

### PROPOSED CHANGES TO IAVI NATIONAL COUNCIL

Several important changes affecting the format of National Council and the election of officers, including the President, are likely to be approved by National Council and will go forward for approval at an EGM, tentatively set for June 10<sup>th</sup>.

These are likely to include:

- A reduction in the number of National Council members from 29 to a more manageable figure of 12 (already dubbed the twelve apostles!).
- The election of National Council members directly by the membership based on panels representing areas of professional practice, rather than geographic representation to ensure that the best possible representatives sit on Council.
- From 2009, the Officers of the IAVI will no longer be elected by the general membership, but by the

National Council, which is directly elected by the membership.

It is believed that this new system will make the elections of officers (including Presidents) more transparent, with our elected and accountable National Council members choosing future leaders.

While it is recognised that regional representation is essential, and will continue to be accommodated, it must remain secondary to the primary function of Council members, which is to '*represent areas of professional practice that more accurately reflect the business needs of the broad membership*'.

This improved structure and new system reflects the fact that the IAVI is proactive business organisation which responds to the needs of its membership and the industry.

#### IMF ASSESSMENT OF PROPERTY MARKETS IGNORES DEMAND SIDE

While the IMF reports that the Irish property market *may* be overvalued by 30%, its report alarmingly admits that the formula it uses to assess market strengths ignores both immigration and household formation.

Markets are about supply AND demand. Immigration and, in particular, household formation, are among the key ingredients on the demand side and these were huge influences in Ireland during the period of rising house prices and, indeed, are likely to remain key influences, if not to the same degree.

If these factors are ignored, is that not akin to making an Irish stew without vegetables?

No wonder the Governor of the Irish Central Bank dismissed the IMF findings, which are also out of date, as they do not take account of the realistic price reductions that have already taken place in a market that has corrected to pre-2006 levels.

#### AGM—TUESDAY APRIL 22

On April 22<sup>nd</sup> Edward Carey of Property Team Carey (pictured below) takes over the Presidential mantle from Robert Ganly.

The AGM will commence at 1.30 p.m. and the first 50 attendees who arrive from 12.30 p.m. will be given complimentary lunch, and maybe even a glass of wine, at headquarters!



#### PROPERTYNEWS.COM & IAVI LOGO

We have been advised by Paul Muldoon of Propertynews.com that they have a new facility available to enable IAVI Member Firms to include the IAVI logo on every property brochure page.

If you wish to avail of this new facility and also promote the IAVI brand please contact Paul Muldoon on 086 8068431 or email: paul@propertynews.com

- > IAVI/ DIT Courses & 2008 Examination Dates
- > NPSRA Bill
- > Bond and Licence Renewals
- > CPD Information
- > Revenues Overseas Property Investigation
- > Barrett for FIABCI Board of Directors
- > Study tour to Krakow/ Vilnius
- > All change in Government?
- > Clarification on Practice Note



APRIL 2008

## IAVI/DIT BSC (HONS) IN PROPERTY STUDIES

### TOP UP

Members who qualified for membership by the old 'Direct Final' route can 'top up' to honours degree level by entering Year 3 of the four year, part-time IAVI/DIT BSc (Hons) in property studies programme. This internationally recognised degree is awarded by the Dublin Institute of Technology and is accredited by the IAVI and the Society of Chartered Surveyors (SCS).

Members or other applicants who obtained a Diploma or 'Ordinary Degree', may also join the course in Year 3 to 'top up' to Honours Degree level. Members or other applicants who passed the DIT ordinary degree in Auctioneering Valuation and Estate Agency with merit or distinction in 2005, or later, may join the honours degree programme in Year 4.

### FULL PROGRAMME

Members with staff who wish to obtain the BSc (Hons) in property studies in order to gain the academic qualification for IAVI membership should remind their staff to apply to the address below. The programme lasts for four and a quarter years. Applicants need to have a degree, or a recognised diploma, or have passed all subjects on the IAVI Residential and Land Agency Course or be at least 23 years of age and have five years relevant experience. Students must be working full-time in approved property related employment for the duration of the course.

Application details can be obtained by contacting the IAVI Education Department 38 Merrion Square, Dublin 2 or by telephone at 01-661179 or email at [education@iavi.ie](mailto:education@iavi.ie).

### IAVI Residential and Land Agency Course

Students who pass all subjects on this two-year part-time programme are eligible to apply for Associate Membership of the IAVI. They may also enter directly into Year 2 of the degree course.

Applicants must have passes at ordinary level in Mathematics and English in the Leaving Certificate and must be working full-time in approved property related employment.

Both programmes are presented at the Dublin Institute of Technology, Bolton Street.

### 2008 Examination Dates

Students on IAVI programmes are reminded that examinations for the IAVI Residential and Land Agency Course and the IAVI/DIT BSc (Hons) in property studies, will be held at the Dublin Institute of Technology, Bolton Street on **Thursday and Friday, June 5<sup>th</sup> and 6<sup>th</sup> 2008**. The first examination each day will commence at **9.30am**.

Students should check their examination timetables to find out the dates and times for individual subjects.

**Employers are reminded that students will need time off to revise for these examinations and should consider any requests sympathetically.**

### NPSRA BILL: 15/17

The Property Services Regulatory Authority Bill which will formally establish the National Property Services Regulatory Authority is number 15 of 17 Bills scheduled for the upcoming Oireachtas session.

Qualified estate agents who are familiar with regulation by a professional body will welcome this news. Others may be less than enthused, as they may find themselves unable to qualify for the new licences that will come into effect under the legislation, either due to a lack of relevant educational qualifications or experience.

### BOND AND LICENCE RENEWALS FOR 2008/09

As the relevant legislation will not be in place to enable the NPSRA to take over the issuing of licences for 2008/09, it will be necessary to renew your Auctioneers Bond and Licence as before. If you have not done so already, we urge you to contact your Insurance Company and solicitor to start the train in motion for renewal.

Member Firms who participate in the Institute's Collective Bond and Licence Scheme have already been notified that the renewal procedure remains the same for 2008/09.

## UPCOMING & PROPOSED CPD SEMINARS - SPRING/ SUMMER 2008

The following Category A CPD seminars have or are in the process of being organised. Each seminar when finalised will be notified to you directly by email along with a booking form. Upon receipt of a booking form and payment places will be allocated.

### INTRODUCTION TO ARBITRATION - ONE DAY COURSE

Presented by the IAVI and the Irish Branch of the Chartered Institute of Arbitration, this is a one-day introductory level course aimed at those wishing to learn more about the practice of arbitration. The session on Thursday 1<sup>st</sup> May was already notified to members via email and is now full, however an additional course will be held in June on a date yet to be advised.

### CHANGES IN VAT ON PROPERTY TRANSACTIONS

This vital morning seminar will be presented by Vincent McCullagh and Donal Kennedy of Deloitte & Touche. This seminar will cover the many important changes to the VAT rules following the 2008 Finance Act and will be held on Monday 12<sup>th</sup> May in the College of Physicians, Kildare Street, D2.

### VALUATION REFRESHER COURSE

This popular course will be held in the Munster area for the first time in July. John Morley will run a repeat session in Dublin in the autumn. IAVI certificates will be awarded to participants of this course.

### URBAN DEVELOPMENT AND INVESTMENT APPRAISAL

This successful programme will take place over four days in July under the direction of Dr Brendan Williams. Members who were unable to secure a place on the 2007 session will be offered first refusal on this course. Full details will be circulated soon.

### BUILDING ENERGY RATING

Once SEI issues the software and training specifications for courses related to second hand property, Energy Action Ireland will deliver building energy rating courses to IAVI members. We will keep members updated on how this progresses.

*Any further queries regarding upcoming CPD seminars please contact Julie Creedon at [Julie@iavi.ie](mailto:Julie@iavi.ie)*

### EARN CPD HOURS IN YOUR OWN HOME!

The IAVI has produced a set of four DVDs of the excellent presentations at the IAVI Conference on 25<sup>th</sup> January 2008. In excess of 400 members attended the Conference and were treated to six exceptional speakers who were experts in their particular topic.

To earn **six CPD hours** all you have to do is purchase the DVD set at a cost of €50 and then submit a report on the seminars. The report for each of the six seminars should be at least a half page.

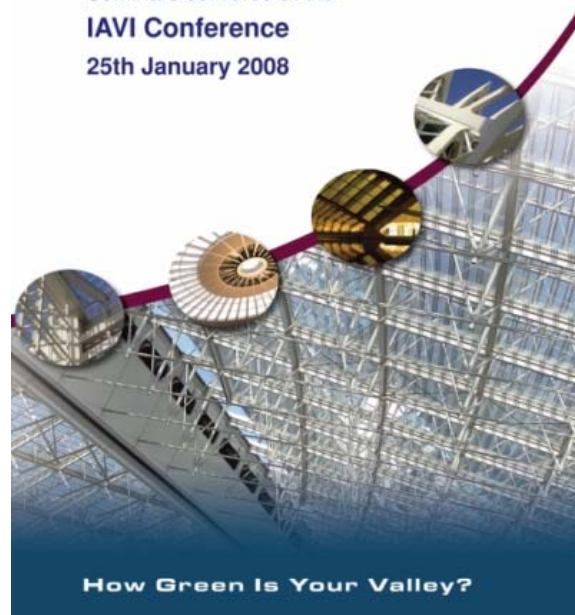
To purchase your DVD, please send an email to [Valerie@iavi.ie](mailto:Valerie@iavi.ie).

### CPD STATS

- 51 IAVI members were suspended for three months for failing to pay fines and verify CPD compliance for 2004-2006.
- These individuals will lose membership unless fines are paid and compliance with the CPD requirement is verified within the suspension period.
- 14 members have paid fines totalling €31,400. Of these, 7 have since verified compliance while the other 7 must still do so within specified periods.
- A further six cases are pending.



Seminars delivered at the  
**IAVI Conference**  
25th January 2008



### Revenue's Overseas Property Investigation

In May 2003 Revenue Officials under the direction of the Offshore Assets Group made several unannounced and simultaneous visits to business premises of Irish property agents. Revenue believed that they had the power under s905 of the Taxes Consolidation Act 1997 to visit premises of property agents and oblige them to disclose relevant information regarding groups of unnamed persons who may have purchased or sold property abroad.

The IAVI consulted Julie Burke solicitor of JMBurke tax solicitors, who is a specialist on Revenue law and Revenue powers, who advised the IAVI that Revenue may not under current legislation carry out a trawling exercise of unnamed clients files or request the property agent or his employees to extract this confidential information from their records.

During 2007, Revenue informed Savills Hamilton Osborne King, an IAVI Member Firm, that they intended visiting their offices to identify and seek information about all overseas property bought by unnamed Irish taxpayers from the firm's records.

Ultimately, in the absence of the introduction of a new specific legislative power to enable this information to be obtained, to resolve the issue, it became necessary to seek the direction of the High Court. Accordingly, an application was made by Savills Hamilton Osborne King on the 17<sup>th</sup> of December 2007 for injunctive relief and judicial review of the matter.

**In April 2008, Revenue informed Savills Hamilton Osborne King that its request for information from the firm's records about all overseas property bought by unnamed Irish taxpayers was withdrawn. Accordingly, proceedings have been withdrawn as there is no longer a requirement for the matter to be heard by the High Court.**

### BARRETT FOR FIABCI BOARD OF DIRECTORS

Former IAVI President Eddie Barrett (pictured) of Norths Real Estate Alliance in Tralee has been nominated to the Board of Directors of FIABCI, the International Real Estate Federation, for 2008-9 by the organisation's president Luis Fernando Correa Bahomon of Colombia.

Eddie has been spearheading a drive to enlarge FIABCI in Ireland and has succeeded in trebling its national membership.

The IAVI remains a Principal Member of FIABCI but has stepped back from its effective control of the organisation in Ireland in order to permit the organic growth of FIABCI Ireland across the broader property, construction and allied professions.

The 2008 World Congress of FIABCI takes place in Amsterdam May 27<sup>th</sup>-31<sup>st</sup>.



### Noel O'Reilly

The IAVI's resident gentleman (every family should have at least one!) Noel O'Reilly is recuperating from major surgery, which we are pleased to report was successful. Noel will be familiar to members through his Trojan efforts on the CPD front, where he has gone above and beyond the call of duty to save many a member from failing to verify their CPD involvement.

We wish him a speedy recovery.

### STUDY TOUR TO KRAKOW/ VILNIUS

We recently sent an email to members about the possibility of a Study Tour to either Krakow or Vilnius in the autumn. Although we received positive responses from quite a number of members, the Officers have decided to postpone the trip until 2009 at the earliest.

### ALL CHANGE IN GOVERNMENT?

We wait with bated breath to see just how clean Mr Cowen's new broom sweeps when he becomes Taoiseach on May 7<sup>th</sup>. As Minister for Justice, Equality and Law Reform, Brian Lenihan T.D. is currently responsible for our profession. Rumours abound as to who may become Tánaiste and who may be elevated to Finance so all eyes are now fixed on Leinster House.....

### CLARIFICATION ON PRACTICE NOTE - PROPERTY VALUATIONS

The IAVI Practice Note was intended to prevent clear conflicts of interest. To clarify recent queries: once the transaction has completed, the selling agent is entitled to carry out a valuation for the new owner in respect of a possible subsequent sale, providing no conflict of interest exists.

There was some confusion in relation to this note, which, with regard to properties sold by members, banned valuations by the member or his firm carried out for prospective or actual purchasers or for a mortgage or insurance provider in relation to such a purchase, with the exception of a valuation to facilitate stamp duty apportionment.