



From: The Minister

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Our ref: AQW 2804/22-17
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Via email: andy.allen@mla.niassembly.gov.uk

AQW 2804/17-22 – Information to be placed in the Assembly Library

Andy a chara,

Due to the volume of detail required to answer AQW 2804 22-27, the information attached at Annex A has been placed in the Assembly Library.

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**Deirdre Hargey MLA
Minister for Communities**

ANNEX to AQW 2804/22-27

The Housing Executive has provided the table below detailing the total amount it has spent in legal fees, in each of the last five years, broken down by the reason for that spend.

Breakdown of Housing Executive Legal Costs 2017/18 to 2021/22.

			2017/18	2018/19	2019/20	2020/21	2021/22	Total	Notes
			£k	£k	£k	£k	£k	£k	
1	House and Land Sales Legal Costs								
		Special Purchase of Evacuated Dwellings Scheme	114	29	13	7	4	168	
		Sale of Dwellings	1	16	9	2	8	36	

		Sale of Land	9	25	35	18	113	200	
		Total House and Land Sales Legal Costs	124	71	57	28	125	404	(a)
2	Contract Procurement Legal Expenses								
		Contract Claims	83	431	389	364	444	1,711	
		Contract Procurement	137	509	225	142	124	1,137	
		Other (largely Land Tribunals)	9	38	56	39	36	177	
		Total Contract Procurement Legal Costs	229	978	670	545	603	3,025	(b)

3	Tenant/Non - Tenant Legal & Court Costs							
	Non-Tenant related	89	113	35	32	176	444	
	Court & EJO Costs	138	220	296	80	8	742	
	Tenant Related Costs	138	149	242	42	54	624	
	Other	62	56	1	3	14	136	
	Total Tenant/Non-Tenant Legal & Court Costs	427	538	573	157	252	1,946	(c)
4	Urban Renewal Related Legal Costs							

The expenditure detailed by the Housing Executive in the table above is for external legal costs and is taken from its Finance System for the relevant Financial Year. Due to the level of coding held within the Housing Executive Finance system, the above are estimated costs in relation to the legal services associated with each area. Some costs may have been included which have been paid through solicitors and are not in essence payment for legal services received. A further breakdown of expenditure is not currently available, however, examples of what types of actions are included within each major category are detailed below:

- (a) **House and Land Sales Costs include the following:** solicitor's fees for house and land sales, abortive fees, outlay fees, land registry fees, mediation fees, title rectification.

- (b) **Contract Procurement Legal Costs include costs associated with the following:** defending claims from contractors and taking claims against contractors, procurement challenges from contractors; and legal advice for ongoing / future procurement exercises.

- (c) **Tenant/Non Tenant Legal Costs:** There have been changes to the way in which tenant and non-tenant related legal costs have been coded within the Housing Executive Finance system over the time period of this query. Examples of the types of costs included here are as follows; affidavit fees, eviction costs, brief fees, court fees, disbursements, EJO fees, notice of intent.

- (d) **Urban Renewal Legal Costs:** Included in this are legal costs associated with the purchase of Private Sector properties for

rehabilitation purposes or demolition. In addition, costs associated with vesting properties in a declared Urban Renewal area and with the purchase of Greenfield sites associated with Urban Renewal.

(e) **Public Liability Claim Legal Costs:** These costs cover claimant legal fees (including medical examination, expert opinion and counsel fees), together with Housing Executive defence legal fees.

(f) **Support Services General Administration Legal Costs:** Includes costs (e.g. court fees, witness expenses, counsels' fees) in taking non rent arrear possession cases; injunctions for access , to compel other action by a tenant ; advice and /or defence of judicial reviews ; advice and defence of homeless appeals; advice and defence in employment tribunal claims ; defence of historic uninsured asbestosis claims; costs related to land disposal (Housing Executive premises), title rectifications and searches involved in land and property related advice .