

**GUIDE**  
**TO**  
**BECOMING**  
**A LICENSED PROPERTY SERVICES PROVIDER**  
**(Auctioneer/Estate Agent, Letting Agent or Management Agent)**

**May 2012**

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### **Disclaimer**

This guide is designed to assist those who wish to become licensed property services providers to understand the requirements of being licensed and how to complete the necessary application forms. These guidelines are not and do not purport to be a legal interpretation of the Property Services (Regulation) Act 2011 and any Regulations made under that Act.

These guidelines may be updated from time to time and the most recent version will be available on the Authority's website [www.psr.ie](http://www.psr.ie). You can email [info@psr.ie](mailto:info@psr.ie) should you require any clarification on issues addressed in these guidelines.

## Summary

The Property Services Regulatory Authority (PSRA) has been established under the Property Services (Regulation) Act 2011 (*the Act*) to regulate Property Services Providers (i.e. Auctioneers/Estate Agents, Letting Agents and Management Agents). Under the Act the PSRA is the Licensing Authority for all Property Services Providers (PSPs). It is an offence to provide a property service without a licence which is punishable by an unlimited fine and up to 5 years in prison.

### **This Guide outlines:-**

➤ **The Property Services** for which a licence is required (Chapter 1).

There are four different property services namely:

- The auction of property other than land.
- The purchase or sale, by whatever means, of land.
- The letting of land.
- Property management services.

*A separate licence is required for each property service.*

➤ **The Property Services Providers** which require a licence (Chapter 2 & 3),

*Employers and Employees, who provide property services must be Licensed.*

➤ **The Statutory Requirements** for obtaining a licence (Chapter 4),

The Licensing Requirements cover:

- Qualifications,
- Professional Indemnity Insurance,
- Accountants Report,
- Tax Clearance,
- Certificate of Incorporation,
- Business Name Certificate,
- Declaration,
- Licence Fee,
- Compensation Fund Contribution.

*Particular attention should be paid to the “qualification” requirements.*

➤ **How to make an Application for a Licence** (Chapter 5).

There are four different Application Forms. If the applicant is:

- A **Company** - fill out Form [PSRA/LA1-12](#)
- A **Partnership** - fill out form [PSRA/LA2-12](#)
- A **Sole Trader or Independent Contractor** - fill out Form [PSRA/LA3-12](#)
- A **Principal Officer or Employee** - fill out [PSRA/LA4-12](#)

➤ **What happens while applications are being processed** (Chapter 6)

**Detailed Instructions on Completing Forms is given in Part II**

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**PART I**

**Requirements and Qualifications Necessary to Obtain a Licence**

# CHAPTER 1

## Property Services Covered by the Act

### *(The Different Categories of Property Service)*

1.1. A “*Property Service*” under the Act means:-

- The auction of property other than land.
- The purchase or sale, by whatever means, of land.
- The letting of land.
- Property management services.

1.2. It has been decided, because of the different categories of property services involved, that a separate licence will be issued in respect of each category of property service. However, a PSP may, if all the licensing requirements are met, hold a single licence covering one or more of the different categories of property service.

1.3. For the purposes of the Act “land” has the meaning assigned to it in the Land and Conveyancing Law Reform Act 2009 and includes:

- any estate or interest in or over land, whether corporeal or incorporeal,
- mines, minerals and other substances in the substratum below the surface, whether or not owned in horizontal, vertical or other layers apart from the surface of the land,
- land covered by water,
- buildings or structures of any kind on land and any part of them, whether the division is made horizontally, vertically or in any other way,
- the airspace above the surface of land or above any building or structure on land which is capable of being or was previously occupied by a building or structure and any part of such airspace, whether the division is made horizontally, vertically or in any other way,
- any part of land.

1.4. Property is not defined in the Act but is taken to mean all property such as land, houses, apartments, antiques, furniture, art, cattle, cars, etc.

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## CHAPTER 2

### Property Services Providers Covered by the Act

#### *(The Different Classes of Licensee)*

- 2.1. The Act describes 4 classes of Property Services Provider, namely:-
- A **Property Services Employer**,
  - An **Employee** of a **Property Services Employer**,
  - A **Principal Officer** of a **Property Services Employer**, and
  - An **Independent Contractor**.
- 2.2. A **Property Services Employer** means an employer:-
- a) whose **Employees** or **Principal Officers** provide property services on behalf of the employer (**Company** or **Partnership**), or
  - b) who is an **individual** who provides a property service and whose **Employees** also provide property services on the employers behalf (**Sole Trader**).
- Put simply a **Property Services Employer** means any **Company**, **Partnership** or **Sole Trader** who provides property services and employs persons to do so on its behalf.
- 2.3. A **Principal Officer**:-
- a) in relation to a **Company**, means any person who is—
    - (i) a director, manager, secretary or other similar officer of the **Company**, or
    - (ii) a person purporting to act in any such capacity,
  - b) in relation to a **Partnership**—
    - (i) means any person who is—
      - (I) a partner in, or a manager or other similar officer of, the **Partnership**, or
      - (II) a person purporting to act in any such capacity,
    - and
    - (ii) if any partner in the **Partnership** is both a **Company** and a licensee or an applicant for a licence, includes any person who is—
      - (I) a director, manager, secretary or other similar officer of such partner, and
      - (II) a person purporting to act in any such capacity;
- 2.4. An **Independent Contractor** is an individual who provides property services but who has no **Employees** who provides such services.
- 2.5. **Altogether there are six distinct categories who provide property services covered by the Act** (i.e. Companies, Partnerships, Sole Traders, Independent Contractors, Principal Officers and Employees).

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## CHAPTER 3

### Who Needs to be licensed?

*(Both Employer and Employee must be Licensed)*

- 3.1. Subject to some limited exemptions, every person who provides property services in the State, in respect of property located within or outside the State, needs to be licensed. This includes, **Companies, Partnerships, and Sole Traders**, together with their **Principal Officers** and **Employees** who provide property services, as well as **Independent Contractors**.
- 3.2. Under the new legislation it is necessary therefore for each **Company** and **Partnership** to hold a licence and for each **Principal Officer** and **Employee** of the **Company** or **Partnership**, who is engaged in the provision of property services, to hold licences. Similarly it will be necessary for a **Sole Trader** to hold a licence and for each of his/her **Employees**, who are engaged in the provision of property services, to hold licences.
- 3.3.1. For either a **Company** or **Partnership** to become a licensed Property Services Employer must have -
  - at least one **Principal Officer** who is qualified to provide the property services being licensed (see 4.2 on qualifications), and
  - at least one **Principal Officer** or **Employee** licensed to provide the property service on its behalf.

#### EXAMPLE

There are 4 **Principal Officers** and 7 **Employees** in a **Company**. Only 3 **Principal Officers** and 5 **Employees** provide property services. Applications must be made for a Licence for the **Company** and a Licence for only the 8 people providing property services.

- 3.3.2. One **Principal Officer** could fill both of the requirements described in 3.3.1.

#### EXAMPLES

There are 3 **Principal Officers** and 1 **Employee** in a **Company**. Only 1 of the **Principal Officers** and the **Employee** provide property services. The **Principal Officer** who is providing property services can also be the person whose qualification is used to enable the company to be licensed.

On the other hand if, in a similar **Company**, only the **Employee** provides property services then any of the three **Principal Officers** qualification can be used to enable the **Company** to be licensed. Without any of the **Principal Officers** being qualified (even where they do not provide property services) the **Company** cannot be licensed.

3.3.3. As outlined in 3.3.1, a **Company** or **Partnership** must have a qualified **Principal Officer**. When a person ceases to be a **Principal Officer**, for whatever reason, and that former **Principal Officer**'s qualification was used to qualify the **Company** or **Partnership** then another **Principal Officer** will need to establish that they are qualified (though not necessarily licensed).

Note: A **Company** or **Partnership** is required to inform the Authority in writing, within 30 days, of any change in **Principal Officers**.

3.4. The licence held by an **Independent Contractor** or a **Sole Trader** is held both by the business and by the licensee personally. Consequently, two licences, one for the business and one for the individual, will be issued on foot of the one application. However, each **Employee** of a **Sole Trader**, who provides property services, must also be licensed.

3.5.1. It is of the utmost importance to note that Section 4 of the Act provides that **Principal Officers** and **Employees** cannot be licensed to provide a property service unless the **Property Services Employer**, for whom they are providing the property service, is licensed to provide that service.

3.5.2. Where a property services employer ceases to be licensed, for whatever reason, then every **Employee** or **Principal Officer** of that property services employer also ceases to be licensed to provide property services on behalf of that property services employer.

3.6. A licence issued to an **Employee** or a **Principal Officer** will be issued in respect of the particular property services employer e.g. Mary Murphy is licensed to provide property services as an employee of Joseph Bloggs. Where a person is an **Employee** or a **Principal Officer** for more than one property services employer then the person will need a licence for each property services employer on whose behalf they provide services i.e. if Mary Murphy also provides property services as a employee of Joe Soap she will need to be licensed for that employment separately.

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## CHAPTER 4

### Licensing Requirements

#### 4.1.1. Introduction

Every Licence Application must include:-

(a) in the case of Companies and Partnerships-

- A completed and signed Application Form (**PSRA/LA 1 – Company & PSRA/LA 2 – Partnership**),
- Evidence of the qualification(s) of the Principal Officer(s) being relied upon for the purpose of the application (see 4.2),
- Evidence that the required level of Professional Indemnity Insurance, is or will be available to the applicant (see 4.3),
- Accountant’s Report (see 4.4),
- Tax Clearance Details (see 4.5),
- Certified Certificate of Incorporation (Corporate bodies only) (see 4.6),
- Certificate of Business Name Registration (where applicable) (see 4.7),
- Prescribed Licence Fee ( see 4.8),
- Evidence that the “transitional arrangements” apply (where applicable) (see Chapter 6).

(b) in the case of Sole Traders and Independent Contractors-

- A completed and signed Application Form (**PSRA/LA 3**),
- Evidence of the qualification(s) of the applicant (see 4.2),
- Evidence that the required level of Professional Indemnity Insurance, which covers both the employer and employees, is or will be available to the applicant (see 4.3),
- Accountants Report (see 4.4),
- Tax Clearance Details (see 4.5),
- Certificate of Business Name Registration (where applicable) (see 4.7),
- Prescribed Licence Fee (see 4.8),
- Evidence that the “transitional arrangements” apply (where applicable) (see Chapter 6),
- Applicant’s Photograph (Passport size with name and PPS No. on reverse side),

(c) in the case of a Principal Officers and Employees-

- A completed and signed Application Form (**PSRA/LA 4**),
- Evidence of the qualification(s) of the applicant (see 4.2),
- Prescribed Licence Fee (see 4.8),
- Evidence that the applicant is, or will be, covered by the employer’s Professional Indemnity Insurance,
- Applicant’s Photograph (Passport size with name and PPS No. on reverse side).

It is imperative that the “**Declaration**” which the applicant is required to make is signed and dated.

**4.1.2.** While an applicant may meet the requirements set out in **4.1.1.** above, a licence cannot be issued until such time as the applicant provides evidence of

having Professional Indemnity Insurance in place and also having paid the appropriate contribution to the Compensation Fund. (see 4.10).

## **4.2. Qualification Requirements**

**4.2.1.** Applicants for a Licence must meet certain “**minimum qualification requirements**” before a licence can be granted, namely:

- Have a *minimum academic qualification*, or
- Have appropriate *experience*.

**4.2.2.** While individuals, such as Sole Traders, Independent Contractors, Principal Officers and Employees, can acquire qualifications, Companies or Partnerships cannot. Consequently, Companies and Partnerships “qualify” for a licence by virtue of the qualifications of their Principal Officers. The Principal Officer(s) being relied upon for the purpose of obtaining a Company or Partnership licence must provide evidence of having the “**minimum qualification requirements**” for the licence being applied for. (Where more than one licence is being applied for, more than one Principal Officer’s qualifications may be admitted e.g. one Principal Officer may be qualified to provide property service “X”, another is qualified to provide property service “Y” and both of these qualifications mean that the Company or Partnership can be licensed to provide “X” and “Y”).

**4.2.3.** An applicant for a licence must provide evidence that the “**minimum qualification requirements**”, relevant to the licence(s) being sought, have been attained:

- (a) in the case of a Company or Partnership, by a Principal Officer of the Company or Partnership,  
and
- (b) in the case of an individual (i.e. Sole Trader, Independent Contractor, Principal Officer or Employee), by the individual applicant.

**4.2.4.** As has been mentioned, to meet the “**minimum qualification requirements**” an applicant may qualify by meeting any of the following:

***Minimum Academic Qualification*** means:-

“(i) a minimum of 120 European Credit Transfer and Accumulation System (ECTS) compatible higher education and training credits at, or equivalent to, levels 6 to 10 of the National Framework of Qualifications of the National Qualifications Authority of Ireland, or an equivalent framework of qualifications system in another jurisdiction, in the subject areas specified below, and

(ii) the credits, referred to in subparagraph (i) shall have been awarded by a nationally recognised awarding body or bodies, or an equivalent body in another jurisdiction,...

(Subjects and Credits which satisfy the Minimum Qualifications)

Specified Subjects	No ECTS Credits
Valuations	7.5
Marketing/ Practice Knowledge	30
Economics	7.5
Law	30
Property Management	20
Building Construction/ Technical	7.5
Business Studies/Professional Development	7.5

The number of ECTS referred to in the table above shall be supplemented by 10 ECTS credits in one or more of the specified subjects.

#### EXAMPLE

Over recent years a number of courses have been run by Institutes of Technology throughout the country which incorporate the appropriate subjects and provide a level of academic qualification which is either equivalent to or in excess of 120 ECTS. The courses are as follows:

Course	No ECTS Credits
Higher Certificate Property Studies – Dublin I.T.	120 ECTS (2 years)
B.Sc. Real Estate – Dublin I.T.	180 ECTS (3 years)
B.Sc. Property Economics – Dublin I.T.	240 ECTS (4 years)
B.Sc. Property Studies – Dublin I.T.	240 ECTS (4 years)
B.Sc. Property Studies – Galway/Mayo I.T.	240 ECTS (4 years)
B.Sc. Real Estate – Limerick I.T.	240 ECTS (4 years)
B.Sc. Real Estate – Athlone I.T.	180 ECTS (3 years)

#### N.B.

Any person having attained 120 ECTS in the specified subjects in any of the foregoing courses, or their equivalent, meets the “*minimum qualification requirement*”.

**Experience** refers to the practical experience which a person may have gained through working in the provision of property services for a number of years. This means having been lawfully engaged in the provision of the property service, the subject of the licence application, for three of the five years immediately preceding the making of the application.

4.2.5. “Evidence of Qualification”, which must be submitted with each application includes:-

#### **Minimum Academic Qualification**

Irrespective of the **Category of Property Service** for which a licence is sought the following evidence should be submitted with the licence application:

- In the case of a Company or a Partnership, a letter or a copy of a certificate from an “awarding body” that a Principal Officer of the Company or Partnership has attained the *minimum academic qualification*.

- In the case of a Sole Trader, Independent Contractor, Principal Officer or Employee, a letter or copy of a certificate from an “awarding body” that the applicant has attained the *minimum academic qualification*.

### ***Experience***

Where the **Category of Property Service** for which a licence is sought is the **auction of property** the following evidence should be submitted with the licence application:

- In the case of a Company or a Partnership, evidence that a Principal Officer of the Company or Partnership was
  - the nominee on an auctioneer’s licence issued under the Auctioneers and House Agents Acts 1947 to 1973, or
  - the holder of an auctioneer’s licence or permit issued under the Auctioneers and House Agents Acts 1947 to 1973;
 for three of the five years immediately preceding the making of the application.
- In the case of a Sole Trader or Independent Contractor evidence that the applicant was the holder of an auctioneer’s licence or permit issued under the Auctioneers and House Agents Acts 1947 to 1973 for three of the five years immediately preceding the making of the application.
- In the case of a Principal Officer or Employee, evidence that he or she was:
  - the nominee on an auctioneer’s licence issued under the Auctioneers and House Agents Acts 1947 to 1973, or
  - the holder of an auctioneer’s licence or permit issued under the Auctioneers and House Agents Acts 1947 to 1973.

Where the **Category of Property Service** for which a licence is sought is the **sale or purchase by whatever means of land or the letting of land**, the following evidence should be submitted with the licence application:

- In the case of a Company or a Partnership, evidence that a Principal Officer of the Company or Partnership was
  - the nominee on a licence issued under the Auctioneers and House Agents Acts 1947 to 1973, or
  - the holder of a licence or permit issued under the Auctioneers and House Agents Acts 1947 to 1973;
 for three of the five years immediately preceding the making of the application.
- In the case of a Sole Trader or Independent Contractor evidence that the applicant was the holder of a licence or permit issued under the Auctioneers and House Agents Acts 1947 to 1973 for three of the five years immediately preceding the making of the application.
- In the case of a Principal Officer or Employee:-
  - evidence that he or she was:
    - the nominee on a licence issued under the Auctioneers and House Agents Acts 1947 to 1973, or
    - the holder of a licence or permit issued under the Auctioneers and House Agents Acts 1947 to 1973;
  - a letter from the employer (or where necessary former employers) that the Principal Officer has been employed by the employer (or former employers) in the provision of the relevant

property services, on behalf of the employer (or former employers), for three of the five years immediately preceding the making of the application.

Where the **Category of Property Service** for which a licence is sought is for the provision of **property management services**, the following evidence should be submitted with the licence application:

- In the case of a Company or a Partnership, a letter from a “management body” (or bodies) confirming that a Principal Officer of the Company or Partnership has satisfactorily provided property management services to the “management body” (or bodies) concerned for three of the five years immediately preceding the making of the application.
- In the case of a Sole Trader or Independent Contractor a letter from a “management body” (or bodies) confirming that the applicant had satisfactorily provided property management services to the “management body” (or bodies) concerned for three of the five years immediately preceding the making of the application.
- In the case of a Principal Officer or Employee, a letter from the employer (or where necessary former employers) that the applicant has been employed by the employer (or former employers) in the provision of property management services, on behalf of the employer (or former employers), for three of the five years immediately preceding the making of the application.

An “**awarding body**” has the meaning assigned to it in the Qualifications (Education and Training) Act 1999.

A “**management body**”, in relation to a multi-unit development, means—

- (a) that company or unincorporated body—
  - (i) which is formed for the purposes of becoming the owner of all or some of the common areas of the development, and
  - (ii) which manages all or some of the common areas of the development,

And

- (b) any person who manages the common areas referred to in *paragraph (a)* at any time before the company or unincorporated body referred to in that paragraph starts to manage such common areas;

### **4.3. Professional Indemnity Insurance**

**4.3.1.** Applications for a Licence from a Property Services Employer or Independent Contractor must be accompanied by evidence that they have P.I. Insurance which covers both the Property Services Employer and all Principal Officers and Employees engaged in the provision of property services.

**4.3.2.** The level of cover which must be provided for is  
*“the amount insured for each and every claim (exclusive of defence costs) must be at least twice the business's annual fee turnover (exclusive of VAT) in the previous fiscal year subject to a minimum cover of €500,000 (five hundred thousand euro), with no limit on the number of claims in any one year.”*



**4.3.3.** In some cases at the time of making the licence application an applicant may not have PI Insurance in place. In such circumstances, a letter to the Authority from an authorised insurer, indicating a willingness to provide the necessary PI Insurance to the applicant on the grant of a licence, will suffice. However, before a licence can be granted a certificate of insurance, certifying that the necessary level of insurance has been put in place, must be provided to the Authority.

**4.3.4.** An application for a Licence from a Principal Officer or Employee must contain a declaration that the applicant is covered by the employers PI Insurance.

#### **4.4. Accountant's report**

**4.4.1.** Companies, Partnerships, Sole Traders and Independent Contractors must at the time of making an application for a licence, supply the Authority with a report, in the specified form, by a duly qualified accountant, which states that appropriate financial systems and controls are or will be in place for the protection of client moneys. A qualified accountant is a person who is a member of an organisation which is subject to supervision by the Irish Auditing and Accounting Supervisory Authority (see [www.iaasa.ie](http://www.iaasa.ie)) and who is not and never has been a Principal Officer or Employee of the applicant.

**4.4.2.** The “specified form” of report which must be supplied is available on the Authority’s website: [www.psr.ie](http://www.psr.ie).

#### **4.5. Tax Clearance**

**4.5.1.** All property services employers and independent contractors must hold a “tax clearance certificate” issued by the Revenue Commissioners. Other arrangements may apply where the decision to refuse to issue a tax clearance certificate is under appeal.

**4.5.2.** In the case of a company, all of its directors (including those who do not provide property services) must also hold a “tax clearance certificate”. In the case of a partnership, all of the partners (including those who do not provide property services) must also hold a “tax clearance certificate”.

**4.5.3.** The Authority must refuse to issue a licence where a “tax clearance certificate” is not in force. To avoid requesting an updated “tax clearance certificate”, the Authority will deem a “tax clearance certificate” which was in force on the date of application (see 6.1) as being in force when the licence is being issued.

**4.5.4.** Applications for a “tax clearance certificate” can be made on-line at => <https://www.revenue.ie/itp/identification.jsp>. Alternatively, applicants can submit a “TC1 form” to their local Revenue District for list of contacts see => <http://www.revenue.ie/en/business/running/revenue-districts-contacts.html>.

#### **4.6. Certificate of Incorporation**

A company must include a certified certificate of incorporation of the company with its application. This certificate may be obtained from the Companies Registration Office (CRO) and must be dated within four weeks of the application.

#### **4.7. Certificate of Registration under the Business Names Act 1963**

**4.7.1.** Some Companies, Partnerships, etc., may conduct business under what is generally termed a “business name” or “trading name”. In such instances the registration of the “business/trading name” name with the CRO, is obligatory under the Business Names Act. The purpose of registering “business/trading names” is to make public the identity of the owner behind the “business/trading name”. More details are available from the CRO at: <http://www.cro.ie/ena/business-registration-business-name.aspx>.

**4.7.2.** A Certificate of Business Name Registration must accompany an application in respect of each “business/trading name” used. The “business/trading name” on the Certificate of Business Name Registration will also appear on the licence as well as the true name of the owner(s).

#### **4.8. Licence Fee**

The licence fee is determined by the Class of Property Services Provider that the applicant belongs to and is unaffected by the category or number of services being licensed.

<b>Class of Property Services Provider</b>	<b>Licence fee</b>
Company	€1,000
Independent Contractor	€1,000
Partnership	€1,000
Sole Trader	€1,000
Employee	€100
Principal Officer	€100

#### **4.9. Declaration**

**4.9.1.** The person signing the declaration (the declarer) should read all of the form carefully and be satisfied that the declarations that he/she is about to make are true to the best of his/her knowledge.

**4.9.2.** In the case of a Company, the declarer must be a Principal Officer of the Company and the declarer’s status within the Company - director, manager, secretary or other similar officer of the Company must also be included.

**4.9.3.** In the case of a Partnership, the declarer must be a Principal Officer in the Partnership and the declarer’s status within the Partnership - director, manager, secretary or other similar officer of the Partnership must also be included.

**4.9.4.** In the case of a Sole Trader, Independent Contractor, Principal Officer or Employee, the declarer must be the applicant.

#### 4.10. Compensation Fund

The Property Services Compensation Fund (*the Fund*) is established under the Act. The purpose of the Fund is to compensate clients of licensees who sustain a loss due to the dishonesty of a licensee in provision of a property service. The Fund must have at least €2m within four years of establishment. The payment of the contribution to the Fund is a condition for the granting of all licences. A contribution to the Fund is not required until the Authority has almost finalised an application and so is not required to accompany an application. The following are the contributions required and will be requested by the Authority at the appropriate time –

<b>Class of Property Services Provider</b>	<b>Fund contribution</b>
Company	€200
Independent Contractor	€200
Partnership	€200
Sole Trader	€200
Employee	€50
Principal Officer	€50

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## CHAPTER 5

### How to make an Application for a Licence

- 5.1. An applicant may apply for a licence for any, or all, of the four **Categories of Property Services** covered by the Act. However, the information to be supplied depends on the **Class of Property Services Provider** rather than the **Category of Property Service** being provided. Consequently, for simplicity, the application forms have been designed by reference to the **Class of Property Services Provider**.
- 5.2. There are **four** different application forms covering the **six** classes of Property Services Providers. While there is much in common between the forms, there are distinct differences. The use of separate forms for the different classes is to reduce the work required in making an application. If the applicant is:
- **A Company** – Complete Form PSRA/LA1 only.
  - **A Partnership** - Complete Form PSRA/LA2 only.
  - **A Sole Trader/Independent Contractor** - Complete Form PSRA/LA3 only.
  - **A Principal Officer or Employee** - Complete Form PSRA/LA4 only.
- 5.3. Detailed notes on how each of the questions on the forms is to be answered are provided at Chapter 7 to 10 as follows:
- **Company Form** - Notes at Chapter 7
  - **Partnership Form** - Notes at Chapter 8
  - **Sole Trader/Independent Contractor Form** - Notes at Chapter 9
  - **Principal Officer or Employee Form** - Notes at Chapter 10
- 5.4.1. Irrespective of the number of Property Services for which licences are being sought, a Property Services Provider only needs to complete the one form appropriate to his/her class. Once an applicant has decided on the appropriate form simply download the form from the Authority's website [www.psr.ie](http://www.psr.ie) and turn to the appropriate chapter of this booklet for the notes on its completion.

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## CHAPTER 6

### **What happens while my application is being processed?**

- 6.1.** The date of application is a key date in the application process to determine if particular actions or documents are within the correct timeframe. The date of application is the date on which the Authority receives the application. Each application will be acknowledged in writing and the acknowledgment will include the date that the application was received.
- 6.2. Transitional Arrangements**
- 6.2.1.** The Act allows for “transitional arrangements” which means that the prohibition on providing a property service without the appropriate licence, issued by the Authority, does not apply in certain limited circumstances. These provisions are designed to avoid a situation whereby a person, while awaiting the processing of their licence application, would have to cease providing property services.
- 6.2.2.** For the “transitional arrangements” to apply, a person must meet each of the following conditions –
- The applicant must be lawfully providing the property service(s) at the time the application is made,
  - An application must be made before 6 July 2012, and
  - A “final determination” on the application has not yet been made (“final determination” is a decision by the Authority on the licence application and any appeal(s) to that decision).
- 6.2.3.** Where the “transitional arrangements” do not apply it is prohibited to provide property services without the appropriate licence. The penalties for unlicensed property service provision are, on summary conviction, a fine of up to €5,000 and/or 12 months in prison and, on conviction on indictment, a fine (no limit) and/or up to five years in prison.
- 6.2.4.** The “transitional arrangements” cannot apply to an Employee or to a Principal Officer where the “transitional arrangements” do not apply to the relevant property services employer.
- 6.2.5.** A flowchart on the “transitional arrangement” is included at the Appendix.

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## **PART II**

### **Completing the Application Form**

## CHAPTER 7

### Notes to Company Application Form (PSRA/LA1-12)

#### PART A - Applicant details

##### **The name(s) registered with the Companies Registration Office**

**A1. Company Name:** The company name as registered with the Companies Registration Office (CRO) and this name will appear on the licence. This must be identical to the name which appears on the Certificate of Incorporation which must accompany the application.

**A2. Registered Business Name:** This question will be left blank if a registered business name is not used. The registered business name entered here must be identical to the name which appears on the Certificate of Registration, under the Business Names Act 1963, which must accompany the application (if the company uses a registered business name) and will appear on the licence as well as the company name.

Any additional registered business names of the company should be included in Part B of the form.

##### **Where the principal business is carried out**

**A3. Business Address:** The full address from where the company provides property services (not necessarily the registered address of the company). The principal address should be entered here and where there is more than one address the other addresses must be entered in Part B of the form.

##### **Company contact details**

**A4. to A7.** The relevant details, if any, of the company.

##### **Registration number(s) from the Companies Registration Office**

**A8. Company Registration Number:** The registration number which appears on the company's Certificate of Incorporation which must accompany the application.

**A9. Business Name Registration Number:** If applicable, the registration number which appears on the Certificate of Registration of the business name which accompanies the application.

##### **Company's tax clearance**

**A10. Tax Clearance:**

Revenue Registration Number: The correspondence Reference Number used by the Revenue Commissioners in respect of the company.

Certificate Number: The number which appears on the company's Tax Clearance Certificate.



### Previous licence

**A11. Does the company hold a current auctioneer's/house agent's licence?:** Put a “√” in the appropriate box to indicate whether or not the company holds a current licence.

### Licence(s) being applied for

**A14. Licence Required:** Put a “√” in the appropriate box(es) to indicate the property services for which licence(s) are being sought. Any number of the four options can be selected including all four. However, the company must have, among its **principal officers\***, persons with the qualifications required to hold the licences being applied for.

Please see 1.3 and 1.4 on page 4 for information on “land” and “property”.

\*see definition of “principal officer” at 2.3.

## **PART B - Business names and addresses for which duplicate licences are required**

### Other addresses from where property services are provided

**Registered Business Name:** As described at A2 (above). The different registered business names (other than that entered at A2) should be entered, where the company has a number of registered business names.

**Business Address:** The full address of premises from where the company provides property services. All of the places of business of the company for the purpose of the provision of property services must be entered except for:

- the address already inserted at question “A3”
- those addresses which are the subject of the provision of property services – e.g. a property which is being “shown” as part of a selling or letting service
- temporary auction venues.

**Business Name Registration Number:** as described at A9 above. Only registration numbers other than that entered at A9 should be entered.

Each place and registered business name identified will be issued with a duplicate licence for display at that place as is required by law. There is no addition charge or fee for “duplicate” licences.

Further page(s) must be included, on the headed paper of the company, where there is insufficient space on this form to record all of the registered business names, addresses or business name registration numbers.

## **PART C – Tax Clearance details for Directors**

### Tax Clearance details of each director of the company

**C1. Director's Name:** The full name (first name(s) and family name) of directors.  
*[Initials must not be used – (e.g. T.; P.J.; J.K.)].*

**C2. PPS No:** The Personal Public Service Number of each director.

**C3. Tax Clearance :** Revenue Registration No.: The correspondence Reference Number used by the Revenue Commissioners in respect of each director.

Certificate No.: The number which appears on each director's Tax Clearance Certificate.

The details of all of the company directors must be recorded, including company directors who are not engaged in providing property services.

Further page(s) may be included, on company headed paper, where there is insufficient space on the form.

### **PART D – Other relevant details**

**D1. Bankruptcy/Liquidation:** Put a “√” in the appropriate box to indicate whether or not any **principal officer** (not just directors) of the company is or has been a director or shadow director of a company which has gone into liquidation during the 24 month period prior to the application or is an undischarged bankrupt.

**Details:** Details of the bankruptcy/liquidation and the principal officer concerned.

**D2. Civil Court Action:** Put a “√” in the appropriate box to indicate whether or not any **principal officer** (not just directors) of the company has been the subject of a civil court action, which is still pending or in which judgement has been obtained, as a consequence of the provision of a property service or financial service, either personally, as a director or shadow director of a company or as a partner in a partnership within the last 5 years.

**Details:** Details relating to the civil action and the principal officer concerned.

**D3. Conviction:** Put a “√” in the appropriate box to indicate whether or not any **principal officer** (not just directors) of the company has been convicted of any offence.

**Details:** Details relating to the conviction and the principal officer concerned.

### **Contact person for this licence application**

**D4. to D9.** relate to the person to whom any communication in relation to the application will be made. The person does not have to be a **principal officer**. Where **D5.** is left blank, the person making the **Declaration** at the end of the form will be deemed to be the contact person. Where **D6, D7, D8 or D9** is left blank the answer will be deemed to be the same as the answer to the corresponding question in **Part A.**

**D4. Title:** Dr. Mr. Ms. etc as appropriate

**D5. Name:** The full name of the person – first name(s) and family name.

## Overseas property services businesses

### D10. Company Operations Abroad:

Details to be entered here may include-

- The business names and addresses of office/s located outside Ireland and if those businesses are subsidiaries or parent businesses
- Any arrangement to provide property services in another country
- Any arrangement to provide property services in respect of property in another country

## PART E – Licence Fees

### How much to pay for the licence(s)

**Fees:** Insert the appropriate amount in the appropriate box(es) to reflect the amount paid and the means of payment. Enter the total amount in the “Total” box.

Licence Class	Licence fee #
Company	€1,000
Duplicate for additional business addresses	€0
Employee	€100
Principal Officer	€100

#The licence fee remains the same regardless of the number of property services being licensed

A company may wish to pay/send the licence fee in respect of principal officers and employees with the company application. In that case, there should be a list of the names and Personal Public Service Numbers of the individuals, on the company’s headed paper, included with the payment to enable matching of payments with applications (it is not necessary to supply this list if all the individual applications are included in the same envelope as the company’s application).

Bank drafts, postal orders or cheques are to be made payable to the “**Property Services Regulatory Authority**” – please do not abbreviate.

### Affirmation of accuracy of the information on the form and declarations

#### DECLARATION

The person signing the declaration (the declarer) should read all of the form carefully and be satisfied that the declarations that he/she is about to make are true. The declarer must be a principal officer of the company.

**Name:** The declarer’s name (not the company or business name) in block capitals

**Status:** The declarer’s status within the company - director, manager, secretary or other similar officer of the company

**Signature:** The declarer’s signature

**Date:** The date on which the declarer signed the form

### A reminder of what you need to send with the application form

## **Checklist**

Please check that the form is fully completed and that all relevant documentation in support of the application is included.

**Licence fee:** As set out in the notes to PART E. The Authority recommends that you do not send cash through the postal system.

**Proof of availability of Professional indemnity insurance:** A statement from an insurer that they are willing to offer insurance to the applicant which meets the minimum requirements for professional indemnity insurance as set out in 4.3.

Note: Evidence of the applicant having the insurance in place will be requested by the Authority before a licence can be issued.

**Accountant's report:** A report from an accountant in the specified form that the company has/will have the necessary controls in place for the protection of clients' money. The form of the accountant's report is available from the Authority's website [www.psr.ie](http://www.psr.ie)

**Certified Certificate of incorporation:** This certificate is obtainable from the Companies Registration Office and must be dated not earlier than 4 weeks before the date of application.

**Certificate(s) of business name registration:** This business name certificate is obtainable, if applicable, from the Companies Registration Office. A certificate is required for each registered business name used.

**Evidence that the Company meets the Qualification Requirements:** A principal officer of the company must be qualified to provide the property services that are being applied for. See 4.2 for the details of what evidence is required.

**Evidence that the transitional provisions (section 99(2) of the Act) apply:** Where applicable, a copy of an auctioneer's licence issued to the company under the Auctioneers and House Agents Acts 1947 to 1973 (for licence A, B or C) or, where the application is to provide property management services (licence D) other evidence that the company lawfully provided the property services, which are the subject of the application, prior to 6 July, 2012.

You should note that where section 99(2) of the Act does not apply, the company or any of its employees or principal officers cannot provide property services until the company (and the individuals concerned) have been licensed by the Authority to provide those property services.

**Declaration:** As set out in the notes above

## **Completed Application**

The completed application form and supporting documentation should be sent to: -

Property Services Regulatory Authority  
Floor 2  
Abbey Buildings  
Abbey Road  
Navan  
Co. Meath.



## CHAPTER 8

### Notes to Partnership Application Form (PSRA/LA2-12)

#### **PART A - Applicant details**

##### **Partnership name(s)**

**A1. Partnership Name:** The names of all of the partners. These will appear on the licence.

**A2. Registered Business Name:** This question will be left blank if a registered business name is not used. The registered business name entered here must be identical to the name which appears on the Certificate of Registration, under the Business Names Act 1963, which must accompany the application (if the partnership uses a registered business name) and will appear on the licence as well as the partners' names.

Any additional registered business names of the company should be included in Part B of the form.

##### **Where the principal business is carried out**

**A3. Business Address:** The full address from where the partnership provides property services. The principal address should be entered here and where there is more than one address the other addresses can be entered in Part C of the form.

##### **Partnership's contact details**

**A4. to A7.** The relevant details, if any, of the business.

##### **Partnership's business name registration**

**A8. Business Name Registration Number:** If applicable, the registration number which appears on the Certificate of Registration, under the Business Names Act, of the business name which accompanies the application.

##### **Partnership's tax clearance details**

###### **A9. Tax Clearance:**

Revenue Registration Number: The correspondence Reference Number used by the Revenue Commissioners in respect of the partnership.

Certificate Number: The number which appears on the partnership's Tax Clearance Certificate.

##### **Previous licence**

**A10. Do the partnership hold a current auctioneer's/house agent's licence?:** Put a "√" in the appropriate box to indicate if the partnership holds a current licence or not.

##### **Licence(s) being applied for**

**A11. Licence Required:** Put a "√" in the appropriate box(es) to indicate the property services for which licence(s) are being applied for. Any number of the four options

can be selected including all four. However, the partnership must have among its principal officers\* the qualifications required to hold the licences being applied for.

Please see 1.3 and 1.4 on page 4 for information on “land” and “property”.

\*see definition of “principal officer” at 2.3.

## **PART B - Business names and addresses for which duplicate licences are required**

### **Other addresses from where property services are provided**

**Registered Business Name:** As described at A2 above. The different registered business names (other than that entered at A2) should be entered, where the partnership has a number of registered business names.

**Business Address:** The full address of premises from where the partnership provides property services. All of the places of business of the partnership for the purpose of the provision of property services must be entered except for:

- the address already inserted at question “A3”
- those addresses which are the subject of the provision of property services – e.g. a property which is being “shown” as part of a selling or letting service
- temporary auction venues.

**Business Name Registration Number:** as described at “A8” above. Only registration numbers other than that entered at A8 should be entered.

Each place and registered business name identified will be issued with a duplicate licence for display at that place as is required by law. There is no additional charge or fee for these duplicate licences.

Further page(s) must be included, on the headed paper of the partnership, where there is insufficient space on this form to record all of the registered business names, addresses or business name registration numbers.

## **PART C – Tax Clearance Details for Partners**

### **Details of each partner in the partnership**

The details of all of the partners must be recorded including the partners who are not providing a property service. Further page(s) can be included, on the headed paper of the partnership, where there are more partners.

**Partner’s Name:** The full name (first name(s) and family name) of a partner (initials **must not** be used even where the partner is known by those initials – e.g T.; P.J.; J.K.).

**D.O.B.:** The date of birth of the partner in the format ddmmccyy e.g.1 July 1974 is entered as 01071974.

**PPS No:** The Personal Public Service Number of the partner.

**Tax Clearance :** Revenue Registration No.: The correspondence Reference Number used by the Revenue Commissioners in respect of the partner.

Certificate No.: The number which appears on the partner's Tax Clearance Certificate.

#### **PART D - Other Relevant Information**

**D1. Bankruptcy/Liquidation:** Put a “√” in the appropriate box to indicate whether or not any **principal officer** (not just the partners) of the partnership is an undischarged bankrupt or has been a director or shadow director of a company which has gone into liquidation during the 24 month period prior to the application.

**Details:** Details of the bankruptcy/liquidation and the principal officer concerned

**D2. Civil Court Action:** Put a “√” in the appropriate box to indicate whether or not any **principal officer** (not just the partners) of the partnership has been the subject of a civil court action, which is still pending or in which judgement has been obtained, as a consequence of the provision of a property service or financial service, either personally, as a director or shadow director of a company or as a partner in a partnership within the last 5 years.

**Details:** Details relating to the civil action and the principal officer concerned

**D3. Conviction:** Put a “√” in the appropriate box to indicate whether or not any **principal officer** (not just the partners) of the partnership has been convicted of any offence.

**Details:** Details relating to the conviction and the principal officer concerned.

#### **Contact person for this licence application**

Questions D4. to D9. relate to the person to whom any communication in relation to the application will be made. Communication could be made seeking clarification, to inform the partnership of a proposed course of action (issue or refusal) or any other reason. The person does not have to be a principal officer. Where D5 is left blank, the person making the **Declaration** at the end of the form will be deemed to be the contact person. Where D6, D7, D8 or D9 is left blank the answer will be deemed to be the same as the answer to the corresponding question in **Part A.**

**D4. Title:** Dr. Mr. Ms. etc as appropriate

**D5. Name:** The full name of the person – first name(s) and family name.

#### **Overseas property services businesses**

##### **D10. Business Operations Abroad:**

Among the details to be entered here could be-

- The business names and addresses of office/s located outside Ireland and if those businesses are subsidiaries or parent businesses
- Any arrangement to provide property services in another country
- Any arrangement to provide property services in respect of property in another country



## PART E - Licence Fees

### How much to pay for the licence(s)

**Fees:** Insert the appropriate amount in the appropriate box(es) to reflect the amount paid and the means of payment. Enter the total amount in the “Total” box.

Licence Class	Licence fee #
Partnership	€1,000
Duplicate for additional business addresses	€0
Employee	€100
Principal Officer	€100

#The licence fee remains the same regardless of the number of property services being licensed

A partnership may wish to pay/send the licence fee in respect of employees and principal officers with the application for the partnership. There should be a list of the names and Personal Public Service Numbers of the individuals, on the partnership’s headed paper, included with the payment to enable matching of payments with applications (it is not necessary to supply this list if all of those individual applications are included in the same envelope as the partnership’s application).

Bank drafts, postal orders or cheques are to be made payable to “**Property Services Regulatory Authority**” – please do not abbreviate.

### Affirmation of accuracy of the information on the form and declarations

#### DECLARATION

The person signing the declaration (the declarer) should read all of the form and be satisfied that the declarations that s/he is about to make are true. The declarer must be a principal officer of the partnership.

**Name:** The declarer’s name (not the partnership or business name) in block capitals

**Status:** The declarer’s status within the partnership – director, partner, manager or secretary in the partnership.

**Signature:** The declarer’s signature

**Date:** The date on which the declarer signed the form

## **A reminder of what you need to send with the application form**

### **Checklist for a partnership**

Before sending the application form, please check that it is fully completed and that all relevant documentation in support of the application is included.

**Licence fee:** As set out in the notes to PART E. The Authority recommends that you do not send cash through the postal system.

**Proof of availability of Professional indemnity insurance:** A statement from an insurer that they are willing to offer insurance to the applicant which meets the minimum requirements for professional indemnity insurance as set out in 4.3.

Note: Evidence of the applicant having the insurance in place will be requested by the Authority before a licence can be issued and it is not necessary to send in that evidence until requested.

**Accountant's report:** A report from an accountant in the specified form that the partnership has/will have the necessary controls are in place for the protection of clients' money. The form of the accountant's report is available from the Authority's website [www.psr.ie](http://www.psr.ie) .

**Certificate of business name registration:** The Certificate of Registration, under the Business Names Act, is obtainable, if applicable, from the Companies Registration Office. A certificate is required for each registered business name used.

**Evidence that the transitional provisions (section 99(2) of the Act) apply:** Where applicable, a copy of an auctioneer's licence issued to the partnership under the Auctioneers and House Agents Acts 1947 to 1973 (for licence A, B or C) or, where the application is to provide property management services (licence D) other evidence that the partnership lawfully provided the property services, which are the subject of the application, prior to 6 July, 2012.

You should note that where section 99(2) of the Act does not apply, the partnership or any of its employees or principal officers cannot provide property services until the partnership (and the individuals concerned) have been licensed by the Authority to provide those property services.

**Evidence that the partnership meets the Qualification Requirements:** A principal officer of the partnership must be qualified to provide the property services that are being applied for. See 4.2 for the details of what evidence is required.

**Declaration:** As set out in the notes above

### **Completed Application**

The completed application form and supporting documentation should be sent to: -  
Property Services Regulatory Authority  
Floor 2  
Abbey Buildings  
Abbey Road  
Navan  
Co. Meath.



## CHAPTER 9

### **Notes to Sole trader/Independent Contractor Application Form** **(PSRA/LA3-12)**

**(Sole Traders and Independent Contractors are Individuals who provide Property Services. The difference is a Sole Trader may have Employees and Independent Contractor cannot.)**

#### **Name(s) to appear on licence**

**A1. Title:** Dr. Mr. Ms. etc as appropriate

**A2. Name:** The full name (first name(s) and family name) of an applicant (initials **must not** be used even where the person is known by those initials – e.g T.; P.J.; J.K.)

**A3. Licence Class:** Put a “√” in the appropriate box to indicate the appropriate licence class.

“independent contractor” means an individual who provides a property service where—

- (a) no employee of the individual provides such service on behalf of the individual, and
  - (b) in the case of an individual who is a partner in a partnership, no other principal officer provides such service on behalf of the individual,
- and whether or not the individual engages in any other business.

“property services employer” means a person (referred to in this definition as “the employer”)—

- (a) who is an individual who provides a property service where an employee of the employer may also provide such service on behalf of the employer, or
  - (b) whose employees or principal officers provide a property service on behalf of the employer,
- and whether or not the employer engages in any other business.

There are other application forms for property services employers who are body corporates (companies) or partnerships – this form is for property services employers who are individuals and for independent contractors.

**A4. Registered Business Name:** This question will be left blank if a registered business name is not used. The registered business name entered here must be identical to the name which appears on the Certificate of Registration, under the Business Names Act 1963, which must accompany the application (if the applicant uses a business name) and will appear on the licence as well as the applicant’s name.

Any additional registered business names of the applicant should be included in Part B of the form.

#### **Where the principal business is carried out**

**A5. Business Address:** The full address from where the person provides property services. The principal address should be entered here and where there is more than one address the other addresses can be entered in Part B of the form.

### Business contact details

**A6. to A9.** The relevant details, if any, of the business.

### Personal details

**A10. Date of birth:** The applicant's date of birth in the format ddmmyy e.g. 1 July 1974 is entered as 01071974.

**A11. PPS No.** The applicant's Personal Public Service Number.

### Business name registration

**A12. Business Name Registration Number:** If applicable, the registration number which appears on the Certificate of Registration, under the Business Names Act, of the business name which accompanies the application.

### Tax clearance details

**A13. Tax Clearance:**

Revenue Registration Number: The correspondence Reference Number used by the Revenue Commissioners in respect of the applicant.

Certificate Number: The number which appears on the applicant's Tax Clearance Certificate.

### Previous licence

**A14. Do you hold a current auctioneer's/house agent's licence?:** Put a "√" in the appropriate box to indicate if the applicant holds a current licence or not.

### Licence(s) being applied for

**A15. Licence Required:** Put a "√" in the appropriate box(es) to indicate the property services for which licence(s) are being applied for. Any number of the four options can be selected including all four. However, the applicant must hold the qualifications required to hold the licences being applied for.

Please see 1.3 and 1.4 for information on "land" and "property".

### The nature of the qualification

**A16. Qualifications:** Put a "√" in the appropriate box to indicate the nature of the applicant's qualification – either through academic qualifications or through the experience the applicant has gained of providing property services.

## PART B - Business addresses for which duplicate licences are required

### Other addresses from where property services are provided

**Registered Business Name:** As described at "A4" above. The different registered business names (other than that entered at "A4") should be entered, where the person has a number of registered business names.

**Business Address:** The full address of premises from where the applicant provides property services. All of the places of business of the applicant for the purpose of the provision of property services must be entered except for:

- the address already inserted at question "A5"

- those addresses which are the subject of the provision of property services – e.g. a property which is being “shown” as part of a selling or letting service
- temporary auction venues.

**Business Name Registration Number:** as described at “A12” above. Only registration numbers other than that entered at “A12” should be entered.

Each place and registered business name identified will be issued with a duplicate licence for display at that place as is required by law. There is no additional charge or fee for these duplicate licences.

Further page(s) must be included, on the headed paper of the business, where there is insufficient space on this form to record all of the registered business names, addresses or business name registration numbers.

### **PART C - Other Relevant Information**

**C1. Bankruptcy/Liquidation:** Put a “√” in the appropriate box to indicate whether or not the applicant is an undischarged bankrupt or has been a director or shadow director of a company which has gone into liquidation during the 24 month period prior to the application.

**Details:** Details of the bankruptcy/liquidation.

**C2. Civil Court Action:** Put a “√” in the appropriate box to indicate whether or not the applicant has been the subject of a civil court action, which is still pending or in which judgement has been obtained, as a consequence of the provision of a property service or financial service, either personally, as a director or shadow director of a company or as a partner in a partnership within the last 5 years.

**Details:** Details relating to the civil action.

**C3. Conviction:** Put a “√” in the appropriate box to indicate whether or not the applicant has been convicted of any offence.

**Details:** Details relating to the conviction.

### **Contact person for this licence application**

Questions C4. to C9. relate to the person to whom any communication in relation to the application will be made. Communication could be made seeking clarification, to inform the applicant of a proposed course of action (issue or refusal) or any other reason. The person does not have to be the applicant. Where any of these answers are left blank the answer will be deemed to be the same as the answer to the corresponding question in **Part A**.

## Overseas property services businesses

### C10. Business Operations Abroad:

Among the details to be entered here could be

- the business names and addresses of office/s located outside Ireland and if those businesses are subsidiaries or parent businesses
- Any arrangement to provide property services in another country
- Any arrangement to provide property services in respect of property in another country

## PART D - Licence Fees

### How much to pay for the licence(s)

**Fees:** Insert the appropriate amount in the appropriate box(es) to reflect the amount paid and the means of payment. Enter the total amount in the “Total” box.

Licence Class	Licence fees #
Independent contractor	€1,000
Property services employer	€1,000
Duplicate for additional business premises	€0
Employee	€100

#The licence fee remains the same regardless of the number of property services being licensed

An applicant may wish to pay/send the licence fee in respect of employee(s) with her/his application. There should be a list of the names and Personal Public Service Numbers of the individuals included, on the business’s headed paper, with the payment to enable matching of payments with applications (it is not necessary to supply this list if all of those individual applications are included in the same envelope as the employer’s application).

Bank drafts, postal orders or cheques are to be made payable to “**Property Services Regulatory Authority**” – please do not abbreviate.

### Affirmation of accuracy of the information on the form and declarations

#### DECLARATION

The applicant must sign this declaration and cannot delegate this to another person.

The applicant, before signing the declarations, should read all of the form and be satisfied that the declarations that s/he is about to make are true.

**Signature:** The applicant’s signature

**Date:** The date on which the declaration was signed

## **A reminder of what you need to send with the application form**

### **Checklist**

Before sending the application form, please check that it is fully completed and that all relevant documentation in support of the application is included.

**Licence fee:** As set out in the notes to PART D. The Authority recommends that you do not send cash through the postal system.

**Proof of availability of Professional indemnity insurance:** A statement from an insurer that they are willing to offer insurance to the applicant which meets the minimum requirements for professional indemnity insurance as set out in 4.3.

Note: Evidence of the applicant having the insurance in place will be requested by the Authority before a licence can be issued and it is not necessary to send in that evidence until requested.

**Accountant's report:** A report from an accountant in the specified form that the applicant has/will have the necessary controls in place for the protection of clients' money. The form of the accountant's report is available from the Authority's website [www.psr.ie](http://www.psr.ie)

**Certificate of business name registration:** The Certificate of Registration under the Business names Act is obtainable, if applicable, from the Companies Registration Office. A certificate is required for each registered business name used.

**Evidence that the transitional provisions (section 99(2) of the Act) apply:** Where applicable, a copy of an auctioneer's licence issued to the applicant under the Auctioneers and House Agents Acts 1947 to 1973 (for licence A, B or C) or, where the application is to provide property management services (licence D) other evidence that the applicant lawfully provided the property services, which are the subject of the application, prior to 6 July, 2012.

You should note that where section 99(2) of the Act does not apply, the applicant or any of his/her employees cannot provide property services until the applicant (and the employees) have been licensed by the Authority to provide those property services.

**Evidence of qualification:** The minimum qualifications are set out in 4.2. The qualification can be through academic study **or** experience.

**Photograph:** A recent passport sized photograph with the applicant's name and Personal Public Services Number on the reverse

**Declaration:** As set out in the notes above



## **Completed Application**

The completed application form and supporting documentation should be sent to: -

Property Services Regulatory Authority  
Floor 2  
Abbey Buildings  
Abbey Road  
Navan  
Co. Meath.



## CHAPTER 10

### Notes to Principal Officer/Employee Application Form (PSRA/LA4-12)

#### **PART A - Applicant details**

##### **Details to appear on the licence**

**A1. Title:** Dr. Mr. Ms. etc. as appropriate

**A2. Name:** The full name (first name(s) and family name) of the applicant (initials must not be used even where the director is known by those initials – e.g T.; P.J.; J.K.)

**A3. Status:** Put a “√” in **the** appropriate box to indicate the applicant’s status in the property services employer. The options are partner (in a partnership); director (in a company); manager (in a partnership or company); secretary (in a company); or employee if none of the foregoing apply.

##### **Contact details to be used for this application**

**A4. Address:** The full address that the applicant wishes to use for the application. This can be a private or work address and will **not** appear on the licence.

**A5. to A7.** The relevant details, if any, of the applicant.

##### **Personal details**

**A8. Date of birth:** The applicant’s date of birth in the format ddmccyy e.g. 1st July 1974 is entered as 01071974.

**A9. PPS No.** The applicant’s Personal Public Service Number.

##### **Licence(s) being applied for**

**A10. Licence Required:** Put a “√” in the appropriate box(es) to indicate the property services for which licence(s) are being applied for. Up to four options can be selected.

Please see 1.3 and 1.4 for information on “land” and “property”.

##### **The nature of the qualification**

**A11. Qualifications:** Put an “√” in the appropriate box to indicate the nature of your qualification – either through academic qualifications or through the experience you have gained of providing that property service.

## **PART B – Property Services Employer\* details and declaration**

### **Professional Indemnity Insurance and other details of the Property Services Employer**

**B1. Property Services Employer’s name:** The name of the company, partnership or individual on whose behalf the applicant will be providing property services. This must be the name that the employer is licensed/has applied to be licensed under.

**B2. Property Services Employer Address:** The full principal business address of the Property Services Employer.

**B3. Registered Business Name:** The Property Services Employer’s business name, if any. Some employers will trade under a different name from their own name. This name is sometimes called a “trading name” or “business name” and is registered with the Companies Registration Office. This question will be left blank if a trading name is not used by the Property Services Employer.

**B4. Property Services Employer’s P.I. Insurance.** A declaration by the employer that the applicant is covered by the employer’s professional indemnity insurance policy.

**NAME:** The declarer’s name (not the company, partnership or business name) in block capitals. The declarer should be, in the case of a company or partnership, a principal officer in the company or partnership and in any other case the individual business owner.

**Signature:** The declarer’s signature.

**Status:** The declarer’s status within the business – this should be, in the case of a company director/manager or secretary; in the case of a partnership partner or manger and in any other case the business owner.

**Date:** The date on which the declarer signed the declaration

\*Property Services Employer in this form means:

- (a) in relation to an employee the property services employer,
- (b) in relation to a principal officer in a partnership the partnership, and
- (c) in relation to a principal officer in a company the company.

## **PART C - Other Relevant Information**

**C1. Bankruptcy/Liquidation:** Put a “√” in the appropriate box to indicate whether or not the applicant is an undischarged bankrupt or has been a director or shadow director of a company which has gone into liquidation during the 24 month period prior to the application.

**Details:** Details of the bankruptcy/liquidation

**C2. Civil Court Action:** Put a “√” in the appropriate box to indicate whether or not the applicant has been the subject of a civil court action, which is still pending or in which judgement has been obtained, as a consequence of the provision of a property service or financial service, either personally, as a director or shadow director of a company or as a partner in a partnership within the last 5 years.

**Details:** Details relating to the civil action

**C3. Conviction:** Put a “√” in the appropriate box to indicate whether or not the applicant has been convicted of any offence.

**Details:** Details relating to the conviction.

### How much to pay for the licence(s)

#### PART D - Licence Fees

**Fees:** Where the licence fee payment was sent with the property service employer’s application, the (approximate) date of the property services employer’s application should be inserted in the “Total” box.

Where the payment accompanies the application, put the appropriate amount in the appropriate box(es) to reflect the amount paid and the means of payment. Put the total amount in the “Total” box.

Licence Class	Licence fee #
Employee	€100
Principal Officer	€100

#The licence fee remains the same regardless of number of property services being licensed

Bank drafts, postal orders or cheques are to be made payable to “**Property Services Regulatory Authority**” – please do not abbreviate.

### Affirmation of accuracy of the information on the form and declarations

#### DECLARATION

The applicant must sign this declaration and cannot delegate this requirement to another person. The applicant, before signing the declarations, should read all of the form and be satisfied that the declarations that s/he is about to make are true.

**Signature:** The applicant’s signature

**Date:** The date on which the declaration was signed

**A reminder of what you need to send with the application form**

**Checklist**

Before sending the application form, please check that it is fully completed and that all relevant documentation in support of the application is included.

**Licence fee:** As set out in the notes to PART D. The Authority recommends that you do not send cash through the postal system.

**Evidence of qualification:** The minimum qualifications are set out in 4.2. The qualification can be through academic study **or** experience.

**Photograph:** A recent passport sized photograph with the applicant’s name and Personal Public Services Number (PPSN) clearly written on the reverse.

**Part B declaration:** Professional Indemnity Insurance (PII) is mandatory for all licensees. Employees and Principal Officers must be included in the property services employer’s PII cover and the declaration in Part B by the property services employer meets the Authority’s requirements in that regard.

**Declaration:** As set out in the notes above

**Completed Application**

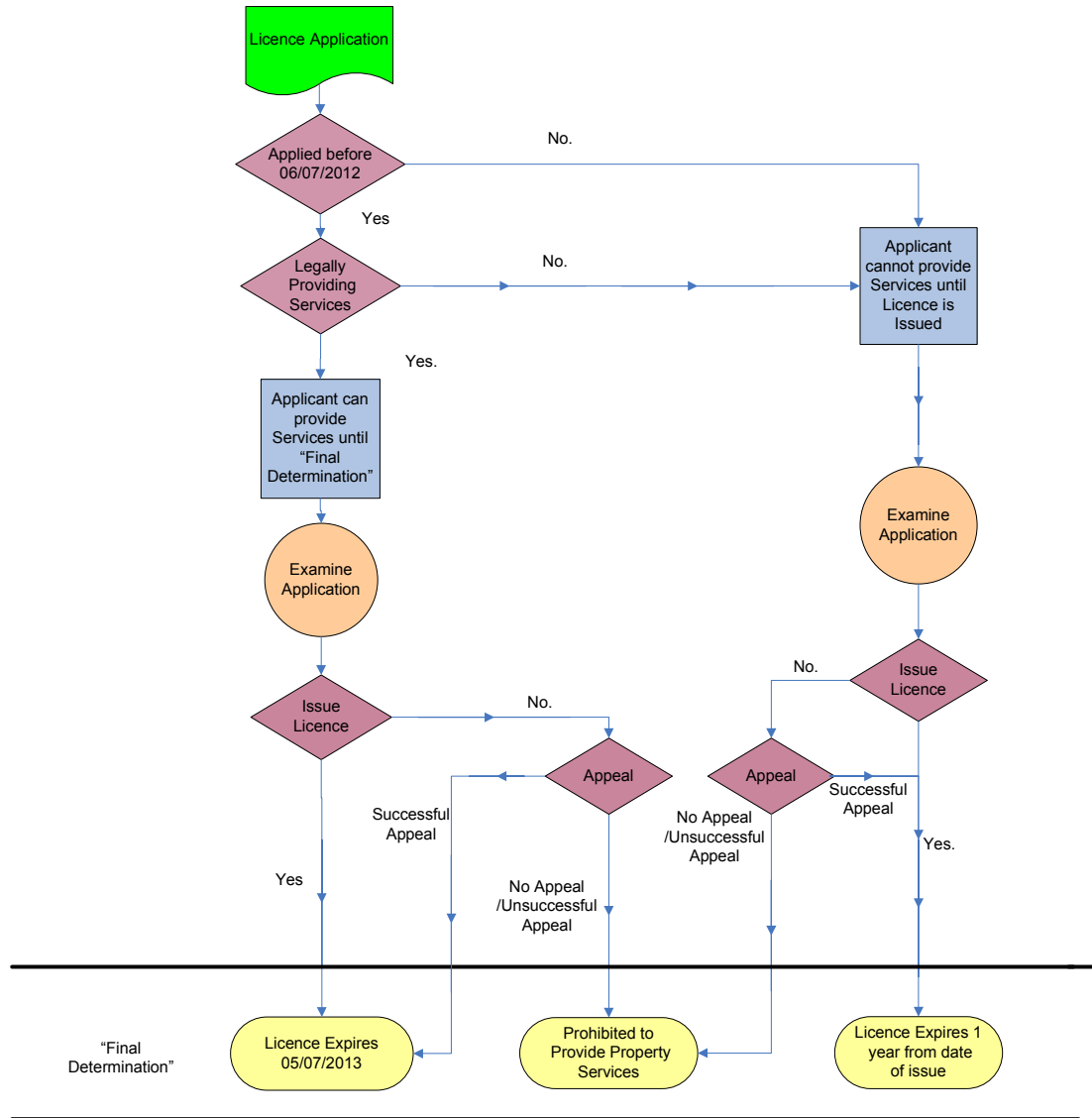
The completed application form, payment and supporting documentation should be sent to the following address:

Property Services Regulatory Authority  
Floor 2  
Abbey Buildings  
Abbey Road  
Navan  
Co. Meath



## Appendix

Flowchart showing where “transitional arrangements” apply and where they do not apply.



The “transitional arrangements” are shown on the left side of the diagram (the answers to the first two questions are “Yes”). The right hand side shows the position where the “transitional arrangements” do not apply (the answer to either of the first two questions is “No”)

In the cases of Principal Officers and Employees, the Property Services Employer must be subject to the “transitional arrangements” or a final determination of been “Prohibited to Provide Property Services” has not been reached, in order for the “transitional arrangements” to continue to apply to a Principal Officer or Employee of the Property Services Employer .

