

# Local Government (Charges) Bill 2009

## may be unconstitutional

- It chooses a particular category of individuals with no exclusion or exception to the charge for owners in poor financial circumstances.
- A property generating an income of €5,000 per month with a multi-million valuation is charged the same as one with an income of €400 per month and a €200,000 value.
- A property let under the Rental Accommodation Scheme is exempt whereas a similar property not in the RAS scheme (and perhaps next door) is charged.
- It is no longer the case that property owners can be presumed to be “the better off and well-to-do”. Many owners of residential investment property retain little or no equity in their premises following the fall in the residential property market. They are carrying a huge amount of debt and are reliant on rental income to meet their mortgage repayments.

The Bill may be in violation of Article 40 and 43 of the Constitution of Ireland – the rights of private property, equality and the right to a livelihood – it needs to be tested by either referral from the President under Article 26 or by legal challenge.

### **I.P.O.A.**

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The voice of property owners (Landlords).

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