



PSRA NEWS

March 2025

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10 am — 12:30 pm

Letting Agent Receives Major Sanction



Following a complaint received, the Authority appointed inspectors to investigate the conduct of Mr. Michael Carr, trading as New Ireland Lettings. Based on the findings and consideration of the Inspectors' Final Investigation Report, the Authority imposed a major sanction due to seven instances of improper conduct.

Specific concerns included:

- Mr. Carr's failure to properly account for moneys received on behalf of the complainant;
- Unilateral deductions from those funds, taken by Mr. Carr without the complainant's knowledge or authorisation;
- The paperwork provided by Mr. Carr, which did not justify or align with the deductions made;
- Mr. Carr's consistent failure to communicate properly with the complainant; and
- Mr. Carr's disregard for statutory provisions under the Property Services (Regulation) Act 2011, the Minimum Standards Regulations 2020, and the Client Moneys Regulations 2012.

In determining the appropriate sanction, the Authority considered several factors. A major sanction was imposed in three parts, as follows:

- Suspension of Mr. Carr's property services license for six months, effective from 3 February 2025;
- A payment of €1,000 to the Property Services Compensation Fund, to be paid by Mr. Carr within 30 days of the Order; and
- A payment of €3,000 by Mr. Carr to the Property Services Regulatory Authority, covering the full cost of the investigation, to be paid within 30 days of the Order.

The sanction was not contested by Mr. Carr. The President of the High Court, Mr. Justice David Barniville, confirmed the Authority's major sanction decision on 20 January 2025.

The Authority reminds all licensees that, prior to making any deductions from client letting monies, or any client moneys, a written agreement or authority from the client must be obtained to ensure such deductions are authorised.

Checklist for Auctioneers and Valuers Bringing Charity Property to market



Selling charity property involves unique legal and regulatory requirements that differ significantly from standard property transactions. To help auctioneers and valuers navigate this process with charities, the Charities Regulator has published an information note. It outlines some key questions to ask and steps to take to help make the sales process more straightforward for both vendor and purchaser.

The information note also provides a checklist that auctioneers and valuers should run through with a charity before marketing their property. Furthermore, there is a list of essential valuation and marketing documents that need to be submitted to the Charities Regulator if their authorisation is required to approve the sale of charity property.

You can read or download the [information note](#) from the [Charities Regulator's website](#).

PSRA Engagement



The PSRA is delighted to host another engagement event with 2nd year students of the Apprenticeship in Auctioneering and Property Services.

A webinar, specifically focused on the learning needs of these students is taking place in association with City of Dublin FET, Ballsbridge, Galway Roscommon RTB and Cork College of FET on Tuesday, 1st April.

The event will focus the role of the Property Services Regulator in the property services sector and the requirements of licensed property services providers under the Property Services (Regulation) Act 2012 and associated legislation.

A presentation by Maeve Hogan, CEO, with a questions and answers segment will be the format of the event.

It is hoped that this event will provide further learning and clarity to the students of the requirements of licensed property services providers ahead of their completion of the apprenticeship and entering the sector.

Details of how to register for this event will be provided to students by the educational institutions in due course.

Charging of Technology / Administration Fee

The Authority has become aware that licensees operating online bidding on auction platforms in order to provide property services, which fall under category A and category B licences, are in contravention with Regulation 8(2) of the Property Services (Regulation) Act 2011 (Minimum Standards) Regulations 2020.

Regulation 8(2) of Minimum Standards Regulations state:

‘A licensee shall not charge any fee in respect of the sale or letting of land or incomplete sale or letting of land, including lease preparation, tenancy extension or tenancy renewal, to any person other than the licensee’s client for the purposes of the property service concerned’ (emphasis added).

According to reports made to the Authority, a non-refundable technology or administration fee is being charged to any bidder wishing to participate in an online auction. The charge is separate from any security fee or deposit charged prior to the commencement of the auction and refundable to unsuccessful bidders.

Licensees are reminded that any technology or administration fees or expenses due from a client, e.g. vendor of a property auctioned online, and often tied in with the business operating model, in respect of the sale of land and or property other than land, are not to be charged to a prospective purchaser.

In that context, licensees are also reminded that moneys, which are not client moneys, are not to be placed into the licensee’s client account, as per Regulation 6(6) of the Property Services (Regulation) Act 2012 (Client Moneys) Regulations 2012.

Regulation 6(5) of Client Moneys Regulations states:

‘A licensee shall ensure that no payment, other than money for a client, is made into client account except payment as is authorised to be made under paragraph (4) or is necessary in order to open or maintain the account or authorised under Regulation 7(1).’

Webinar: OMCs, Agents, and the Letter of Engagement: Insights from the Property Services Regulatory Authority



**An Ghníomhaireacht
Tithíochta
The Housing Agency**

The PSRA and the Housing Agency will host a lunchtime live webinar to provide

insights into the importance of the Letter of Engagement between owners’ management companies (OMCs) and licensed property management agents.

Maeve Hogan, Chief Executive of the PSRA, will provide an overview of:

- Relevant legislation;
- Main features of the Letter of Engagement, including consumer protections;
- Interaction with Minimum Standards for licensed agents;

- Frequently arising matters / queries; and
- Sources of further guidance and information.

The webinar will be of interest to people involved with OMCs and multi-unit developments, including directors of OMCs, licensed property management professionals, residents, Local Authorities, and Approved Housing Bodies.

The hour long webinar will take place at 12.30pm on Tuesday 20 May 2025.

Registration information for this free event will appear on the websites of the PSRA www.psr.ie, and the Housing Agency www.housingagency.ie.

Secure Disposal of Confidential Documents

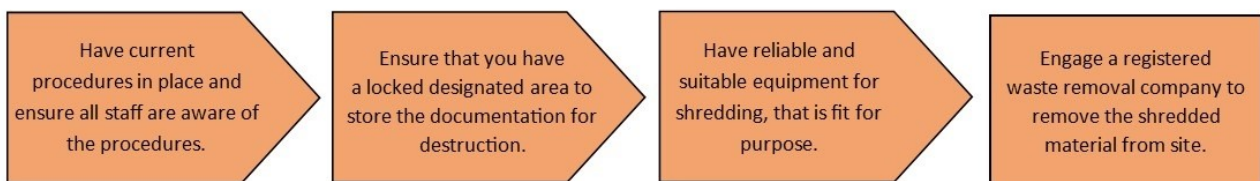
The Authority would like to remind all licensees of their responsibilities regarding the disposal of confidential documents and personal data.

Please refer to the infographic below for guidance on the proper steps to take when disposing of such materials, either internally or through a third-party service.

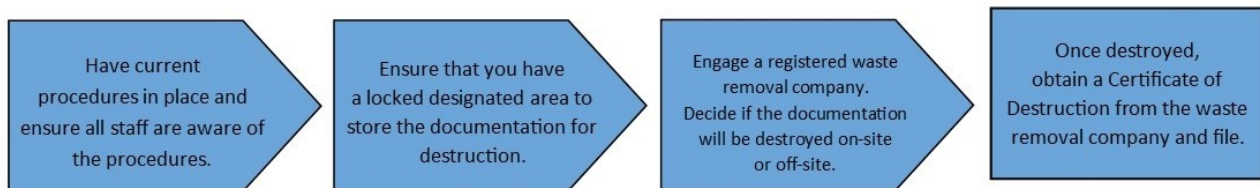
If you have any questions, feel free to contact us at info@psr.ie.

**Ensure that all personal data is shredded / destroyed.
This can be done internally or by engaging an external company.**

DESTRUCTING DATA INTERNALLY



DESTRUCTING DATA EXTERNALLY



PSRA CPD 2025

The 2025 cycle of PSRA CPD was launched on 2nd January last. All licensees must fully complete five verifiable hours of formal PSRA CPD education in each calendar year, regardless of the renewal date of your licence. Non-completion of PSRA CPD is improper conduct under the Act and may result in you and your employer being sanctioned.

The PSRA CPD programme is now being delivered by three accredited bodies, The Institute of Professional Auctioneers and Valuers (IPAV), the Society of Chartered Surveyors of Ireland (SCSI) and Public Affairs Ireland (PAI). You are not required to be a member of any of these bodies in order to undertake your PSRA CPD with them.

All five hours can be completed online and modules are available as on-demand content, as well as through a number of live events which will take place during the year.

To avoid issues relating to verifying your completion of PSRA CPD, please ensure that, when registering, you submit your PSRA licence number exactly as it appears on your PSRA licence card.

As the Authority only recognises PSRA accredited CPD, please ensure that the CPD course which you are registering for is PSRA accredited.

PSRA Logo Now Available for Business Use

On 10th February last, the PSRA made its logo available for use in the daily operations of licensed businesses. This logo represents a commitment to the highest professional standards and assures consumers of their rights under the Property Services (Regulation) Act 2011.

The Authority has already received a large number of requests from licensees for the use of the PSRA logo and we are delighted that so many licensed businesses are committed to displaying the PSRA logo in their daily business.

Who Can Use the PSRA Logo?

Licensed businesses may use the logo for promotional purposes on stationery, websites, For Sale/To Let boards, advertisements, vehicles and other platforms.



How to Apply for the PSRA Logo

Option 1: Online via PSRALicences.ie

During your next licence renewal, select the new option in the online renewal form to request the logo

package.

Option 2: Email Request

Send an email to licence@psr.ie with "PSRA LOGO" in the subject line. In your email, confirm that you have read and agree to the Terms & Conditions (T&Cs) for logo use (link below). The PSRA will review your request and, once approved, issue the logo package.

Important: If applying via email, you must use the designated email address registered with the PSRA.

There is no charge to apply for the logo.

For further details, refer to the Terms & Conditions at <https://www.psr.ie/wp-content/uploads/2024/05/PSRA-Logo-Usage-T-and-Cs.pdf>

Imposing Financial or Other Services on Purchasers

The Authority wishes to remind licensees about Regulation 19 of the Property Services (Regulation) Act 2011, (Minimum Standards) Regulations 2020.

Regulation 19 states:

'A licensee shall not make the sale of land to a person conditional upon the licensee, or a subsidiary or associated body of the licensee, providing a financial service or other service relating to land, to that person.'

It has come to the Authority's attention that there is a practice, where some licensees are informing purchasers of property, that in order for the purchase of the property to proceed, the licensee must be awarded the sale of their property, which is in contravention of Regulation 19.

This regulation ensures transparency and fairness in property transactions, safeguarding purchasers from potential conflicts of interest or undue pressure. Purchasers must have the freedom to choose their own financial or other services, without being required to use those provided by the licensee or a subsidiary or associated body of the licensee.

The Authority advises all licensees to review their sales practices, to ensure full compliance with this regulation.