



Lease Conditions for Properties Allocated for Social Accommodation

The following policy shall apply to properties allocated for social accommodation after 1st January 2022, including through a recognition or exchange of existing Government dwellings. An exception shall be made for tenants who exchange their dwelling with a smaller one.

Allocations shall be for a period of four years, followed by another four years and a final period of two years. The last period shall be adjusted as necessary for properties leased from third parties to ensure that the lease with the tenants expires before that with the owner.

Tenants may not purchase their residence. However:

- When an individual is **recognised** as a tenant in Government or HA-owned properties following a successful recognition application, and the previous tenant entered into the lease prior to the introduction of the 'Lease Conditions for Properties Allocated for Social Accommodation' in 2022, the newly recognised tenant may be permitted to purchase the property, provided that all applicable eligibility criteria, policy requirements, and required approvals are met; or
- When an individual enters into a new lease agreement following an **exchange** between two recognised tenants of Government owned or HA owned properties, and the individual's original lease commenced prior to the introduction of the 'Lease Conditions for Properties Allocated for Social Accommodation' in 2022, the tenant may be permitted to purchase the new property leased, provided that all applicable eligibility criteria, policy requirements, and required approvals are met.

Rent due shall be revised before the commencement of each new lease period. The rent stipulated in the lease agreement shall remain in effect throughout the lease term. Exceptions shall only be made if the tenants' situation changes drastically, such as through loss of employment or retirement.

Assets shall be verified at the lapse of the second four-year period. Tenants who exceed the means testing criteria indicated in annex 1 shall be requested to vacate the property. This condition is without prejudice to the Authority's right to verify tenants' assets at any time, and to revoke the allocation if it transpires that they had concealed their wealth prior to the allocation of the property.

Rent shall be paid by direct debit. Exceptions shall only be made for tenants who have received a garnishee order.

Requests for recognition shall be made through a formal application form and shall only be accepted if the following conditions are adhered to:

- The application is submitted after the demise of the recognised tenants.
- The person requesting recognition had lived with the tenants for the last five years prior to their death.
- The person requesting recognition does not exceed the means testing set out in Table 2.

Requests for exchange may only be submitted prior to the lapse of the third year from the date of allocation, so that they may be considered prior to the signing of the new lease agreement after four years. They shall only be accepted if a valid reason is provided.

Income shall be calculated according to the criteria used to assess eligibility; children's allowance and supplements for disability and illnesses shall not be taken into consideration.

Rent shall be calculated as a percentage of the income as follows, but in no circumstances shall it be less than the minimum rent stipulated in Chapter 158 of the Code of Laws for properties leased before 1st June 1995:

Table 1: Income-Based Rent Assessment Rates

Income	General Rate
€0 – €8,000	8%
€8,001 – €15,500	16%
Over €15,500	23%

Table 2: Means Test

Age	Capital Assets
< 35 years	€60,000
35 – 44 years	€90,000
45 – 54 years	€185,000
55 – 64 years	€213,000
65 – 74 years	€245,000
75 years and above	€600,000