

# Family sue BofI in tracker dispute

Mayo family lost home after bank moved them from a tracker mortgage

Coffey family had to sell their then home in 2015 when it was in negative equity

PETER HAMILTON

A Castlebar-based family is suing Bank of Ireland in two separate actions over its decision to move them from a tracker mortgage, a decision that ultimately resulted in them losing their home.

Mike and Susan Coffey, in addition to their teenage daughter Jessica, are taking actions against the bank for denying them a tracker rate, ultimately causing them to pay €18,000 more in interest than they should have had they been offered a tracker rate.

Ultimately, the family had to sell their then family home in Co Limerick in 2015 at a time when it was in negative equity. They moved to Castlebar, Co Mayo, to "avoid any onerous questions" by family and friends.

Bank of Ireland, along with five other lenders – AIB, its EBS subsidiary, KBC, Permanent TSB and Ulster Bank – have set aside more than €1.1 billion in provisions to cover redress, compensation, fines and other charges associated with the tracker scandal.

Some 40,100 customers have received redress and compensation of €683 million. Those who lost their homes, like the Coffey family, received average compensation of €194,000 while those who lost their buy-to-let properties received €162,000 on average.

For their loss, the Coffey

family received €131,896.18, which included €50,000 in compensation.

"Your home is your home. It's what you're going to leave your kids, it's what you're going to finish off your years in," Mr Coffey told The Irish Times. "Because I had to leave [work] early, because I was forced into this predicament, I lost out additional years on my pension, additional lump sums. My credit rating has gone through the floor, nobody would give me a red cent. I lost my private insurance, I lost everything."

## Family home

In a letter to bank officials, the Coffey's solicitor, Evan O'Dwyer, wrote: "They can never return to their family home. They can never undo the lies that they told their family and friends in order to maintain their dignity. Jessica will never return to the classroom where she sat and enjoyed life with her friends. Her innocence and her time when she should be enjoying life as a young teenager can never be returned."

In a statement, Bank of Ireland said: "The tracker issue should never have happened and Bank of Ireland, including our CEO and other senior management, has publicly apologised to customers on a number of occasions."

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## Revenue growth Ashford Castle Hotel, Cong, Co Mayo

Revenue at the five-star Ashford Castle Hotel grew more than 9 per cent last year to €22.9 million, "driven by an increase in average room rates from the prior year" recently

filed accounts show. The hotel, once voted the best in the world, saw revenue rise from €20.9 million while earnings grew by more than €970,000 to €5 million. However, the

company remained unprofitable, although it improved its loss before tax to €2.14 million last year compared to €3.32 million a year earlier.

"2018 was a very strong year for the castle and the stakeholders are very pleased with the revenue performance," said Niall Rochford, general manager of Ashford Castle.

## Iput granted permission for €75m centre

SEÁN McCÁRTHAIGH

Planning permission has been granted for a large new retail and residential development in south Dublin, despite strong opposition from the owners of the Dundrum Town Centre.

An Bord Pleanála has rejected an appeal by several parties including the Dundrum Retail Limited Partnership against the decision of Dún Laoghaire-Rathdown County Council to approve a €75 million project that will form part of the existing retail park and office development at The Park in Carrickmines.

The developer Iput has plans for a neighbourhood shopping centre including two supermar-

kets, retail warehouses, restaurant, café, seven-screen cinema, crèche, offices, car showroom, medical centre and indoor skydiving facility as well as 130 apartments on a 10.5 hectare site close to the M50.

The overall development will extend to almost 84,000sqm in four blocks extending in height from two to six storeys.

## Major step

Commenting on the ruling, Iput said it was "a major step forward in realising our ambition to reinforce Carrickmines Park as the leading out-of-town retail destination in Dublin".

The development was also opposed by the owners of the cinema multiplex in the Dun-

drum Town Centre as well as Olivia Buckley, a Fianna Fáil candidate for the Dundrum area in the recent local elections.

## Joint venture

DRLP, which is a joint venture between UK property group Hammerson and German insurer Allianz, said it was not opposed to the new development in Carrickmines in principle.

However, it claimed the proposed level of retail floor space was excessive for a neighbourhood centre particularly given there was no significant immediate residential catchment population to justify its scale.

DRLP said the proposed cinema and leisure uses would undermine the viability of existing

town and district centres in south Dublin and represented a material contravention of the council's development plan as well as running contrary to a range of regional and national planning policies.

Ms Buckley opposed the development claiming there was no requirement for another large retail centre or massive cinema complex in south Dublin and expressed concern it would impact on other nearby centres including Dundrum, Stillorgan and Dún Laoghaire.

She claimed retail warehousing was already oversubscribed in the capital, while the extension of The Park would also create serious traffic congestion on the M50.

# Most Irish whiskey to be excluded from US tariffs

Small amount of North's output is likely to be subject to tariff regime

PETER HAMILTON

The majority of whiskey exported from Ireland is expected to be excluded from new US tariff rules, although a small proportion of Bushmills' output in the North is likely to be hit.

A document produced by the office of the US trade representative yesterday evening indicated that single malt whiskey produced in the North will be subject to the tariff regime, although whiskey from the Republic will be spared in its entirety.

And while there were concerns that a vast proportion of products sold by Bushmills would see tariffs applied, it's understood that will not be the case given that the majority of goods the distillery sells are blended with other whiskey sourced from the Republic.

Liquor produced in the Republic, including Bailey's, will be affected by the tariffs.

Patricia Callan, director of Ibec offshoot Drinks Ireland, said that the lobby group is particularly disappointed that "spirits categories have been dragged into a trade dispute about unrelated sectors, in this case aircraft".

"The value of spirits exports from Ireland exceeded €1 billion for the first time in 2018.

Free trade with our global partners (of whom the United States is one of the largest export markets) is the reason that this has happened," she said.

## Butter and dairy

Although whiskey appears to have mostly escaped, butter and dairy products were not quite as lucky.

Kerrygold – America's second best selling butter brand – will be covered by the new tariff regime.

In a statement, Kerrygold owner Ornuu said that any

new tariff is an "unwelcome barrier to doing business and will have a significant cost impact on our business".

"If this tariff cost cannot be recovered in the market, it will negatively impact our supply chain. In anticipation of the WTO's decision, we have been preparing our business by having appropriate risk mitigation measures in place," the company said.

Irish Farmers Association dairy chairman Tom Phelan

**“These tariffs have the potential to reduce margins or market share or both. The EU and Irish Government must make every effort to negotiate our way back to normal trade flows”**

added to that, noting that exports of Kerrygold branded butter and cheese to the US have grown to over 34,000 tonnes in the last decade.

"These tariffs have the potential to reduce margins or market share or both. The EU and Irish Government must make every effort to negotiate our way back to normal trade flows," Mr Phelan said.

The decision as to what goods would be affected was announced hours after the United States was given the green light to impose \$7.5 billion (€6.84 billion) worth of tariffs on European exports.

The Geneva-based World Trade Organisation issued its judgment in the long-running trade dispute, ruling that the United States could impose trade measures worth up to \$7.5 billion over what it has said are unfair subsidies given to Airbus.

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