

Help to Buy – Summary Guide for Solicitors

January 2025

Introduction

The **Help to Buy (HTB) scheme** is designed to assist first-time purchasers fund the deposit required to purchase or self-build a qualifying property to live in as their home. HTB provides for a refund of Income Tax and Deposit Interest Retention Tax (DIRT) paid in the State for the previous four tax years, subject to limits outlined in the legislation (section 477C Taxes Consolidation Act 1997).

An enhanced HTB scheme was introduced in 2020 as part of a Government Stimulus package. The enhanced HTB relief has been further extended and is now set to expire on 31 December 2029. The enhancement provides that where applicants sign a contract for the purchase of a new qualifying property, or make the first draw down of the mortgage in the case of a self-build property, during the period from 23 July 2020 to 31 December 2029, they will be eligible for increased relief under the HTB scheme to the lesser of:

- (1) €30,000, or
- (2) The amount of Income Tax and DIRT paid for the four years prior to making the application, or
- (3) 10% of the purchase value or approved valuation in the case of a self-build.

*This document should be read in conjunction with the **Tax and Duty Manual Help to Buy - Part 15-01-46** which outlines the requirements of the HTB scheme.*

The Role of Solicitors in HTB process

Where a HTB applicant is self-building a qualifying property, their solicitor is required to verify the HTB applicant's claim. Before a solicitor can verify a HTB claim for a self-build, he / she must first apply to Revenue to be a registered solicitor for the purposes of verifying the HTB self-build claim.

How to Become a Registered Solicitor

To become a registered solicitor for verifying HTB self-build claims, a solicitor must submit a completed **Form HTB2** through MyEnquiries in ROS, as **Help to Buy Scheme – Solicitor Approval**.

Revenue will process the application and if all the details of the application are in order, Revenue will confirm that the solicitor is registered to verify HTB self-build claims only. Verification of HTB claims in respect of purchased properties is the responsibility of Qualifying Contractors. If there are issues / queries with respect to the details submitted by the solicitor, Revenue will issue a response through MyEnquiries.

Stages of HTB Process

Stage 1 Application stage

The applicant must meet the criteria of a first-time purchaser in order to apply to Revenue for the HTB relief. There will be systematic checks to ensure the applicant(s) are tax compliant and, once confirmed, a summary showing the potential maximum tax relief due based on tax paid will be issued to the applicant. An Application Number (beginning with "A") and an Access Code will be issued to the applicant's MyEnquiries inbox. This code is required to complete the process.

Stage 2 Claim Stage

Once the applicant has entered into a contract to purchase a home or has drawn down the first tranche of the mortgage, he or she may complete the claim stage. The claim stage of the process involves the applicant providing details of the self-build qualifying residence including:

- Mortgage details - letter of offer and acceptance form, which must be signed and dated
- Property address
- Valuation / Price (this is the approved valuation by the lender in accordance with the Central Bank prudential rules)
- BIC and IBAN of the qualifying loan account (this is the bank account with the lender where the refund will be paid)

The tax relief will be calculated, and a Claim Number (beginning with “C”) will be issued through MyEnquiries. Before any refund is paid, the claim will need to be verified by a solicitor registered for verifying HTB self-build claims.

More detailed information about the HTB process from the perspective of the applicant can be found in the **Help to Buy – Summary Guide for Applicants**.

Stage 3 Verification Stage

Once the claim stage is complete, applicants should inform their solicitor that they have completed their part of the HTB process.

The solicitor should then log into ROS and review the information entered by the HTB claimant. Once the solicitor is satisfied that all is in order with the HTB claim, the claim can be verified. If the solicitor finds that the information input by the applicant at claim stage is incorrect, they should advise the claimant to update same. Solicitors who are registered with Revenue for Help to Buy will see an option to ‘Verify HTB’ on the ROS Services screen.

In order to verify a claim, solicitors need to enter the HTB Claim Number and HTB Access Code. This number and code are provided by the first-time self-builder.

Solicitors should note that the Claim Number will always begin with a “C”. This represents the second stage, the claim stage. The HTB Access Code is the same for both the application stage and the claim stage.

Based on the information provided by the HTB claimant, or otherwise available as part of the normal conveyancing process, solicitors then need to verify the following aspects of a HTB claim:

- The first-time self-builder’s name(s),
- The property address
- The valuation / price (see above for definition)

The solicitor is also required to ensure the following documents have been provided to Revenue:

- evidence of the qualifying loan entered into
- evidence of the drawdown of the first tranche of the qualifying loan.

Note: Equity funding provided by the State as part of a shared equity arrangement does not meet the criteria of a qualifying loan for the purposes of the HTB scheme.

Provided the information entered by the first-time purchaser in the HTB claim stage matches with the information verified by the registered solicitor, Revenue will approve the HTB claim.

However, if the Solicitor is unable to verify the information, he / she will need to contact the HTB claimant to notify them of the issue / discrepancy.

The following ROS screens show the steps involved.

This screenshot shows the 'Verify details' step of the Help to Buy Verification process. At the top, there is a back arrow and the text 'Help to Buy Verification'. Below this is the heading 'Verify details' and a prompt: 'Please enter the details below to verify an application.' There are two input fields: 'Claim reference number' with a value 'C' followed by six dots, and 'Help to Buy access number' with six dots. A blue 'Next' button with a right arrow is at the bottom.

Figure 1. Enter HTB Claim Number and HTB Access Code

This screenshot shows the 'Declaration' step of the Help to Buy Verification process. At the top, there is a back arrow and the text 'Help to Buy Verification'. Below this is the heading 'Declaration' and a prompt: 'Please confirm you are verifying a claim for the following applicant:'. There is a section titled 'Applicant' containing a list with one item: '1. Test Test'. Below this, a paragraph states: 'By clicking "Next" you are confirming the information displayed is correct. If this information is not correct, please contact the Help to Buy applicant(s)'. A blue 'Next' button with a right arrow is at the bottom.

Figure 2. Verify first-time self-builder's name(s)

← Back Help to Buy Verification

Property details

Please confirm the following details about the property.

Street address

Address line 2

Address line 3

County

Eircode

By clicking "Next" you are confirming the information displayed is correct. If this information is not correct, please contact the Help to Buy applicant(s).

Next →

Figure 3. Verify property address

← Back Help to Buy Verification

Purchase details

Please confirm the following details about the purchase of the property.

Purchase price

By clicking "Next" you are confirming the information displayed is correct. If this information is not correct, please contact the Help to Buy applicant(s).

Next →

Figure 4. Verify approved valuation / price

Once approved by Revenue, the claim will be refunded to the bank account provided by the first time self-builder.

The information in this document is provided as a guide only and is not professional advice, including legal advice. It should not be assumed that the guidance is comprehensive or that it provides a definitive answer in every case.