

Gavin, the Celtic Tiger apartment he lost in crash, and a rent dispute

Candidate had difficulty in 2008 'like thousands of other couples'

FIONNÁN SHEAHAN



It's always busy on North Brunswick Street. The road links the busy north inner-city Dublin suburbs of Smithfield, Stoneybatter and Grangegorman. The cobble stones and disused tram lines running alongside a cutstone warehouse on a side street called Stable Lane points to the history of the area being the centre of the linen and cloth trade in the Georgian era. The hints of Dublin city in the rare auld times contrast with a relatively modern apartment complex across the road.

Blackhall Square was built in the late 1990s, when about 3,000 apartments popped up in the area. Among the first residents when the complex was put on the market were a young couple making their first home together. Jim Gavin was an Air Corps pilot and Jennifer O'Sullivan was cabin crew with Aer Lingus when they jointly signed up to a mortgage with Allied Irish Bank for a new apartment in November 1998. The couple were married two years later in October 2000 at the Church of the Immaculate Conception in Clondalkin, the west Dublin suburb where both hail from.

Four years later, they moved on from the apartment to a Victorian townhouse on a cul-de-sac off Clanbrassil Street on the southside of the city. The couple lived in the redbrick when their two children were born – Yasmin in 2006 and Jude in 2008. By that stage, Jennifer had quit her job with Aer Lingus and was a homemaker. The two-bed house proved to be too small, though, for the growing family. The Gavins bought their forever home in the southside suburb of Rathfarnham in September 2008, shortly after the birth of their second child.

The price they paid is unclear, as the sale pre-dates the official property price register. The house next door was bought for €560,000 18 months after the Gavins purchased, but prices were starting to fall significantly at that point.

Property prices in Autumn 2008, when the Gavins bought their home, were still near the peak of the Celtic Tiger boom – albeit coming down at that point. Literally 10 days later, the government announced the €40bn bank guarantee as financial institutions faced almost imminent collapse. The economic crash had begun.

Jim and Jennifer Gavin celebrate their 25th wedding anniversary next Tuesday. In the middle of his presidential election campaign, their first family home together has now cropped up. When the Gavins moved on from Blackhall Square, they kept the apartment to rent out.



Fianna Fáil presidential candidate Jim Gavin. Photo: Dominick Walsh

But the candidate does admit his tenancy was not officially registered, as was required under the law.

"The RTB legislation was new at that time and has changed significantly since that," the statement said.

"According to the CSO, 62pc of all properties were not properly registered at that time. Jim's and Jennifer's was one of them. However, all rental income was declared and tax was paid."

In the midst of the economic boom, many people were becoming Celtic Tiger landlords.

Later, they would become known as "accidental landlords" as investment properties became millstones. The Gavins were among this cohort.

When they bought their Rathfarnham home in September 2008, the Gavins moved their two mortgages on the house and city centre apartment to IIB Home-loans. IIB Bank became KBC Bank. As the bank was being wound down, its mortgages went in different directions, depending on whether they were performing or not. Some ended up with culture funds.

"When Jim and his wife started their family and moved to their current home in 2008, they moved from their then family home in Clanbrassil Street, which was sold," the statement said.

"Prior to that, he and his wife lived in Smithfield from 1998 to 2003. Following this, the apartment in Smithfield was rented out. All relevant tax was paid to Revenue."

"Like thousands of other young couples, Jim and Jennifer subsequently had difficulty during the financial crash. Repayments were maintained, but were unsustainable. The asset in Smithfield was, following a lengthy process, handed back to the bank and an additional amount was added to their current mortgage; as such they will continue to carry the cost of this period for a further 17 years. There was absolutely no special treatment."

Jim Gavin is new to politics, so there is no public record of his assets. TDs, senators and councillors maintain a public register that provides details of financial and other interests – including properties – disclosed by politicians to uphold standards of integrity, conduct and concern for the public interest.

Gavin's competitors in the presidential race, Fine Gael's Heather Humphreys and Independent Catherine Connolly, have both filled in their register of interests since their respective entries into political life in 2003 and 1999.

For example, the Register of Interests for members of Dáil Éireann for 2023 shows Humphreys has a private pension with Aviva and an investment fund with Standard Life, and owns 25 hectares of farmland in Monaghan and a constituency office in Cavan. Connolly has nothing to declare.

The annual form allows the public to track the assets of their elected representatives.

For Jim Gavin though, there is nothing of the sort.

The north inner-city apartment has since been occupied by a number of tenants, including a couple who rented the property from 2007 to 2009. The tenant was paying his rent by standing orders from his current and savings account each month. The couple were saving for a house themselves, hence the second bank account.

When the tenants moved out in May 2009, the standing order from the current account was cancelled. But a banking error resulted in rent continuing to be paid into Gavin's account by a standing order from the savings account for six months until November 2009. When the error was spotted, the tenant sought to get a refund of the inadvertently paid rent. Finding it difficult to get hold of Gavin, the tenant persisted by phone, email and personal contact.

"When I moved out of your apartment, due to a mix up with the bank, rent continued to be paid into your account by a standing order from a saving account I have with AIB," he wrote in December 2009. "After I moved out of the apart-

ment at the beginning of May, a total of €550 continued to be paid into your account until November when I realised the error. This means I paid you a total of €3,300 in error."

The tenant asked Gavin to acknowledge the mistake and refund him the money. "I would like you to contact me by phone or in writing to arrange for this money to be repaid to me," he said. "I am writing to you in work because I have been unable to reach you by phone, despite repeated attempts. Your home

address was never included on the original lease, so I was not able to write to you at your home address.

"I also asked the bank to contact you by phone, but you did not respond to them."

The tenant claimed that, when he did not get a response, he went to Gavin's parents' house to seek to contact him. He got a mobile number for his former landlord. He also contacted the Residential Tenancies Board to try and get Gavin's home address from them, but they had no record of the tenancy.

The tenant says that, when he got Gavin on the phone, he was told the money would be refunded, but this never happened. He also says maintenance of the property was slow to happen, and he got the impression that Gavin was stretched financially.

Gavin says he does not remember any issue over a rent refund. "In relation to the tenant, he does not have any recollection or records of any such dispute, and they have reviewed all the records they have from 16 years ago," a statement says.

'The candidate does admit his tenancy was not officially registered, as was required under the law'



Gavin received registered solicitor's letters in rent row

Fionnán Sheahan: *'From gaffes to gaffs, FF candidate's 'mature recollection' was cringeworthy'* – Page 21

Gavin dramatically pulls out of presidential election

MARY REGAN AND FIONNÁN SHEAHAN

● Jim Gavin has dramatically quit the presidential race after making what he called a mistake “not in keeping with my character”.

The Fianna Fáil candidate informed Taoiseach Micheál Martin last night that he would withdraw his name from the election contest. It comes amid controversy over his actions as a landlord. The *Irish*

Independent revealed on Saturday how a former tenant claimed Mr Gavin didn't give back overpayments totalling €3,300. There is likely to be significant fallout within the Fianna Fáil party. **Report: Page 11**

FIRST COUNTY MEDAL FOR ALL-IRELAND WINNER O'DONNELL



● 2024 Hurler of the Year and dual All-Ireland winner Shane O'Donnell tackles Jack O'Neill of Clooney-Quin on his way to winning his first senior county medal with Éire Óg Ennis in the Clare SHC final in Cusack Park, Ennis. *Photo: John Sheridan See Sport Pullout*

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Eamonn Sweeney

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