2021 awaiting payment processing post year end	€143,034.69

Appeals Against Compensation Fund Decisions

Decisions of the Authority relating to claims on the Compensation Fund are subject to appeal to the PSAB. On the 1 January, 2021 there were six appeal cases before the PSAB awaiting their decision. In 2021 one additional appeal was submitted to the PSAB, following a decision of the Authority declining to make grant to a claimant from the Compensation Fund within 2020.

The PSAB upheld the decision of the Authority on all 7 appeals cases. On the 31 December, 2021, there was no appeal cases before the PSAB awaiting a decision.

Insuring the Compensation Fund

The Authority re-insured the Compensation Fund in October 2021 to protect the Fund and ensure that claims on the Fund can be met.

Competent Authority for Anti-Money Laundering

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

An amendment to the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (the AML Act) was signed into Irish law on the 18 March 2021. This amendment enforces the EU's Fifth Anti-Money Laundering Directive. Previously, Property Services Providers holding licence categories A and B only (i.e. the auction of property other than land and the purchase or sale by whatever means of land) were subject to the provisions of the AML Act. The amendment extends the remit of the AML Act to now include C and D licence holders (i.e. the letting of land and property management services). In line with this, the Authority carries out Anti-Money Laundering (AML) audits on licensed businesses.

During the Audit process, licensed businesses are assessed for compliance in the following areas;

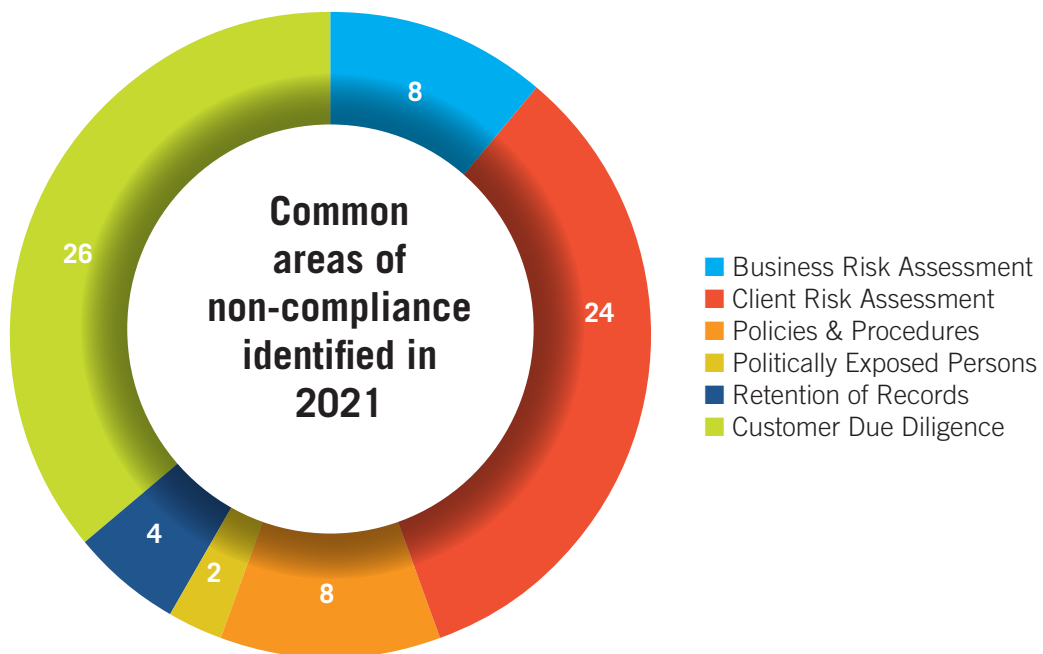
- Section 30(A) Business Risk Assessment
- Section 30(B) Client Risk Assessment
- Section 33 Customer Due Diligence
- Section 37 Politically Exposed Persons
- Section 42 Suspicious Transaction Reporting
- Section 54(1-5) Procedures
- Section 54(6) Training
- Section 55 Retention of Records

449 AML audits were completed by the Authority in 2021. 407 licensees were found to be compliant on the day of audit. Areas of non-compliance were identified during the remaining 42 audits. The Authority provided the necessary instruction and guidance to these licensed businesses in order to become compliant. Following this engagement, all 42 licensed businesses submitted evidence of established compliance.

Most Common Breaches Identified

In total, 72 areas of non-compliance were identified among the 42 licensees that required instruction prior to being concluded compliant. In some cases, more than one area of non-compliance was identified on a licensed business and as a result, the number of breaches exceeds the number of businesses that required instruction from the Authority. Chart 11 outlines the most common areas of non-compliance among these 42 licensees.

Chart 11: Common areas of non-Compliance identified in 2021



Engagement, Property Registers and Continuous Professional Development



Engagement

The Authority avails of every opportunity to promote sector engagement and public awareness of the role and function of the PSRA.

Public Awareness

The Authority has, in the past, attended public events in order to engage with members of the public, but with the suspension of these events as a result of the Covid-19 pandemic, the Authority focused on media information campaigns in 2021.

From May to November the Authority ran two consecutive programmatic campaigns on property websites targeting those intending to buy or let homes, emphasising the importance of using a licensed agent.

In June the Authority ran a two week radio campaign focusing on the importance of using a licensed property services provider and the protections offered to clients when using a licensed provider.

In July the focus transferred to the obligation of commercial tenants to register a Commercial Lease with the Authority. A two week radio campaign took place in July highlighting this obligation.

The importance of using a licensed letting agent was the target of a media campaign in September, with a particular focus on raising awareness amongst college and university students seeking student accommodation. Advertisements regarding the PSRA and licensed letting agents were placed on property websites during that period in an effort to target students and their families using these platforms to find accommodation. A social media campaign of the same nature also ran during September targeting both students starting college and parents who may have children starting college.

The fifth campaign ran for two weeks in October and was aimed towards an agricultural audience. The campaign focused on two aspects; the importance of using a licensed Property Services Provider and the obligation for agricultural leases to be registered as a Commercial Lease. The campaign was delivered via radio, agricultural websites and agricultural print media publications.

The final campaign of 2021 ran during November, again focusing on the importance of using a licensed Property Services Provider and the protections offered to clients when using a licensed provider. This campaign included two weeks of radio advertisements along with print adverts in property supplements over the same two weeks.

Sector Engagement

The Authority continued to engage with the sector throughout 2021 with the publication of its quarterly newsletter, specific mailshots to licensees and updates to the PSRA website. In addition, the Authority undertook specific sector engagement including:

PSRA Presentations

During 2021, the PSRA presented to IPAV and SCSi students, the Housing Agency and the National Vetting Bureau. These engagements provided an opportunity for the PSRA to speak about the role and function of the Authority.

Publication of Joint Sector Protocols

As the easing of Covid-19 restrictions by Government continued during 2021, the PSRA, in conjunction with IPAV and SCSi revised and updated the Joint Sector Protocol for Property Services Providers.

The Protocol was applicable to Property Services Providers and Valuers for the auction, sales, lettings, valuations and property management environment and for both residential and commercial property. The document “Property Services Providers Guidance to implementing the Plan for Living with Covid 19” was withdrawn from use in September 2021.

PSRA Code of Practice

In February 2021 the PSRA published its Code of Practice – ‘Property Services Providers - Delivering a Professional Service’.

The Code of Practice outlines the standards required of property services providers to ensure the delivery of professional property services to those who engage with the sector. It establishes a framework for the professional conduct for Property Services Providers in their day to day practices of providing property services.

The Code is presented in a user friendly manner for both Property Services Providers and the public and consists of six principles - Acting Professionally; Honesty; Integrity; Confidentiality; Effective and Open Communication and Professional Development - with each having an overarching principle statement supported by relevant and related sub-principles. It is worth noting that the PSRA can have regard to the Code of Practice in assessing complaints of improper conduct.

The Authority acknowledges the positive contributions in developing the Code from the Apartment Owners' Network, Irish Co-operative Organisation Society, Irish Property Owners' Association, IPAV and SCS1.

Property Registers

The Authority publishes two property registers namely, the Residential Property Price Register and the Register of Commercial Leases.

Residential Property Price Register

The Residential Property Price Register publishes the price, the date of sale and the address of each residential property sold in Ireland since January 2010. The property price sales information is received from the E-Stamping section of the Revenue Commissioners. This information is updated on a weekly basis on the Authority's website. In 2021 there were an estimated 1.64 million visits to the Property Price Register, making it the Authority's most visited register.

Register of Commercial Leases

There is a statutory obligation on tenants of commercial properties to furnish the following information in respect of commercial leases entered into on or after 03 April 2012:

- The address of the leased commercial property;
- The date of the lease of the property;
- The length of the lease;
- The rent payable in respect of the property;
- The commencement date of the terms of the lease;
- The capital consideration (if any) to be paid by the tenant or landlord in respect of the commercial property the subject of the lease;
- The frequency of the rent review in respect of the property;
- The particulars relating to who is liable in

respect of the rates, insurance, service charges and repairs in respect of the property;

- The net floor area, per each floor, of the property;
- The particulars (if any) relating to rent-free periods, fitting out time allowed, fit out allowances and capital contributions in respect of the property;
- The particulars relating to any break clause in the lease;
- Stamping Document Identification Number.

The requirement under section 88 of the Act provides that those who take out a commercial lease are legally obliged within 30 days to register further lease details on the Authority's commercial leases database.

The Authority continues its efforts to promote and encourage compliance in this area.

Table 13 provides a breakdown of the compliance rate by county at the end of 2021 in comparison with the end of 2020.

The overall national compliance rate at the end of 2021 stood at 65.82% which was an increase of 0.65% in comparison with the rate at the end of 2020. The Covid-19 restrictions continued to pose challenges to ensure that the compliance rate was maintained. The main challenge faced was the restrictions of movement, particularly in the first quarter of the year, preventing some tenants from accessing the information required to complete the Commercial Lease return in a timely manner.

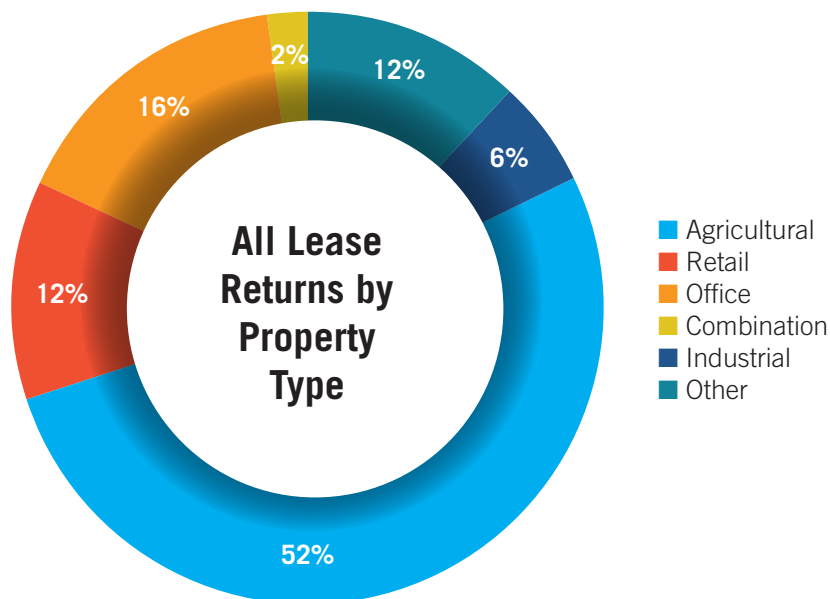
This had an impact on the level of Commercial Lease returns received and published in the first quarter of 2021. However, as restrictions eased the level of returns received and published increased significantly. 4,903 lease returns were published bringing the overall figure of lease returns published on the Commercial Lease Register since 03 April 2012 to over 45,000.

Chart 12 provides a percentage breakdown of lease returns by property type e.g. agricultural, office, retail, industrial, other and a combination of one or more property types for all lease returns made to the Authority in 2021. The property type with the most returns made in 2021 was agricultural land which consisted of almost 52% of overall returns made.

Table 13: Percentage Compliance Rate by County

Percentage Compliance rate by County 2021 v 2020			
COUNTY	2021	2020	Change +/-
Carlow	64.42	62.95	1.47
Cavan	61.56	61.17	0.40
Clare	67.26	68.15	-0.89
Cork	73.22	71.95	1.27
Donegal	66.98	65.82	1.16
Dublin	63.37	62.77	0.60
Galway	64.92	63.38	1.55
Kerry	68.94	68.06	0.88
Kildare	59.90	59.29	0.61
Kilkenny	69.19	68.18	1.01
Laois	66.75	67.00	-0.25
Leitrim	66.16	65.22	0.94
Limerick	57.48	57.24	0.24
Longford	60.47	62.13	-1.66
Louth	63.03	62.19	0.84
Mayo	66.40	65.98	0.42
Meath	61.73	60.14	1.59
Monaghan	60.78	60.69	0.09
Offaly	64.17	64.34	-0.16
Roscommon	62.82	62.31	0.52
Sligo	61.68	60.98	0.70
Tipperary	69.95	70.69	-0.73
Waterford	65.69	66.46	-0.77
Westmeath	62.32	62.10	0.22
Wexford	67.74	66.83	0.91
Wicklow	61.61	60.60	1.01

Chart 12: All Lease Returns by Property Type



Continuous Professional Development (CPD)

The PSRA CPD scheme provides for five formal hours of PSRA accredited CPD to be undertaken by all PSRA licensees. The purpose of this mandatory programme is to lead to greater public confidence in Property Services Providers delivering a professional competent service.

The CPD programme for 2021 commenced with a catch-up event to accommodate licensees who had not completed their mandatory 5 hours of PSRA CPD in 2020. Attendance at this event brought the 2020 overall compliance rate to 94.5%.

As a result of the continuation of the Covid-19 pandemic, the 2021 PSRA CPD cycle was once again delivered online, commencing in April. The two accredited providers of PSRA CPD are IPAV and SCSi. All CPD modules were reviewed and updated by the Authority and included new content relating to the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020 - SI 564 of 2020 which commenced in late 2020 and the Authority's new Code of Practice which was published in March 2021.

At 31 December 2021, the compliance rate for 2021 was 92.35%.

The CPD programme for 2021 commenced with a catch-up event to accommodate licensees who had not completed their mandatory 5 hours of PSRA CPD in 2020.

Corporate Affairs



Staffing Resources

During the course of 2021, the PSRA carried out a Workforce Plan review to analyse the structure, resources and operational environment of the organisation.

Following on from the Workforce Planning process undertaken by the PSRA, in June 2021 the Board of the Authority sanctioned the proposed future organisational structure i.e. a four Unit structure led at Assistant Principal level to support the CEO with responsibility for:

1. Licensing
2. Strategic Development, Communications and CPD
3. Corporate Affairs and Property Registers
4. Investigations, AML and Compensation Fund

The Authority worked toward implementing the new organisational structure and liaised with the Civil Governance and HR in the Department of Justice with regard to required additional resources. The new organisational structure identified the

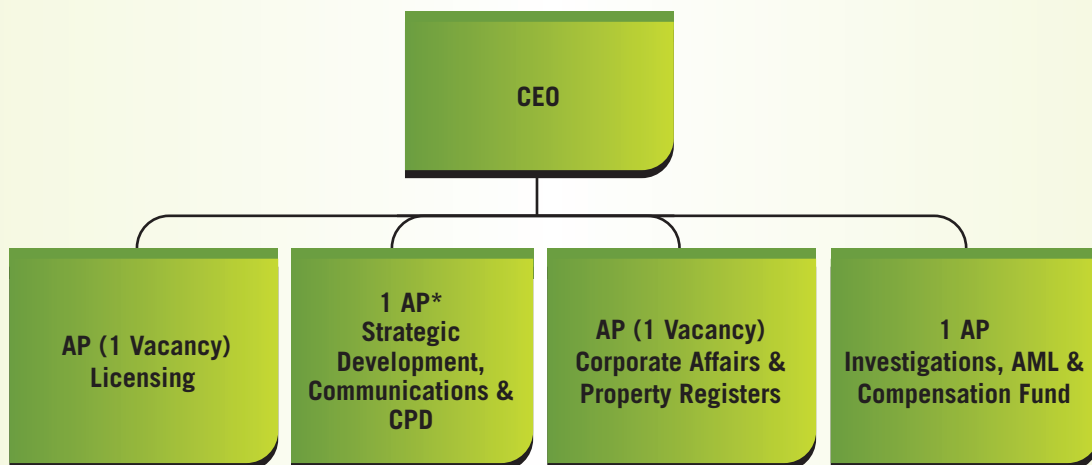
requirement for 44 staff for the Authority and some of the additional positions identified were filled at year end. The Authority will endeavour to fill the remaining additional positions identified in the coming year, subject to the necessary budget being in place.

At year end, the Authority in addition to the Chief Executive had 35.5 staff members including: 2 Assistant Principals, 13 Higher Executive Officers, 2 Administrative Officers, 10 Executive Officers and 8.5 Clerical Officers. The Staffing Structure in **Chart 13** displays the new structure of the organisation at senior management level.

Outsourced Resources

IP Forensics Ltd. continued to undertake investigations on behalf of the Authority in 2021. In addition to the compliance audit investigations undertaken, the outsourced Inspectors assisted in the investigations of complaints.

Chart 13: Staffing Structure at 31 December 2021



CEO - Chief Executive Officer **AP** - Assistant Principal

**During 2021 - 1 AP managed the areas of Licensing; Strategic Development, Communications and CPD; Corporate Affairs and Property Registers. 1 AP managed the areas of Investigations, AML and Compensation Fund. There were 2 vacancies at AP level at year end.*

Temporary Resources

During 2021, the Authority was supported by 3 temporary clerical officers, totalling 38 weeks work, to assist in the processing of licence renewal applications and administrative support work. The availability to the Authority of these additional resources positively impacted on the processing time of licence renewal applications and the effective delivery of services.

Financing the Authority

Each year the fees generated by the Authority are paid directly into the Exchequer and financial provision is then made by the Exchequer to the Authority. The licence fee or licence renewal fee payable by a Property Services Employer is €1,000 per annum while that for an Employee is €100 per annum. In 2021, the Authority paid licence fees of €2,250,000 to the Exchequer.

Corporate Governance

Corporate Governance within the PSRA is guided by:

- Property Services (Regulation) Act 2011;
- Code of Practice for the Governance of State Bodies;
- Code of Business Conduct for members of the Authority; and
- Financial and Procurement procedures.

As a public body, the Authority complies with all relevant matters relating to corporate governance issued by the Department of Justice, the Department of Public Expenditure and Reform and with any other Government Department. The Authority entered into a three-year Oversight Agreement with the Department of Justice in 2020 to cover the period 2020 – 2022. The Authority also entered into a Performance Delivery Agreement with the Department of Justice for the year 2021. Both agreements can be found on the Department of Justice and the PSRA websites.

The Oversight Agreement mandates ongoing compliance with the relevant requirements of the Code of Practice for the Governance of State Bodies. The Performance Delivery Agreement sets out the Authority's key targets for 2021 and defines the output and outcome indicators on which performance should be measured. Both agreements were reviewed during the year and the

Authority met its requirements in relation to these agreements.

The Authority is also responsible for preparing the annual report and financial statements and consider that the financial statements for 2021 are a true and fair view of the PSRA's financial performance and its financial position at the end of that year. The Authority has complied with all its obligations under tax law.

As the Authority falls under the remit of the Department of Justice, it is subject to an annual audit by the Internal Audit division of the Department. Separately, the Authority is audited annually by the Comptroller and Auditor General (C&AG) to ensure there are proper books of accounts, that processes are being maintained and procedures adhered to.

The Chief Executive is responsible for the Authority's performance of those functions as provided for under section 19 of the Property Services (Regulation) Act 2011, including providing such information as required, regarding the performance of those functions. At each meeting of the Authority, the CEO presents an update relating to the Strategic Plan and the Risk Register. The Authority is fully committed to ensuring the PSRA maintains a strong culture of corporate governance across all its functions and responsibilities.

Public Spending Code

The Authority adhered to the relevant aspects of the Public Spending Code published by the Department of Public Expenditure and Reform throughout the year.

Operation of the Authority

The Chairperson of the Authority leads the Board and ensures its effectiveness through the organisation of its business and by setting its agenda. In addition to the Chairperson, there are ten other members of the Authority with a wide range of strong and complementary skills. Prior to each Authority meeting the relevant reports and papers, including financial performance data and detailed updates on the progress and implementation of the Strategic Plan where appropriate, are circulated to members of the Authority. The Board has the opportunity to discuss these reports and to receive updates from the Chief Executive who attends the Board meetings. Due to the Covid-19 pandemic

the Authority continued to conduct Board meetings remotely via video conferencing.

The key responsibilities of the Board include:

- Approval and evaluation of the annual plan and budget of the Authority;
- Issues of policy, such as the development of Strategic Plans, review of areas of work and compliance with Codes of Practice;
- Appointment of advisory committees or consultants;
- The charging and recovery of fees;
- The development and implementation of regulations;
- Consideration of grants from the Compensation Fund;
- Consideration of Final Investigation Reports

The Board confirmed and approved a schedule of functions delegated to the Chief Executive of the Authority at its meeting on 6 December 2021. These include:

- The issue and refusal of licences and related matters;
- Investigation of complaints, including appointment of Inspectors to investigate;
- Establishment and maintenance of the Property Price Register and the Commercial Leases Register;
- Applications to the High Court;
- Right of the Authority to pursue licensees for moneys paid from the Compensation Fund (Subrogation)

Performance Evaluation of the Authority

As required under the Code of Practice for the Governance of State Sponsored Bodies an external review of the Board was conducted by Board Excellence in 2021. The findings of this external review will be presented to the Authority by Board Excellence in early January 2022.

Gender Balance in the Board membership

As at 31 December 2021, the Board had 7 female and 4 male members.

The Board therefore meets the Government target of a minimum of 40% representation of each gender in the membership of State Boards.

Risk Management

The Authority operates a formal risk management policy and maintains a Risk Register in accordance with the Department of Finance guidelines, which is managed on an ongoing basis. The maintenance of the register is designed to ensure that risks are continually identified, assessed and necessary mitigating actions, subject to resources, are put in place. The Risk Register is a standing item on the Agenda of each Board meeting and is also discussed at meetings of the Audit and Risk Committee.

Table 14 details the principal potential risks identified by the organisation for 2021 and the mitigation measures in place to reduce these risks.



The Board therefore meets the Government target of a minimum of 40% representation of each gender in the membership of State Boards.

Table 14: Principal Risks Identified

Principal Risk identified	Mitigation Measures in place
Risk to the protections inherent in licensing system due to unlicensed operators	<ul style="list-style-type: none"> ○ Inspectors immediately appointed to investigate reported unlicensed operators in the State ○ Procedures in place to identify possible unlicensed operators where a licence is not renewed ○ Outsourced Inspectors available for investigation of unlicensed operators ○ Court Injunction process availed of when required ○ Prosecutions undertaken as required
Inability to process licence applications online	<ul style="list-style-type: none"> ○ Contract in place with An Post ○ An Assurance document received from An Post ○ Service Level Agreement in place with An Post for Licences.ie ○ Review of business processes with Business Change Team in the Department of Justice complete ○ Business case for new system approved and project manager assigned to project
Dependence of Authority on Department of Justice ICT	<ul style="list-style-type: none"> ○ IT Governance Weekly tracking and reporting in place ○ Regular restoration of backups tested ○ Statement of assurance received from Department of Justice Information Management & Technology (IM&T) division ○ Review meetings held with Department of Justice IM&T in relation to Service Level Agreement ○ PSRA has controls around procurement of Mobile Devices and IT assets ○ IT User Access Controls - PSRA regularly review accesses

Table 14: Principal Risks Identified

Principal Risk identified	Mitigation Measures in place
<p>Number of Large claim(s) on the Compensation Fund</p>	<ul style="list-style-type: none"> ○ Compensation Fund insured ○ Procedures in place to notify underwriter of claims on Fund ○ Internal procedures in place for assessment of claims ○ Compensation Fund Advisory Committee established for assessment of claims ○ Legal advice sought regarding claims where precedents may be set ○ Management of legal actions on the Compensation Fund
<p>PSRA unable to fulfil its functions due to impact of Covid-19 pandemic</p>	<ul style="list-style-type: none"> ○ Capability of all staff to work remotely ○ Business continuity measures in place and regularly reviewed ○ Remote audits carried out ○ CPD modules online ○ Reorganisation of staff roles and training provided to backup staff ○ Phonelines reopened
<p>Inadequate capacity to deliver an effective, efficient service due to staffing levels, knowledge, expertise and training (succession planning)</p>	<ul style="list-style-type: none"> ○ Ongoing assessment and training of staff across multiple functions of the Authority ○ Additional staff resources reallocated ○ Workforce Planning review complete ○ Additional staff trained and providing support in different areas of work ○ Critical roles identified and back-up provision in place ○ Detailed role procedures in place and updated regularly ○ Monthly management meetings held to provide oversight of different areas ○ Internal Controls reviewed regularly ○ Staffing levels are supported (where possible) by external investigators and temporary staff assigned ○ Ongoing continued engagement with HR

Statement of Internal Control

The Statement of Internal Control of the PSRA for 2021 can be found in Appendix 1 of this report.

Freedom of Information (FOI)

The Authority comes under the remit of Freedom of Information (FOI) by virtue of the Freedom of Information Act 2014. The objective of the FOI Act is to ensure that official information is available to the public to the greatest extent possible, consistent with the public interest and the right to privacy.

The FOI Act provides that each person has the following rights:

- the right to access official records held by public bodies unless exempted under law;
- the right to have personal information corrected or updated where such information is incomplete, incorrect or misleading;
- the right to be given reasons for decisions taken by public bodies.

With a view to ensuring best practice in the administration of its statutory FOI function, the Authority has a member of its staff acting as FOI Officer to assist the public in using FOI procedures to optimum effect.

The Authority received ten FOI requests in 2021. In assessing each request the Authority operated a policy of aspiring to grant the request, and subsequently applied the “harm” test followed by the “public interest” test in accordance with the provisions of the FOI Act.

Of the requests received, they were made by:

- members of the public (6);
- journalists (4).

All ten requests received related to non-personal information.

Chart 14 summarises the outcome of all FOI requests received in 2021

Chart 14: FOI Requests in 2021

File Ref.	Requester Category	Granted	Part-Granted	Refused	Withdrawn	Awaiting Decision
1.	Member of the Public	X				
2.	Member of the Public		X			
3.	Member of the Public				X	
4.	Member of the Public			X		
5.	Member of the Public			X		
6.	Journalist		X			
7.	Journalist			X		
8.	Journalist			X		
9.	Journalist		X			
10.	Member of the Public					X

As can be seen in Chart 14, one request was granted, one request was withdrawn, three requests were partially granted and four were refused. There was one request outstanding at year end. In the cases which were not fully granted or refused, the Authority gave the requester a detailed explanation of its decision and the reasons for it.

FOI Appeals

There was one FOI appeal during 2021. In this case, the CEO (Internal Reviewer) agreed with the original decision of the FOI Officer.

Out of the two FOI requests which were being reviewed by the Office of the Information Commissioner (OIC) at year end 2020, one of these requests were withdrawn and the OIC affirmed the PSRA's decision on three records and annulled the decision relating to one record in the other request.

Data Protection

The Authority processes personal data in accordance with the principles of the General Data Protection Regulation.

The Authority has a Data Protection Officer who deals with subject access requests and data breaches as well as developing guidance and policies and procedures in the area of data protection.

In 2021 the Authority received one subject access requests. The subject access request was dealt with in accordance with the requirements of the Data Protection Act 2018.

The Authority had nine data protection breaches in 2021 which were all low level breaches. All breaches were dealt with in accordance with the Authority's data protection procedures.

Protected Disclosures Act 2014

There were no protected disclosures during 2021.

Amendments to the Act

PII Review

The Authority's review of the current Statutory Instrument (SI) in relation to PII and the issues identified continued during 2021 culminating with the Executive presenting a report to the Board at year end. Following queries raised, additional

follow up research on this matter was ongoing at year end.

EU Pilot

The Authority continued to engage in 2021 with the EU Commission through the Civil Justice Legislation Division of the Department of Justice in addressing amendments to the Act in respect of the provision of property services by providers from EU member states. This engagement is to ensure that Ireland remains compliant with EU legislation. Engagement in this area will continue in 2022.

Public Sector Duty (Irish Human Rights and Equality Commission Act 2014)

The PSRA is committed to meeting its obligations under the Irish Human Rights and Equality Commission Act, 2014. Section 42 of that Act establishes a positive duty on public bodies to prevent discrimination, promote equality and protect the human rights of all those with whom they engage - staff, service-users and stakeholders alike. In 2021, the Authority carried out a review of its Action Plan for addressing the public sector duty and progress has been made in a number of areas.

Environmental and Energy Issues

The PSRA must report annually on the energy consumption of the office and the initiatives undertaken to improve our energy performance. In this regard, the Authority continues to fulfil statutory and other obligations in relation to environmental and energy issues. All required data was submitted online to the SEAI (Sustainable Energy Authority of Ireland) on time.

The PSRA, in accordance with S.I. 426 of 2014 (European Union (Energy Efficiency) Regulations), achieved a percentage reduction of 69.6% in energy usage by the end of 2020 in our Navan headquarters. This is above the required target of a 33% reduction in energy use by 31 December 2021.

An energy performance officer and energy performance manager within the PSRA actively engage with the Energy Managers Forum and the Energy Performance Officers Forum of the Department of Justice.

Appendix 1

Statement of Internal Control



Scope of Responsibility

On behalf of the Property Services Regulatory Authority, I acknowledge the Authority's responsibility for ensuring that an effective system of internal control is maintained and operated in the Authority. This responsibility takes account of the requirement of the Code of Practice for the Governance of State Bodies (2016).

Purpose of the Statement of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded and that material errors or irregularities are either prevented or detected in a timely way.

The system of internal control, which accords with guidance issued by the Department of Public Expenditure and Reform, has been in place in the Property Services Regulatory Authority for the year ended 31 December 2021 and up to the date of approval of the financial statements.

Internal Controls in Place

The Authority is satisfied that the systems, which it has in place, are reasonable and appropriate for the Authority's circumstances having regard to its size, level of expenditure, staff resources and the nature of its operations. However, the systems do not, and cannot, provide absolute assurance against material error.

The Property Services Regulatory Authority has adopted the Code of Practice for the Governance of State Bodies issued by the Department of Public Expenditure and Reform in 2016.

Capacity to Handle Risk

The Property Services Regulatory Authority has an Audit and Risk Committee (ARC) comprising two Authority members and two external members. I, as Chairperson of the Authority, am satisfied that the ARC discharged its role effectively with four meetings held in 2021.

The Authority has reviewed and agreed the risk management policy which sets out its risk appetite and the risk management processes.

The Property Service's Regulatory Authority's Internal Audit function is carried out by the Department of Justice Internal Audit Unit under the oversight of the Audit Committee of Vote 24 (Justice). The role of Department of Justice Internal Audit Unit is to provide independent assurance to the Accounting Officer on the effectiveness of the internal controls in place across the Vote.

The Department of Justice's Internal Audit Unit carry out an audit on financial and other controls in the Authority each year.

Risk and Control Framework

The Property Services Regulatory Authority has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks.

A risk register is in place which identifies the key risks facing the Authority and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the Audit and Risk Committee, in consultation with Senior Management. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level.

The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff. The Authority confirms that a control environment containing the following elements are in place:

- procedures for all key business processes have been documented,
- financial responsibilities have been assigned at management level with corresponding accountability,
- there is an appropriate budgeting system with an annual budget which is kept under review by senior management,
- there are systems aimed at ensuring the security of the information and communication technology systems. The ICT division of the Department of Justice provide the Property Services Regulatory Authority with ICT services. In February 2021 they provided an assurance statement outlining the control processes in place at that time. An internal audit of the ICT system provided to the Property Services

Regulatory Authority by the Department of Justice carried out in 2018, identified issues of concern with the system in place and put forward recommendations for the ICT division to address. A number of these recommendations remain outstanding at the 31st December 2021, which is a cause of concern to the Authority. An online licence application system is provided by An Post through Licences.ie on behalf of the Property Services Regulatory Authority. An assurance document regarding the security and controls of the system in place during 2021 was received from An Post in November 2021. A service level agreement is in place with An Post.

- there are systems in place to safeguard the Property Services Regulatory Authority's assets, and
- there are control procedures in place regarding assessment and payments from the compensation fund

Certain aspects of the control environment within the organisation have been adapted to mitigate risks arising from the workplace restrictions imposed as a result of Covid-19.

Ongoing Monitoring and Review

The Property Services Regulatory Authority has in place an Internal Control Document which identifies risks to the Authority, the controls in place and the reporting and monitoring procedures.

The Authority takes the major strategic decisions and meets at regular intervals to monitor performance and plans. The executive management only act within the authority delegated by the Authority to give effect to the Authority's policies and decisions.

A detailed procedural manual has been prepared and put in place. Where possible, staff duties are appropriately divided taking account of the risks involved and the limited number of staff.

I confirm that the following ongoing monitoring systems are in place:

- Key risks and controls have been identified and processes have been put in place to monitor the operation of those key controls and report on any deficiencies,

- Formal procedures are in place for the purchase of all goods and services, for approval of invoices in respect of goods and services and authorisation of payment in respect of goods and services.
- There are regular reviews by the Chief Executive Officer of periodic and annual performance and financial reports which indicate performance against budgets/forecasts.
- The Authority's financial and other control procedures are subject to an annual review by the Department of Justice Internal Audit Unit. The Department of Justice Audit Committee reviews the work of the Internal Audit Unit.
- Reporting arrangements have been established at all levels where responsibility for financial management has been assigned.

Assurances

Information and Communication Technologies

The Property Services Regulatory Authority avails of the shared ICT support service from the Department of Justice. A Service Level Agreement is in place with the Department in relation to the ICT service and arrangements are in place to back up PSRA systems. An assurance document was provided by Justice Information Management and Technology regarding controls in place in 2021.

An online licence application system is provided by An Post through Licences.ie on behalf of the Property Services Regulatory Authority. This online system has greatly enhanced the efficiency and effectiveness of the licence process. An assurance document has been received from An Post regarding the security and controls of the system in place. A service level agreement is in place with An Post.

Shared Financial Services

The Property Services Regulatory Authority avails of shared financial services under the Department of Justice. A letter of assurance regarding controls in the provision of shared services has been received from the Department of Justice.

The Property Services Regulatory Authority also avails of shared services from the Payroll Shared Services Centre (PSSC) under the Department of Public Expenditure and Reform. The service is covered under a Service Level Agreement (SLA) between the PSSC and the Department.

Procurement

I confirm that the Authority has procedures in place to ensure compliance with current procurement rules and guidelines and that during 2021 the Property Services Regulatory Authority complied with those procedures.

Review of Effectiveness

I confirm that the Property Services Regulatory Authority has procedures to monitor the effectiveness of its risk management and control procedures. The Property Services Regulatory Authority's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the internal and external auditors, the Audit and Risk Committee which oversees their work and the senior management within the Property Services Regulatory Authority responsible for the development and maintenance of the internal financial control framework.

I confirm that the Authority conducted an annual review of the effectiveness of internal controls for 2021.

The Authority is reasonably assured that the systems of internal financial control instituted and implemented in the Property Services Regulatory Authority for the financial year ended 31 December 2021 are effective.

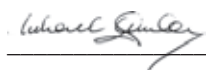
Internal Control Issues

Disclosures of Details Regarding Instances where Breaches in Control have occurred.

No weaknesses with internal controls were identified in relation to 2021 that require disclosure in the financial statements.

Disclosures of Details of Material Losses or Fraud

There are no matters of fraud to report for 2021.



Mr. Michael Quinlan

Chairperson



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Property Services Regulatory Authority

Property Services Regulatory Authority

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