

The Property Week - 07 Oct '09
IPFMA Conference 2009 on Residential Multi-Unit Development & Management

A panel of leading professional experts spent the day 'Seeing Through the Mud' at an aptly titled national conference on multi-unit residential developments held by the Irish Property & Facility Management Association (IPFMA) in Dublin (Croke Park Stadium Conference Centre).

The conference followed on from a recent IPFMA submission to government, which called for significant amendments to the draft Multi-Unit Developments (MUD) Bill 2009, prior to its enactment into legislation.

The IPFMA welcomes the advent of the new Bill but believes that its legislative proposals are not sufficiently all encompassing and do not go far enough to protect owners of future multi-unit developments by providing an effective and workable legal framework

This 7th annual conference of the IPFMA was mounted expressly to examine the areas of deficiencies and look at the source of the issues, share practical insights and determine solutions not yet addressed with in the draft MUD bill.

Conference chair, Siobhan O'Dwyer of O'Dwyer Property Management and junior vice-chairman of the IPFMA, who is also author of the Association's submission, said: "This is a forum to canvass Government further for changes and additions to the proposed MUD Bill to ensure the introduction of a workable framework and greater consumer protection for purchasers of multi units. Our experts from all of the supporting disciplines are here to identify the possible shortcomings of the current and proposed legislation and to highlight matters which may work on paper, but may not work in practice". (See Some Key Findings at end).

Siobhan O'Dwyer said that "we hope to assist government in closing the gaps in the system by sharing our experiences of what works and what does not work. Perhaps then all the cul-de-sacs that end-users may still face when they invest in a multi-unit property can be properly considered and overcome".

Thomas Lynch, chief executive of the Property Services Regulatory Body, spoke on the new regulatory environment and the implications for property managers. Patricia Ricard-Clarke of the Law Reform Commission outlined key recommendations and objectives of the draft MUD Bill, while Ailbhe Rice of RiceJones Solicitors spoke about the complexities of the current legislation governing apartment blocks.

Hubert Fitzpatrick, director of the CIF's Development, Housing and Planning Services, and a past director of the Irish Home Builders Association, outlined the developers' responsibilities under the IHBA code of practice, and building surveyor Pat McGovern, managing director of McGovern Surveyors, told of snagging and construction defects commonly found in apartments and other multi-unit residences.

Engineers Colm Traynor, former assistant chief fire officer with the Dublin Fire Brigade, spoke on fire safety management issues, while Jack Kavanagh, co-founder of Kavanagh, Mansfield & Partners Structural & Civil Engineers and past president of Engineers Ireland and the ACEI, discussed the inadequacies in building controls. Architect Toal O Muire, a past

president of the RIAI, also examined planning and building control laws in terms of missed opportunities to increase owner protection in multi-unit developments. Town planner Jim Keoghan, executive manager of Dublin City Council's Planning Department, looked at the role of the planning authority.

“The delivery of a quality standard of professional service from our industry is best facilitated by ensuring that the product in the first place is well built, completed and suitable for occupation and hand-over to the owners”, stated IPFMA conference chairman Siobhan O’Dwyer.

She referred to the ideal where a property manager starts out with “a building which is provided with an appropriate level of certification and documentation”, adding that “it is in all of our interests to protect the buyer and ensure the public’s trust in our industry”.

Finally, Ms. O’Dwyer announced that there will be a further submission made to government on the MUD Bill. The key findings of today’s conference are to be collated as “a cohesive outcome or view, which will form the basis of a further cross sector submission to government”.