

Those Families and Business Owners affected by Defective Blocks & Aggregates are Victims of a Crime committed by Manufacturer's and Suppliers. Aided by Donegal County Council, Government, Banks, Insurance Companies, Vulture Funds. MAG, no one can deny that you have worked hard for all those affected whilst being victims yourselves.

2019 seen the introduction of 90/10 Grant Scheme, which was put into legislation January 2020. This was the first mistake accepting a Grant and not a Redress / Compensation Scheme. Amended IS465 and Building Regulations not once did anyone hear that you had but pressure on the Government to have these further amended and updated until recent until more victims spoke out and drew attention to these issues that would make any scheme not workable.

It was not until Paddy Diver came to the rescue and made it public the plight of the victims, he gave the victims a voice, put a fire in their bellies and made them speak out and march to Dublin. You knew he had struck a nerve and you joined or latched on to him. He achieved more in such a short space of time. Paddy Diver gave MAG an opportunity to put the demands of the victims to the government when the working group was established.

Did you have a set of demands drawn up to cover everyone that was affected by this scandal? Why did you decide to have three homeowners attend these working group meetings? Who is MAG? Who or whom do MAG get advice from? Do you have a qualified Engineer who is qualified enough in IS 465? Do you have legal advisors if so, who? Why is it that the homeowners that attended the working group meetings believe that they were more than enough qualified and knowledgeable to negotiate with government officials? As MAG had already failed once did you not think it would have responsible to have a strong team of Negotiators dealing with the Government this time round. Why was Dr Ambrose McCloskey dismissed? Do you not think he deserves Credit and an apology? Seamus Maye offered to assist as he has experience with the Concrete Business as well as dealing with the Government did you once contact him for his advice and guidance? Mick Car of SIA Consultants signing a NDA who or how was this man brought onto the working group under what Capacity?

Enhanced Scheme published 30th November, 2021 after an hour of announcement it was clear that this scheme was no way better but considerably worse than the 90/10 Grant Scheme. MAG latched on to the Sliding Scale not acceptable and claiming that they did not know about it. It was in the final submission papers that they were involved in, how can they state they did not know. It would or should not have been any surprise that the Government used everything that was in the working group submission to their advantage including the agreement of the housing agency taking charge of the scheme.

The Enhanced Scheme has left so many victims unable to get 100% Redress.

5 Options available most victims want option 1 demolish and rebuild including foundations. Too many have had remedial works done and have found that they do not work. Test Results and Engineer Reports agree that option 1 is the best course of action. Too much evidence now available to agree to options 2-5.

CAP and Sliding Scale, CAP has to be dismissed the 420K will not allow those persons with larger homes to avail the scheme. These are victims too, they bought and paid for every block / material or product the same as everyone else. Government cannot decide these victims are to be excluded nor should MAG accept this. Sliding Scale going to be updated to show true reflection of costings of rebuilds in Donegal, we will await to see the updated version in anticipation. The CAP has to go. The cost of Rebuild has to be paid no matter what it costs depending on the economic status is at the time the cost of labour and material.

Holiday Homeowners, Inherited Homes, Vacant homes, Second Homes, Rental Homes not registered but there was a now a chance to avail if they register and payback dues on agreed terms we hope. Commercial Buildings, Farm Buildings, Garages, Sheds, Walls, Septic Tanks, Community Halls any other property built by the defective blocks and aggregate have been left out of this scheme. This is not acceptable What happened to the statement NO ONE LEFT BEHIND. What about those that have had to travel overseas for work and cannot return currently due to work commitments and their homes are affected where are they going to go and why should they be left out of any scheme. There should be no cut off Date on this scheme as mention. Who can determine when a property develops the cracks etc.?

Primary Residents – some will be out of pocket of minimum 65K when building their homes due the CAP. What about the other hidden costs that will be taken out of the rebuild costs allowance as it stands that MAG have not highlighted

Demolishing costs including disposal of the Hazardous product Minimum 50K to be taken out of building cost allowance add that to the shortfall of 65K now we are looking at 115K minimum shortfall, will explain more further down.

Allowance of accommodation 15K announced how long is that going to last look at current rental prices and availability. How long will it take to demolish and rebuild this allowance will be eaten up within a year what happens next? Will explain more further down.

Allowance of storage 5K of product saved from current property. What if anything can be used again if not destroyed or damaged. What about storage of property owners' personal effects where are these meant to be stored? Where is the allowance for this? Will explain more further down.

The Scheme will be extended beyond the current scope of Principle Private Residences only, to also cover RTB registered rental properties, subject to the introduction of a clawback mechanism upon re-sale within a set time period depending on the remediation option used. Opportunities for the State to acquire such rental properties for social housing purposes will also be examined. Who in there right mine would agree to this clause? Ok the government agreed that they will give the Landlords time to register themselves and hopefully they will accept a schedule for any monies owed to be paid back in a timely manner, has this been negotiated? If any property owner wants to do remedial works 2-5 they will have to pay back thru this clawback mechanism on a resale of the property and the State has first option to buy the property. You would swear that MAG have laid down and let the Government just walk over them.

The Housing agency should only be involved as an administrative role. It would be an insane decision to allow those that caused the problem meaning the government / housing authority to take over a solution. It is unheard of in any walk of life. Why would anyone trust an organisation that has numerous serious questions to answer in the first instance, to be responsible for this scandal's solution. They have broken the trust that was given to them by the property owners to regulate all concrete products and failed miserably. They have shown that they are a major part of the problem and this can be investigated and a call for a Tribunal of Inquiry into this massive scandal can be actioned.

Property owners Engineers have the knowledge / experience and have the interests of the property owners in mind. Housing Agency should not have the power to decide what is the best option or whether the property meets a damage threshold to enable entry into a scheme. The suggestion that

the Housing agency would arrange assessment, testing and recommend the appropriate remediation option, is not agreed for fear that the agency would delay the process for many property owners suggesting a remedial option 2-5 instead of what is in fact option 1 that is required. In the announcement on 23.12.21 there is some mention of the involvement of the property owner's engineers etc but not completely explained or acceptable.

There are property owners that have done remedial works prior to the 90/10 scheme being established at their own cost of 40K and more only to find 2/4 years since these were done the cracking has started again not just on the outer leaf but internally. They were not allowed to avail the original scheme 90/10 Grant. The money that they had either saved or borrowed has gone down the pan. The research that has been done by homeowners, engineers such as Dr Ambrose McCloskey and complimented by Councillor Frank McBrearty's report, as well as the test results received back to property owners gives enough evidence to prove that options for remedial works 2-5 will not resolve the situation for anyone and property owners will find that they will be living a life with constant worry and stress of when the cracks will return. Why would anyone accept any other option other than Demolish and Rebuild including foundations. It is mentioned that a certificate would be given for any remedial works done to bring the value of the property back to its former self. What person in their right mind would want to buy a property like this for fear that they would have to do remedial works or demolish and rebuild the same property. There is nowhere stated that Insurance companies will cover the full value of the property should such remedial options of 2-5 are undertaken.

This remedial options of 2-5 are not cost effective and very surprised the finance minister or department cannot see their failings or understanding of the financial burden that would be held on their heads. No Engineer is going to sign off on any remedial works done on option 2-5. It is mentioned that the Second Grant option would remain with the property and should help with future conveyancing. There may be some property owners that only want to do a chosen option of 2-5 this point of the Second Grant needs to be clarified will this be agreed that the next option would be demolish and rebuild, it needs to be clarified. It is stated that if a second grant option remains with the property that it should help with conveyancing this does not sound convincing and needs to be clarified.

In Point No. 4 What costs are covered by this grant scheme?

Let us discuss the concerns The grant scheme covers up to 100% of the costs associated with the qualifying works deemed necessary for the remediation of the relevant dwelling (subject to cost per square foot and maximum expenditure limits), and includes the costs associated with the:

- Professional and project management fees This would be for the expenses for the Housing Agency, but not confirmed.

- Alternative accommodation Costs 15K has been suggested the agreed allowance to be covered by the scheme. Firstly, there are not many properties available for rental. Currently what is the rate of rental 900 to 1200K per month. How long will it take for any property owner if they demolish and rebuild have to be in a rental property this amount would cover 9 months what happens then. Will there be a top up given as no one can predict delays? If a property owner has the facility of having a static home/mobile home on site to accommodate their needs off course this 15K would cover the expense of purchase. Donegal County Council as it stands require permission to be sought to enable you to have a static home or mobile home on your own land and their charge for applying to get permission is either 50/80 Euro this needs to be abolished even it is minimal it is principle.

- Removal and Storage for future use of house components This is storage for any products or material from the old property such as windows, doors, flooring, roof tiles etc there is no guarantee that these can be used in the next property for several reasons. They may be damaged; they may get damaged during storage due to weathering conditions. But what about the storage of the owners' personal effects, furniture, clothing, bedding etc where do they store these this is an additional cost for storage that is not covered. So, the cost of new windows, doors, etc needs to be included in the rebuild costs granted.
- Cost of disconnection and re connection of services and utilities This will be affected twice when the property owner leaves their property to move into suitable temp. accommodation and then when moving back into their original property. How is this go to work has the suppliers been approached how the owners can avail of this service or expense covering?
- Engineer's report (I.S. 465 Final Report including testing and sampling) and recommended Engineers fees approx. 6K not talking about the cost of having foundations tested. What about the surveyor / architect fees? This is approx. 12/15K that has to be paid how and who applies for this and to whom is application made to?

Remedial works already carried out there is no mention of if or how owners of the property can recoup what they have paid out either thru saving or taking out additional loans or borrowing. As previously mentioned, there is enough evidence gathered a data base was set up by a Ms Josephine Kelly for all those property owners who have had remedial works done and the results have been unsuccessful. No explanation or clarity within the scheme that these property owners will now be able to avail the scheme and have a demolish and rebuild including foundations.

In Point No.22

22. Can I recoup remedial works costs that I have already incurred prior to getting approval under the grant scheme? Generally, no, however any costs associated with essential immediate repair works related to the structural stability of any part of an affected home, which are recommended on foot of an engineer's recommendation as part of the 'Building Condition Assessment' process, will be an allowable cost, subject to a maximum expenditure cap of €5,000

This be reviewed as it is prejudicial against those property owners that have done outer wall remedial works and have been included previously, so there has to be a revised stance where these property owners will be able to claim back for remedial works done, this needs to be confirmed and stated how or whom they make the application to and what information or evidence will be required. Also, that for those that have had remedial works done can avail to a scheme and will be accepted immediately for a demolish and rebuild option.

In Point No.13

13. What proof will I have that the remedial work has been satisfactorily completed? As a pre-condition to a final payment, a Certificate of Remediation will be required following completion of the remedial works, signed by your contractor and competent engineer, certifying that the qualifying works to the dwelling which were carried out and supervised by the contractor, and designed and inspected by the competent engineer are compliant with the requirements of the Building Regulations. Under proposed enhancements to the scheme the certification process for remediated homes will be strengthened and placed on a statutory footing. A second grant option for options 2-5 will be available where block-work left in home after the first remediation subsequently proves defective in accordance with the IS:465 protocol. The second grant option would remain with the home and should help with future conveyancing

I have brought this point up again only the fact that final payment for any building works will only be paid at the end to the builders. This suggestion may work for major big developers but not for individual builders and this needs to be looked into and clarified how, when and to whom builders / property owners can apply for funding for material and works to start, top up withdrawals to pay labour costs as well as material to be used.

It has been mentioned with the introduction of this new scheme that most property owners will be approx. 65K out of pocket or there will be a shortfall of funds to rebuild their property. However, what they do not receive is if the option for them is to demolish including foundation the charges for demolishing will be taken out of the allocated funds for the rebuild. There could be a potential cost of minimum 50K to cover this expense. Not talking about the other hidden costs of approx. 12/15K for engineer and architect fees, storage of property. Foundations, relocation of founds on the same site. There can be up to 150K minimum additional funding that property owners will have to find

The Demolishing costs needs to be taken in house by the government as the material from these crumbling properties is now classified as hazardous. The government will need to arrange the demolishing process, removal and the correct destroying of the rubble. The Fee from Donegal County Council for planning permission to demolish the property of 80 Euro should also be dismissed.

The cost of new windows, doors, flooring, roofing tiles etc that could not be salvaged and reused will also come out of the rebuild costs

If we take a look at the new proposed scheme published on 30th November, 2021, I will highlight the sections that are concerning and will affect the victims in more ways than some fully understand. For Point 26, 20,17

Point no.26.

Do I require Planning Permission? In the case of option 1 (demolition and rebuild), subject to work which is underway to identify what legal requirements may be needed to make provision for it, exempt development status will be provided for homes which are planning compliant and are being replaced on a like for like basis. Where a participant does not build back on a 'like for like' basis planning permission will be required.

Point No. 20.

Can I apply for an SEAI grant for energy upgrades? Yes, there is grant assistance available from the Sustainable Energy Authority of Ireland (SEAI) for DCB homeowners to cover the costs of energy upgrades which should reduce energy costs going forward and reduce the financial burden on families over time. Grants are available to DCB homeowners under the same criteria as all other homeowners who are not affected with DCB.

Point No. 17.

What works do not qualify under this grant scheme? The following outlines a non-exhaustive list of items of non-qualifying works, which are outside the scope of this grant scheme: • costs associated with works undertaken prior to Confirmation of Grant Approval from a relevant local authority; • costs associated with works outside of the grant scheme; • costs associated with any works that are not required for or ancillary to the remediation of damage to the dwelling arising out of, or in connection with, the use of defective concrete blocks in its construction e.g. energy upgrades

beyond the requirements of the Building Regulations for existing dwelling; • remedial works to foundations, and associated ground works;

The above-mentioned points raised in 17,20 and 26 are very contradicting and need clarification. Planning permission fees for rebuild What happens if the allowance given is revised and it is not enough to demolish and rebuild and there is no other choice but to build a smaller property addition charge will have to be paid this is not acceptable.

Mag sent a delegation to EU Commission at least the EU Interaction has now a case opened to do investigations and to correspond with the Irish government.

Donegal County Council have played a very big part in this scandal. New Regulations were brought in 2013 when the Council had the authority to appoint product inspectors and do on site testing of blocks. So, the question I ask is Did Donegal County Council have inspectors appointed to do site testing of blocks or did the Council simply ask the manufacture / supplier to provide proof of certification and thus giving full on self-regulation to the block maker. This request has been sent to them since 27th November with no response. They have a register with 187 quarries and no information of inspections, including information that they informed the Derry Journal

A copy of the email sent to Donegal County Council herewith"

Further to an article in the Derry Journal on 26.11.21 I had made a post on the Face Book page of Donegal County Council and it would seem that this has not been posted or taken down, hence the reason of my email herewith.

On your Web Site under Planning services sub section Control of quarries you have a list of Registered Quarries in the County of Donegal as being 186 quarries. I will attach a copy of the same list herewith.

In an article in the Derry Journal released yesterday 26.11.21 a spokesperson of stated that investigation had started on the quarries some 18 months ago which would mean some time June / July 2020 can you confirm this?

Spokesperson of the Donegal Council also stated "33 Enforcement notices & 6 Warning notices have been raised." As a matter of public interest could you update your list against each of the quarries that you have registered which of these enforcement notices / warning notices have been applied to. And the reason why? Is it to site development or problems with processing or problems with the product attained from the quarry?

Spokesperson of the Donegal Council also stated "19 quarry cases are currently at prosecution stage and / or in court." As a matter of public interest could you update your list against of each of the quarries that you have registered, please highlight which of the registered 186 quarries are the 19 quarry cases that you are referring to and the reasons why? Is it site development, problems with processing or product attained from the quarry?

Spokesperson of the Donegal Council also stated that "measures undertaken since inspections of the majority of 187 quarries" There seems to be a difference of numbers all be it one quarry added on, kindly explain? Should an additional quarry need to be added to your registered list of quarries?

Also stated by Donegal County Council that "63 quarry cases had been closed out and no further action deemed required" As a matter of public interest can the list of your registered 186 quarries be updated to show which of the quarries are in this number of 63 and that the correct measures of compliance of manufacturing /building control and testing of the same has been done on products being sold by these 63 quarries.

Also stated by the Donegal County Council that you "appointed a dedicated Quarry Compliance Officer in March 2020" Can you provide details of this person and their qualifications in order for

them to carry out the inspections on the quarries in Donegal? What investigation methods were used?

Donegal County Council spokesperson stated "117 inspections have taken place" If we work on the figure that the council have stated as being 187 quarries in Donegal County. Please see findings that we need clarification

187 quarries in Donegal

117 Inspections carried out

33 Enforcement Notices

6 Warning notices

19 quarries at prosecution stage and / or in court

63 quarry cases been closed and no further action

24 new and additional quarry cases have been opened - Details of which quarries these are need to be given.

2 cases have progressed to applying to be regulated, can you name these quarries? "

It is in the Public Interest that you clarify the above information and update the list on the status of the registered quarries in Donegal. Due to the situation that has evolved so many premises and property that are affected by the defective blocks & aggregate from various quarries the public need to know and have the assurance that the quarries selling such product have been investigated correctly and fully and that the products that are being sold going forward meet the standards / regulations. "

The Problem that Property owners will have going forward is where are the new blocks and aggregate going to be sourced from. As it stands in Donegal homeowners have no confirmed reliable trusted information on products being sold by suppliers or quarries.

Currently with the old 90/10 Scheme DCC have been administrating there seems to be such long delays in processing of applications process of payments of 90% being paid back to property owners. At present there is a standstill of any applications or processing. DCC Councillors are elected by the public not one member of DCC Council was on the working group Why? They have the mandate to represent the property owners. They were voted in. It is only of received that DCC Started talking about the additional minerals and sulphites that needed testing on their own stock of properties including the foundations.

Word on the ground is that DCC have made an application to the government or housing department for funding of full demolition including foundations for 1300 units of accommodation I have asked under the FOI act if this is true awaiting a reply from DCC. If it is the case, why have they made it so difficult for private property owners to avail a scheme, delay processing and not spoken up and acted prior to this year as they have known of the problem for several years.

Banks and Insurance companies have played their part in this crisis. Why has the Government and the Central Bank of Ireland set out guidelines and a programme designed to help these victims with loan or mortgage repayments. Banks not just to take each month the premium or repayment on a loan and mortgage, should payments be missed they pass on the file to a vulture fund to deal with the property owners. The Banks have been bailed out by these victims. Banks have secured international borrowing claiming these properties as being their assets. They need to be accountable for their involvement.

Insurance companies to be let off scot free under normal practice of insurance, should a property owner have an issue their first port of call would be their insurance company who would arrange testing etc then arrange for the restoration of the property thru the policy and behind the scene they would take on the fight for reclaiming their expense with who they decide was responsible such as suppliers or the government. Had this been done perhaps this would have not ending up with 10years of a struggle to get any acknowledgement or a scheme set up even if it was not workable. They need to be accountable also for their involvement.

Property Owners have so many concerns, unanswered questions, Government & MAG need to get back to the public and serious discussions have got to happen with a new team of negotiators and when a new scheme offer is put in place the property owners have got to have the right to vote their acceptance or not.

I understand and appreciate that the housing department cannot deal with Farm Buildings etc. And this is an avenue that is been done by MAG dealing with the EU. Can you answer this please? Instead of leaving the owners of these properties out of any workable scheme outside of the expertise of housing department Would they not fall under other departments that covers these areas such Farming, commercial / business etc. Has MAG liaised and worked with theses departments to get them included in a workable scheme? Just because Housing department does not look after such property they should not be excluded from any workable scheme when it arises and nor should they have to wait for EU to come up with a resolution. So please inform if communication has been made with the department heads of the relevant areas covering these properties. If not why not and if yes who and how has communication been done so that general public and those that fall under these categories can put pressure on these departments also to get inclusion in a future workable scheme. Finally, if they are not included in any future workable and acceptable scheme jointly. Will there be a second scheme in operation for these properties? Do you believe that this is something that is an avenue two separate schemes but for a full 100% Redress each? People need clarification on the Stance that the government and MAG are working too.

The fight for Irish freedom 6 counties were left behind and 100years on no change I would be afraid if a deal is accepted those left behind will be like the 6 counties. I'm starting to believe only way to get justice will be through the courts WHY HAS MAG NOT REVIEWED THE OPTION OF TAKING THE LEGAL ROUTE Why are Homeowners being discouraged not to join a scheme available to them such as Coleman Legal. What has MAG got to offer to them next?

Why is it that MAG have taken into their Fold FG and FF representatives TD's and a Councillors these are the people that have made the crisis that it is even though one may be an affected home owner himself.

Anyone that would consider going into politics at this stage would be crazy considering such a thing. Get a scheme that is workable for all the victims as quickly as possible then you are sure of getting the full support from the people.