

## Local Property Tax

### Public Consultation on Setting Local Adjustment Factor for 2021

#### Frequently Asked Questions

#### What is the Local Property Tax (LPT)?

Local Property Tax (LPT) is a tax payable on the market value of residential property.

#### What is residential property for the purposes of LPT?

A residential property, in this context, means any building or structure (or part of a building) which is used as, or is suitable for use as, a dwelling and includes any shed, outhouse, garage or other building or structure and includes grounds of up to one acre. The LPT does not apply to development sites or farmland.

#### When did the LPT come into effect?

The charge came into effect on the 1<sup>st</sup> July 2013. A half-year payment was due in 2013, with a full-year payment due from 2014 onwards.

#### Who is responsible for collecting the tax?

The LPT is collected by the Revenue Commissioners. The Revenue Commissioners offer a range of methods for paying the tax. Further details on Local Property Tax are available on their website at <http://www.revenue.ie/en/tax/lpt/>

#### Who is liable to pay the LPT?

All owners of residential property, including rental properties, are liable to pay the tax. The following groups are also liable for LPT:

- People who have a long-term lease (20 years or more)
- People with a life interest or long-term right of residence (life or more than 20 years) in a residential property
- Local authorities or social housing organisations
- A person acting as a personal representative for a deceased owner (for example, as an executor/administrator of an estate). Trustees or beneficiaries are jointly liable where a residential property is held in trust.

#### How is your property valued?

The tax is based on the *chargeable value* of a residential property on the *valuation date*. The chargeable value is defined as the market value that the property could reasonably be expected to fetch in sale on the open market on the valuation date.

The valuation date of your property was the 1st of May 2013.

## How is the LPT charge assessed?

The LPT is based on the market value of property. The rate of LPT is 0.18% for properties up to a market value of €1million and 0.25% on the portion of the value above €1million.

## What does this mean for the average household?

The table below gives an indication of the rate of Local Property Tax for properties coming within different valuation bands following a 15% decrease or increase on the base rate applicable to the LPT valuation band.

LPT Valuation Band	LPT Tax Basic Rate	Decrease -15%	Increase +15%
€0 - €100,000	€90	€76.50	€103.50
€100,001 - €150,000	€225	€191.25	€258.75
€150,001 - €200,000	€315	€267.75	€362.25
€200,001 - €250,000	€405	€344.25	€465.75
€250,001 - €300,000	€495	€420.75	€569.25
€300,001 - €350,000	€585	€497.25	€672.75
€350,001 - €400,000	€675	€573.75	€776.25
€400,001 - €450,000	€765	€650.25	€879.75
€450,001 - €500,000	€855	€726.75	€983.25
€500,001 - €550,000	€945	€803.25	€1,086.75
€550,001 - €600,000	€1,035	€879.75	€1,190.25

The rate of local property tax is calculated by multiplying the mid - point of the valuation band into which property falls by a tax rate (basic rate) of 0.18%. For example, if your property comes within the valuation band €250,001 - €300,000, you would have paid €445.50 LPT in 2019. This remained the same for 2020 i.e. €445.50 as a result of the Elected Members' decision to reduce the basic rate by 10% for 2020.

Please refer to 'Analysis of LPT Variation Bands' for some further details on LPT Variation Bands. **Refer to Appendix 1.**

## Does the 10% reduction applied in 2020 carry forward to 2021?

The 10% reduction to the basic rate of LPT applied for the period 1<sup>st</sup> November 2019 (liability date) to 31<sup>st</sup> October 2020. The rate reverts to the basic rate at the 1<sup>st</sup> November 2020, i.e. the pre-adjusted rate, and the Elected Members must now consider whether to reduce the basic rate, leave it unaltered or increase it for 2021.

## What is the Local Adjustment Factor?

The Elected Members can decide to vary or not to vary the basic rate of the Local Property Tax within its own administrative area by a maximum of 15% of the basic rate. This adjustment will apply for a period of one year from the next Local Property Tax liability date (1<sup>st</sup> November). This means that Fingal County Council can either increase

or decrease the rate of Local Property Tax by up to 15% or, leave it unaltered. The adjustment to the basic rate is known as the Local Adjustment Factor. Please refer to The Local Property Tax (Local Adjustment Factor) Regulations 2014, **Refer to Appendix 2.**

### **What will an adjustment in the Local Property Tax mean in terms of Council services?**

If the rate is reduced and if funding is not available to replace this reduction, then a reduced level of income available to the Council will limit the range and extent of services and supports that can be provided in 2021.

If the rate is increased, then an increased level of income available to the Council will increase the capacity to deliver services and supports in 2021.

### **Is there further information available on the Council's finances?**

Yes. Information is available on our website relating to Annual Budgets and year end accounts.

Fingal County Council's Annual Budget for 2020 can be viewed on our website [https://www.fingal.ie/sites/default/files/2020-01/adopted-annual-budget-2020-final\\_1.pdf](https://www.fingal.ie/sites/default/files/2020-01/adopted-annual-budget-2020-final_1.pdf)

Fingal County Council's Annual Financial Statement can be viewed on our website <https://www.fingal.ie/sites/default/files/2020-06/unaudited-afs-2019.pdf>

### **When will Fingal County Council make a decision on varying the rate of Local Property Tax?**

This decision will be made at a Council meeting to be held in September 2020.

### **Do I have any input to the process?**

Yes. Under Section 20 of the Finance (Local Property Tax) Act 2012, a Local Authority is required to carry out a public consultation process to canvass the public for their opinions and views.

As part of this process Fingal County Council would like to hear your views and opinions on any proposal to vary the rate of Local Property Tax. We would like to hear your thoughts on the potential effects of varying the basic rate of the Local Property Tax on households, individuals, businesses and on Council services.

**The period for submissions is from Wednesday 1<sup>st</sup> July 2020 to 12 noon on Wednesday 5<sup>th</sup> August 2020.**

Submissions must be received by 12 noon on Wednesday 5th August 2020 and can be made by completing an on-line survey at <https://consult.fingal.ie/en/surveys> , or submitting a PDF version of this survey via email to [LPTConsultation@fingal.ie](mailto:LPTConsultation@fingal.ie) or submitting a hard copy of the survey to:

LPT Submissions  
Finance Department  
Fingal County Council  
County Hall  
Swords  
Co. Dublin  
K67X8Y2

Hard copies of this survey will be made available at Fingal County Council's Public Libraries, County Hall, Swords and Civic Offices, Blanchardstown.

**What will Fingal County Council do with the submissions that are received?**

The Elected Members of Fingal County Council will consider the feedback received from this public consultation as part of their decision-making process. The Chief Executive will provide a summary of the written submissions received in a report to the Elected Members.

In making their decision on whether or not to vary the basic rate, the Elected Members will consider the following:

- Estimated Income and Expenditure for the Council in 2021
- Financial Position of Fingal County Council at present
- Estimated Financial effect of the varied rate in 2021
- Feedback from the Public Consultation

Fingal County Council must notify the Revenue Commissioners and the Department of Housing, Planning and Local Government by the 30th of September 2020 of its decision. Within 14 days of the passing of a resolution by the Elected Members to vary the Local Property Tax a notice must also be placed on the Council's website and in one newspaper circulating in the Council's administrative area.





STATUTORY INSTRUMENTS.

**S.I. No. 296 of 2014**



LOCAL PROPERTY TAX (LOCAL ADJUSTMENT FACTOR)  
REGULATIONS 2014

S.I. No. 296 of 2014

LOCAL PROPERTY TAX (LOCAL ADJUSTMENT FACTOR)  
REGULATIONS 2014

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NOTICE OF THE PASSING OF RESOLUTION TO VARY THE RATE  
OF LOCAL PROPERTY TAX

S.I. No. 296 of 2014

LOCAL PROPERTY TAX (LOCAL ADJUSTMENT FACTOR)  
REGULATIONS 2014

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by section 20(6) of the Finance (Local Property Tax) Act 2012 (No. 52 of 2012) hereby make the following regulations:

PART 1

GENERAL INTERPRETATION

*Citation*

1. These Regulations may be cited as the Local Property Tax (Local Adjustment Factor) Regulations 2014.

*Commencement*

2. These Regulations shall come into operation on 1 July 2014.

*Interpretation*

3. (1) In these Regulations-

“Act” means the Finance (Local Property Tax) Act 2012 (as amended by the Finance (Local Property Tax) (Amendment) Act 2013 (No. 4 of 2013));

“local authority” has the meaning given to it by section 2(1) (as amended by section 5 (1) and Part 1 of Schedule 1 of the Local Government Reform Act 2014) of the Local Government Act 2001;

“local financial year” has the meaning given to it by section 96 of the Local Government Act 2001;

“Minister” means the Minister for the Environment, Community and Local Government;

“Chief Executive” means a chief executive for the purposes of section 144 (as amended by section 54 of the Local Government Reform Act 2014) of the Local Government Act 2001.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 4th July, 2014.*



## PART 2

## MATTERS TO WHICH A LOCAL AUTHORITY SHALL HAVE REGARD

*Estimation of income and expenditure*

4. (1) An estimation of income and expenditure as specified in Section 20(2A)(a) of the Act shall be prepared under the direction of the Chief Executive.

(2) The estimation of income and expenditure referred to in paragraph (1) shall be given in the format specified in Schedule 1.

*Financial position of the local authority*

5. (1) A summary of the financial position of the local authority, as specified in Section 20(2A)(b) of the Act, shall be prepared under the direction of the Chief Executive.

(2) The summary of the financial position referred to in paragraph (1) shall be given in the format specified in Schedule 2.

*Estimation of financial effect*

6. (1) A report estimating the financial effect of implementing a local adjustment factor in the local authority area as specified in Section 20(2A)(c) of the Act shall be prepared under the direction of the Chief Executive.

(2) The report referred to in paragraph (1) shall contain the following information in respect of the local authority area—

- (a) the potential impact on a liable person,
- (b) the potential impact on the local property tax revenue during the next local financial year,
- (c) the potential impact on the service delivery plans of the local authority for the next local financial year, and
- (d) any other information the Chief Executive considers relevant.

## PART 3

## CONSULTATION

*Public consultation*

7. (1) The local authority shall consult with the public in its administrative area in relation to its consideration of the setting of a local adjustment factor and, for that purpose, shall publish on its website and in one or more newspapers circulating in the administrative area in which the local adjustment factor would apply, a statutory Notice of Consideration of Setting a Local Adjustment Factor providing a period of at least 30 days during which written submissions will be accepted.

(2) The form set out in Schedule 3 is prescribed as the form to be used for the purposes of the notice referred to in paragraph (1).

(3) A report summarising the written submissions received from the public consultation shall be prepared under the direction of the Chief Executive.

#### PART 4

##### MEETING TO CONSIDER THE LOCAL ADJUSTMENT FACTOR

###### *Local authority meeting*

8. (1) The documents referred to in regulations 4 to 7 shall be considered by the local authority at a meeting of which not less than 3 days' notice has been given to every member of the local authority.

(2) Not less than 3 days before the day on which the meeting referred to in paragraph (1) is held, the Chief Executive shall send a copy of the documents referred to in regulations 4 to 7 to every member of the local authority.

(3) At the meeting referred to in paragraph (1) the local authority may—

(a) by resolution vary the basic rate and set a local adjustment factor that will apply for a period of one year from the next local property tax liability date, or

(b) not vary the basic rate, or

(c) decide, subject to section 21(1) of the Act, to consider the matter further at a subsequent meeting of the local authority in accordance with paragraphs (1), (3) and (4).

(4) Except in accordance with this regulation, a local authority shall not set a local adjustment factor.

#### PART 5

##### NOTIFICATION OF LOCAL ADJUSTMENT FACTOR

###### *Persons who must be informed*

9. (1) Notice of the Passing of a Resolution to Vary the Basic Rate of Local Property Tax must be received by the Minister on or before 30 September in the year in which the resolution is passed.

(2) The form set out in Schedule 4 is prescribed as the form to be used for the purpose referred to in paragraph (1).

###### *Statutory notice of variation*

10. (1) Within 14 days of the passing of a resolution that the basic rate shall stand varied, the local authority shall publish on its website and in one or more newspapers circulating in the administrative area in which the local adjustment factor will apply a public notice of Variation of Basic Rate of Local Property Tax signed by the Chief Executive.

(2) The Notice referred to in paragraph (1) shall include the following information:

- (a) Name of local authority,
- (b) Address of local authority,
- (c) Notice that the local authority has passed a resolution that the basic rate of local property tax stands varied in respect of residential properties situated in the local authority's administrative area for the period specified in the resolution and with effect from the relevant liability date,
- (d) The local adjustment factor, and
- (e) any other information the Chief Executive considers to be relevant.

**SCHEDULE 1****ESTIMATION OF INCOME AND EXPENDITURE OF****(1) .....**

	Current local financial year budget OR estimated outturn	Next local financial year
<b>INCOME</b>		
Commercial rates		
Local Property Tax		
Grants and subsidies		
Other income		
Total Income		
<b>EXPENDITURE</b>		
Payroll expenses		
Loan interest and principal repaid		
Social benefits (transfer payments to households)		
Capital grants paid		
Other expenditure		
Total Expenditure		

**(1) Insert name of local authority**

**SCHEDULE 2****FINANCIAL POSITION OF (1) .....**

	As at Year To Date (2).....
<b>ASSETS</b>	<b>€</b>
Current assets (including cash and investments)	
General revenue reserve (if surplus)	
Loans receivable	
<b>LIABILITIES</b>	<b>€</b>
Current liabilities (including overdraft)	
General revenue reserve (if deficit)	
Loans payable	
Voluntary housing/mortgage loans	
Non mortgage loans	
<b>INDICATORS</b>	<b>%</b>
Ratio of loans payable to revenue income	
Ratio of current assets to current liabilities	

**(1) Insert name of local authority**

**(2) Insert the month as at which the year to date information is prepared**

**SCHEDULE 3**

**NOTICE OF CONSIDERATION OF SETTING A LOCAL ADJUSTMENT FACTOR**

The Finance (Local Property Tax) Act 2012 (as amended), makes specific provision that elected members of a local authority may pass a formal resolution to vary the basic rate of the Local Property Tax for their administrative area by a percentage known as the local adjustment factor. At the meeting set by (1) .....to consider this matter, the members may set a local adjustment factor within the range of +/- 15% of the basic rate, or, may decide not to adjust the basic rate.

(1)..... will meet in (2)..... to consider the setting of a local adjustment factor.

(1)..... welcomes written submissions from the public on this matter specifically covering the potential effects of varying the basic rate of the Local Property Tax on businesses, individuals and on local authority services.

Submissions must be received by (3)..... and be sent to:

(4).....

or

(5).....

Signed \_\_\_\_\_  
Chief Executive

Dated:

**(1) Insert name of local authority**

**(2) Insert the date (month/year) on which it is proposed to consider the resolution**

**(3) Insert the date being a minimum of 30 days from the publication of the notice**

**(4) Insert the postal address to which submissions may be sent**

**(5) Insert the email address and /or website address to which submissions may be sent**

**SCHEDULE 4****NOTICE OF THE PASSING OF RESOLUTION TO VARY THE RATE OF LOCAL PROPERTY TAX**

(1) .....

In pursuance of the provisions of section 20 of the FINANCE (LOCAL PROPERTY TAX) ACT 2012 (as amended), I the undersigned, hereby notify the Minister for the Environment, Community and Local Government of the passing of a resolution at a meeting of the above mentioned local authority on (2)..... to the effect that the basic rate of local property tax should stand varied (3)..... by (4).....per cent for the period 1 November (5)..... to 30 October (6)..... in respect of relevant residential properties situated in the local authority's administrative area. The varied rate shall take effect from the liability date in the year in which notification is sent to the Revenue Commissioners.

Signed \_\_\_\_\_  
Chief Executive

Dated:

**(1) Insert name of local authority**

**(2) Insert the date on which the resolution was passed**

**(3) Insert upwards OR downwards.**

**(4) Insert the local adjustment factor (number)**

**(5) Insert current year**

**(6) Insert the next year**



GIVEN under my Official Seal,  
30 June 2014.

PHIL HOGAN,  
Minister for the Environment, Community and Local  
Government.



## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

These Regulations set out the requirements for local authorities who may wish to vary their Local Property Tax basic rates in accordance with section 20 of the Finance (Local Property Tax) Act 2012, as amended by the Finance (Local Property Tax) Act 2013, including the factors that they must consider and the type of public consultation that they should undertake as part of the process.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
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nó trí aon díoltóir leabhar.

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