

## RESIDENTIAL MORTGAGE ARREARS AND REPOSSESSIONS STATISTICS

Particulars	Quarter Ended December 2009		
	Number	Balance (Note 1) '000 €	Arrears (Note 3) '000 €
<b>Outstanding:</b> Total residential mortgage loan accounts outstanding - at end of quarter (Note 2)	792,893	118,342,812	
<b>Arrears: (Note 3)</b> Total mortgage arrears cases outstanding – at end of quarter which are:			
- In arrears 91 to 180 days	9,418	1,745,326	52,856
- In arrears over 180 days	19,185	3,588,718	361,367
Total mortgage arrears cases outstanding – at end of quarter where:			
- Formal demand has been issued (but where Court proceedings have not been issued) (Note 4)	5,096	1,112,582	69,409
- Court proceedings have been issued to enforce debt/security on a mortgage (Note 5)	3,232	677,126	88,195
<b>Court proceedings:</b> Cases where legal proceedings have been issued to enforce the debt/security on a mortgage – during the quarter (Note 6)	233	68,834	10,230
Court proceedings concluded for the following reasons – during the quarter (Note 7) of which:	375	82,384	9,388
Orders for Possession/Sale obtained: (Note 8)			
- To enforce the debt/security on a mortgage	124	29,220	4,442
- To perfect title because property voluntarily surrendered	17	4,507	619
- Because the property has been abandoned	11	4,070	571
No order for Possession/Sale obtained as:			
- Property voluntarily surrendered	19	5,070	597
- Concluded by abandonment	17	3,803	291
- The terms and/or conditions of the mortgage are renegotiated, i.e. a new arrangement made (Note 9)	180	35,376	2,826
- Settled on other terms	7	338	42
<b>Repossessions:</b> Residential properties in possession - at the beginning of quarter (Note 10)	331		
Residential properties repossessed on foot of an Order during this quarter	27		
Residential properties voluntarily surrendered/abandoned during this quarter	74		
Residential properties disposed of during this quarter	35		
Residential properties in possession – at end of quarter (Note 10)	397		

**Note:**

While every effort has been made to ensure the accuracy of the information and to check the information against internal data from institutions, issues may become apparent as the series is expanded.

## EXPLANATORY NOTES

### **1. Balance:**

Includes the value of the outstanding mortgage including arrears, accrued interest, and any unpaid customer fees and charges. Includes legal costs, where added to the balance outstanding.

### **2. Residential Mortgage Loan Account:**

Means an account which records loans to individuals for house or apartment purchase, renovation, improvement or own construction of housing fully or completely secured by a mortgage on the residential property which is or will be occupied by the borrower as his/her principal private residence. "Top up" of existing mortgages and re-mortgages should also be recorded in this category. Mortgages secured on properties located in the State only should be included.

### **3. Arrears:**

Section 3(a) of the Code of Conduct on Mortgage Arrears states "*a mortgage arrears problem arises as soon as the borrower fails to make a mortgage repayment by the due date*".

Includes cases where only partial payments are made.

Excludes:

- cases where the value of the property has been realised but an amount remains outstanding on which the lender is seeking repayment.
- any costs, fees or charges, e.g., legal costs, which have not been added to the amount outstanding.

### **4. Formal demand:**

Includes the issuance of a formal demand, by the lender, the lender's solicitor, or by some other party acting on behalf of the lender, for either the full amount due on foot of the mortgage or for possession of the property. Does not include cases where an application has been made to a Court to begin repossession proceedings or where Court proceedings are currently ongoing.

### **5. Court proceedings have been issued:**

Means that a formal application has been made to a Court to begin repossession proceedings or that Court proceedings are currently ongoing. Includes:

- cases where an application has been made to Court but a Court date has not yet been received;
- cases where Court proceedings have issued but have not been served;
- cases which have been adjourned for a specific period, e.g., 12 months.

It does not include the issuing of the formal demand letter.

**6. Court proceedings have been issued during the quarter:**

Means that a formal application has been made to a Court to begin repossession proceedings during the quarter. Includes:

- cases where an application has been made to Court but a Court date has not yet been received;
- cases where Court proceedings have issued but have not been served.

It does not include the issuing of the formal demand letter.

**7. Cases where Court proceedings have been concluded:**

Includes cases where an Order for Possession/Sale has been obtained or Court proceedings have concluded because:

- proceedings have been struck out;
- settlement agreement has been entered on the record;
- proceedings have been adjourned generally (i.e., proceedings may have been settled, but the settlement remains a matter of agreement between the parties, and does not form part of the Court record; the lender will be able to recommence proceedings if the borrower does not comply with the agreement);
- proceedings have been dismissed;
- judgement has been entered in favour of the lender, including an Order for Possession/Sale.

Excludes:

- cases where the value of the property has been realised but an amount remains outstanding on which the lender is seeking repayment.
- cases under appeal.

**8. Orders for Possession/Sale obtained:**

Means an Order for Possession/Sale that has been granted by a Court as a result of legal proceedings to enforce the mortgage (including with agreement of the borrower). Includes Orders obtained with a stay of execution.

**9. Terms and/or conditions of mortgage renegotiated:**

Includes cases where an agreement has been effected and the proceedings have been concluded, as set out in note 7.

**10. Residential properties in possession:**

Means the lender has formally repossessed the property.