



An Roinn Gnóthaí Eachtracha agus Trádála Department of Foreign Affairs and Trade

Our Ref: FoI/Req/17/025

Ken Foxe

Dear Mr. Foxe,

I refer to the request which you have made under the Freedom of Information Act 2014 for access to records held by this Department, as follows:

Copies of any records, recommendations, briefings, memos, submissions and so on explaining why the ambassadorial residence in Vienna needed to be moved from October 2014 to the date of the move in November 2015.

A table of costs associated with the move.

I refer also to the acknowledgement of your request which was sent to you on 13th February, 2017.

I have identified 6 records that fall within the scope of your request. The records are listed in the schedule attached. I have made a decision to grant 6 of the records.

The documents you are receiving relate to submissions made by the Ambassador to the Head of Corporate Service and the Head of Architectural Services of the Department of Foreign Affairs and Trade in respect of deficits identified with the residence of Ireland in Vienna.

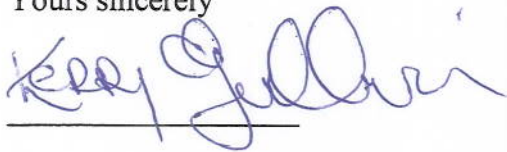
It should be noted that the decision to move out of the old residence was taken during October 2014 and the decision was to start the process of moving to a suitable smaller premises of not more than 450sq metres, subject to market conditions and availability. You have been granted all the documents that lead up to the decision in addition to a table of costs associated with the move.

Right of Appeal

Should you wish to appeal this decision, you may do so in writing to the Freedom of Information Unit, Department of Foreign Affairs and Trade, 76-78 Harcourt Street, Dublin 2 or by email to foi@dfat.ie. A fee applies for an appeal for access to non-personal information; the level of this fee has been set at €30. For methods of payment, please contact FOI Unit at foi@dfat.ie, or 01-4082857.

You should make your appeal within 4 weeks (20 working days) from the date of this notification. However, the making of a late appeal may be permitted in appropriate circumstances. The appeal will involve a complete reconsideration of the matter by a more senior member of the staff of this Department.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Kerry O'Sullivan", written over a horizontal line.

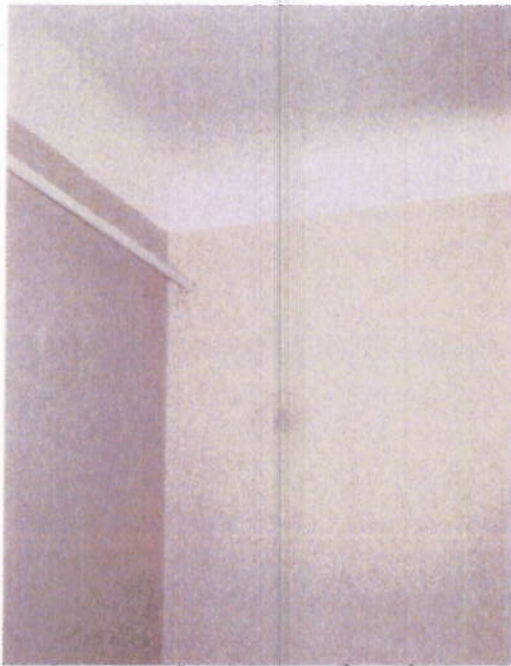
Kerry O'Sullivan

SCHEDULE		
Record Description	Granted/Part-Granted/Refused	Section exempted under:
1. Colour photos of the extensive damp in the Residence 2 nd October 2014	Granted	N/A
2. Submission by the Ambassador of Ireland to Austria to the Head of Administration and the Head of Architectural Services Section 2 nd October 2014	Granted	N/A
3. E-mail from Ambassador of Ireland to Austria to the Head of Administration and the Head of Architectural Services Section 2 nd October 2014 to which records £ & 4 were attached	Granted	N/A
4. Attachment from e-mail from Ambassador of Ireland to Austria to the Head of Administration and the Head of Architectural Services Section 10 th October 2014	Granted	N/A
5. E-mail from Ambassador of Ireland to Austria to the Head of Administration and the Head of Architectural Services Section 10 th October 2014 to which record 6 was attached	Granted	N/A
6. A table of costs associated with the move	Granted	N/A

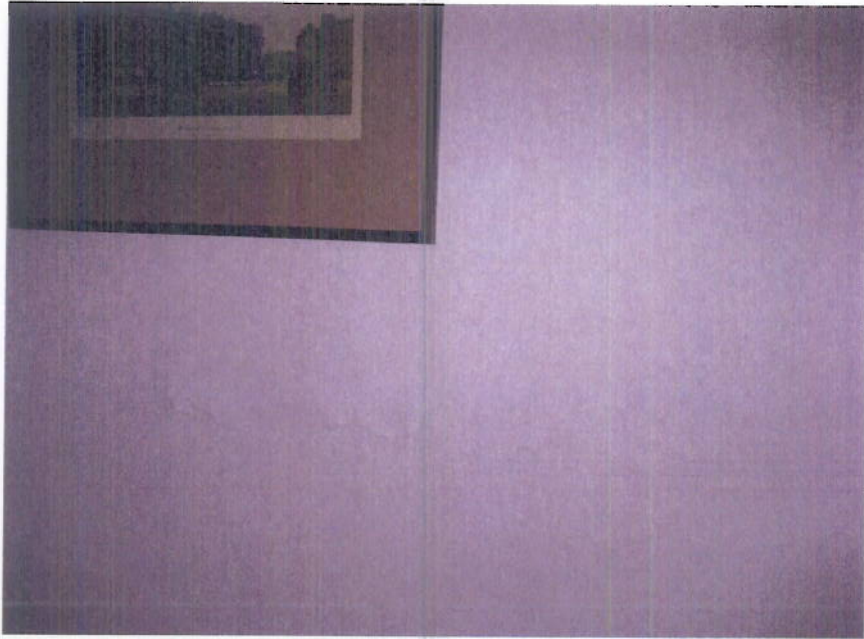
GARDEN LEVEL PHOTOGRAPHS



Bathroom

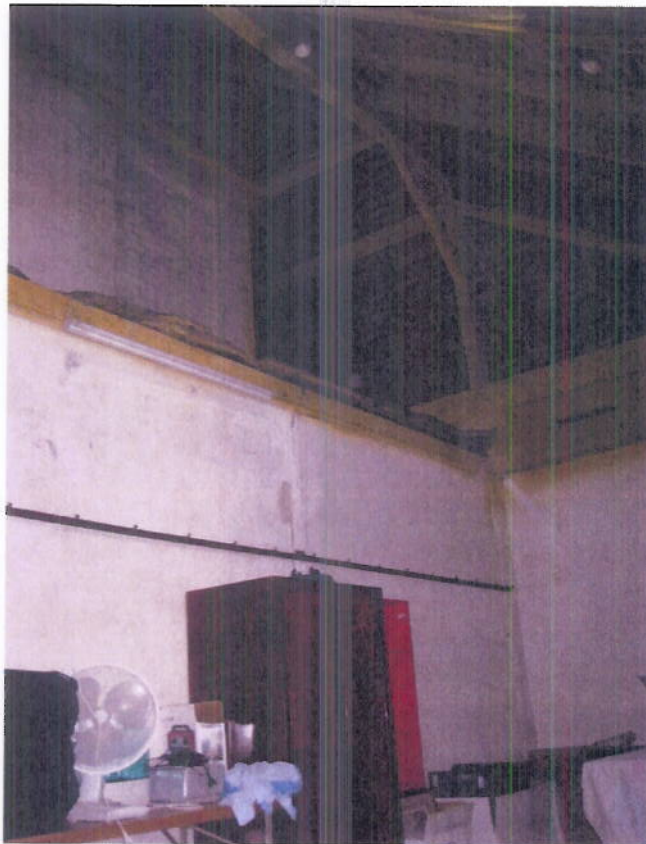


Bedroom



Corridor

2ND FLOOR BEDROOM LEVEL (ATTIC)



BASEMENT LEAKS AND CABLES



LOCKED ROOM



STAIRWELL FAMILY QUARTERS – 1st to 2nd FLOOR



Mr Fergal Mythen,
Assistant Secretary
Corporate Services

2 October 2014

Dear Fergal,

Re: Official Residence in Vienna

The Residence in Vienna was rented in 1977 from a Mr Frank Lipschutz who then lived in Spain. From time to time consideration was given to buying the building although this option has not been pursued in recent years. After a tenancy of this length the annual rent at €87,257 is low by the standards of the local property market. However, for a great many years, we have had the problem of an unresponsive owner and a property whose structure is deteriorating. While some redecorating and refurbishment has maintained the public areas in relatively adequate condition, structural problems are a growing concern.

In the attachment you will find photographs illustrating some of the problems of the house. These show that the building is badly maintained, badly insulated and, without substantial investment, an unsuitable home in which to live. In addition, much of the furnishings are well past their replacement date. You will find below a description of the present state of the house. The Premises Profile, available from Management Services, shows the better aspects of the property. Behind this facade lies a story of neglect and decay.

What we Rent

The house consists of four storeys over a double **basement**. Parts of the latter are unusable due to leaks and damp.

The ground or garden floor consists of an ornate 'marble room' which should be available for receptions but which has not been so used for many years. There is a strong smell of damp on this floor. There are two bedrooms slightly above this level. One is now used as a changing room for catering staff. The second, which was redecorated in 2011, is showing new signs of damp on the walls. On a previous occasion (2000) when damp spots appeared the landlord's agent suggested that the bed should be moved away from the wall. There are also two bathrooms and a toilet on this floor. (Attached photos show damp on recently redecorated wall and bubbling of paint on corridor leading to marble room).

The **main floor**, which includes the reception rooms, was redecorated two to three years ago. This is the best floor in the house. The kitchen is bright but with very aged cupboards and equipment. The air filter (30 years old) is massive in size and, despite the great noise it makes, fails to eliminate food smells. The dining room seats 18-20 and presents well. The library is a pleasant space, albeit sparsely furnished. The very large, ornate and dark reception room could be described as cavernous or having the 'whoa factor' depending on your point of view. The furniture, while refurbished, is

not of great quality and some of it is in poor condition. The NGI paintings are very dark and need re-hanging. On the condition report submitted in September I have noted that the frames are in some cases chipped. This room is wrapped around at the sides and back by a balcony which, like the main room itself, faces north. This very large reception room also houses the landlord's piano which is not in good condition. A wonderfully elaborate clock over the fireplace is broken but was undoubtedly state of the art a hundred plus years ago.

The **second floor** contains two bedrooms, two bathrooms and a family room. All but the master bedroom have been redecorated in recent years and some new furniture purchased. The master bedroom is frankly in a bad state and the condition of the furniture recalls student accommodation in 1979s Dublin. (See photograph in attachment). While there is some new furniture on this floor, some of it could not be given away because of its decrepit condition. The fitted corridor carpets on the corridor, which I have had cleaned since my arrival, are permanently stained and fairly worn. The rugs in the bedrooms are too small to cover more than the centre of very big rooms.

The **top floor** is a dilemma. It contains two bedrooms, a bathroom, a storage attic, a laundry room and a locked room to the door of which is affixed the name Mr F Lipschutz. I will revert to this locked room latter. While the two bedrooms have been redecorated and some new furniture purchased in recent years, the carpets appear to be as old as our tenancy. This floor strikes me as very unsuitable for a family or even visiting grandchildren. The attic is very poorly insulated, the stairs are not family friendly and the north facing rooms are very unappealing even on a summer day. (The attached photos show the locked room off one of the bedrooms and the very large and badly insulated attic).

As to the general maintenance, the plumbing sounds problematic. One radiator, which sprang a leak on the top floor, has had to be replaced in the past month; it was too old to repair. This does not seem to be an isolated occurrence as a number of newer radiators are present alongside their more antique counterparts. The number of electrical outlets is very limited. For example, in the family room and the library, a number of extension cords are in use to ensure the simultaneous use of lamps, a mobile phone and ipad chargers and the use of radio or television. (It takes some dexterity to avoid tripping over all of this).

To communicate between floors, an internal telephone system was installed many years ago. However, this no longer is fully operational.

Maintenance

From our files it seems that successive ambassadors have tried, with varying degrees of success, to engage the landlord's agent in essential maintenance. I have tried for the past four weeks to set up a meeting with the agent to discuss the signs of damp (peeling paint) on the stairwell exterior wall and damp in the ground floor bedroom and corridor as well as rainwater entering the basement near what seem to be pipes or conduits. (The latter is of particular concern and a picture of it and the peeling paintwork in the stairwell is attached). A meeting is now scheduled for this afternoon.

Way Forward

It seems that the occupants have effectively shrunk their daily footprint to two of the four floors or less than half the space we rent. There is more than the touch of the decaying Big House about the

place and while we might be able to put on a good show for a big event, long term signs of decay fester.

Some of my predecessors have suggested that if we offered to increase the rent (which has been indexed linked for a very long period) the landlord might be prepared to spend money on maintenance. However, this brings me to the question of whether the house reflects the needs of the diplomatic service of the 21st century. I should mention here that I am unclear as to the present status of our lease which seems to have been rolled over without any specific action on our part. I am sure that t Mark can confirm the exact situation.

I do not think that the Department would today rent these premises. In addition to the size, the present level of RPN suggests that modern representational expenditure would not support the maintenance of a building on this scale in a capital such as Vienna. A smaller, better maintained premises – either a house or apartment – would more properly reflect our present realities.

This brings me to **Health and Safety**. Firstly, while there may have been some upgrading of the electrical and heating systems over the years, I am uneasy about both. Secondly, the levels of damp are not acceptable and cannot be good for the residents. Thirdly, I noticed in our files a condition report prepared by OPW in 1980 which referred to asbestos in what was called ‘a hot wall’ in the hall area. Knowledge of the dangers of asbestos may not have been very developed in the 1980s and I wonder if the Department could clarify whether the safety aspects of this wall were addressed.

This brings me to the locked room in the attic. Perhaps the files at HQ have some information on this, including if we were given a list of the stored objects or a key to the room. The housekeeper, who has worked here for 14 years and who lived-in at one stage, has never known this room to have been opened.

In summary, my assessment is that we need to oversee a basic upgrade of this premises or move from it. Either course of action will involve costs and would need to be carefully considered. From a cost benefit analysis any consideration of the current premises would have to take account of energy (€35, 923 annually) and other maintenance costs such as gardening in addition to rent. There is no doubt that with major expenditure it could be an outstanding premises, indeed amongst the best residences we have. The questions are whether we have the money to contribute to this outcome and even if we did whether this would be the best use for it.

I would like to discuss this with you and Accommodation Section when I am in Dublin. You can best advise if an upgrade (following the negotiation of a new lease and increased rent) is an option or whether you would want to consider a move to more suitable premises. If the latter the embassy could (a) carry out an assessment of the property market with a view to producing ideas on costs and availability of suitable alternative premises, (b) seek advice on our present legal situation as we appear to no longer have a lease and (c) with Accommodation Section identify the work (and costs) of undertaking such work as is needed to ensure that the house meets basic health and safety standards in the short term.

Yours sincerely,

Mary Whelan

Ambassador

McSwiney Mark HQ-ARCH

From: Mythen Fergal HQ-CORPSERV
Sent: 02 October 2014 10:39
To: Whelan Mary HOM VIENNA EM
Cc: McSwiney Mark HQ-ARCH; Devine Ian VIENNA EM
Subject: RE: Residence Vienna

Many thanks, Mary

From: Whelan Mary HOM VIENNA EM
Sent: 02 October 2014 08:57
To: Mythen Fergal HQ-CORPSERV
Cc: McSwiney Mark HQ-ARCH; Devine Ian VIENNA EM
Subject: Residence Vienna

Dear Fergal,

The two attachments set out the problems of the current residence including the structural problems, poor maintenance and health and safety concerns, and suggests some options for future action. The first attachment is a submission setting out the general situation and the second contains photographs of some problem areas.

I look forward to seeing you and Mark tomorrow afternoon at 4.

Regards,

Mary

Meeting with Herr Hubert Freimüller

2 October 2014

A meeting was held at the Residence on Thursday 2 October with the Agent responsible for the property, Mr Hubert Freimüller. Mr Freimüller was accompanied by a builder and a representative from the gardening company. Ambassador Mary Whelan, Andrea Schwarzmüller (Ambassador's Personal Assistant), Maryknoll Padalla (Housekeeper) and the undersigned were present on the Embassy side.

General Comments

During a general exchange of views prior to a review of specific issues, it was underlined that the priority should be to address the cause rather than the symptoms of problems identified. Health and safety concerns were also raised. The pervasive smell of damp emanating basement was stressed, as was the proximity of water leaks to electric cabling.

Several instances of written communication from previous Ambassadors to the Agency, many of which raised identical problems, were referred to as was the subsequent recurrence of the exact same problems and the unreasonable expense incurred by the tenant in light of the need to repeat superficial work, such as painting, as a result of underlying structural problems such as damp.

The issues raised were not disputed by the Agent (they were often acknowledged by vigorous nodding), although it remains to be seen how far any follow-up will go to address the underlying issues.

One issue proactively raised by the Agent was the need to carry out some permanent repair work on the roof, by way of follow-up to some interim repairs carried out earlier this year to address a leak in the attic. It was also agreed that an overall review of the plumbing will be needed and will therefore be arranged.

An oral commitment was given that this work would be completed before November, along with those specific issues identified below.

Specific Issues Identified for Action

During a walk-through of the house, specific issues were pointed out to the Agent, who in turn made preliminary arrangements for follow-up action with the builder. These were as follows:

- Overwhelming damp smell on lower floor and damp patch on the wall of the garden-level bedroom (recurring problem)
- Water leakage in basement in close proximity to electrical switches and main fuse box
- Peeling paint in garden-level corridor on the wall backing onto the boiler room (recurring problem)

- Bulging plasterwork around the radiator piping in the garden-level bathroom (recurring problem)
- Peeling paint in the stairwell from the 1st to 2nd floors (recurring problem)
- Significant cracks on lower terrace wall – superficial or structural to be determined

Comment/Follow-Up

While the meeting was broadly amicable and did not give rise to any dispute, past experience does not necessarily give rise to optimism that the underlying structural issues will be identified and addressed. However, for the time being, there is a sense of “wait and see” as regards the commitment given to address all these issues before the beginning of November.

Mr Freimüller has made one follow-up call to the Embassy since the meeting, confirming that the cracks on the terrace will be opened and examined by the builder on Thursday 9 October and that a survey by the plumbing company (which he plans to attend) will take place on 16 October.

*Ian Devine
Embassy Vienna*

McSwiney Mark HQ-ARCH

From: Whelan Mary HOM VIENNA EM
Sent: 10 October 2014 16:08
To: Mythen Fergal HQ-CORPSERV; McSwiney Mark HQ-ARCH
Subject: FW: Note of Meeting with Herr Freimuller
Attachments: 20141002 Meeting with Herr Hubert Freimüller.docx

Dear Fergal and Mark,

Thank you both for meeting with me last week to discuss the accommodation problems in Vienna. In follow up I will approach a number of estate agents to assess the availability of a suitable smaller premises here using the guidelines you suggested of 450sq metres and a rent not to exceed euro 150,000. The embassy will also seek advice on our current status as tenants given that we no longer have a fixed term lease.

I am not assuming that the search for a new premises will be easy or quick and will also pursue efforts to have the landlord's agent carry out basic structural work on the present Residence with a focus on dealing with the pervasive damp concerns and issues pertaining to plumbing and wiring as these relate to health and safety issues. In this context I am attaching the report of my meeting with Mr Freimuller on 2/10 and will keep you informed of any follow up action which leads to an improvement of the present situation.

Regards,

Mary Whelan

From: Devine Ian VIENNA EM
Sent: 08 October 2014 13:32
To: Whelan Mary HOM VIENNA EM
Cc: Schwarzlmüller Andrea VIENNA EM
Subject: Note of Meeting with Herr Freimuller

Ambassador,

Draft note of last week's meeting attached.

Ian.

Mr. Ian Devine
Permanent Mission of Ireland to the International Organisations in Vienna
Rotenturmstrasse 16-18, A-1010 Vienna
Tel: +43 1 715 4246 14 - Mob: +43 676 651 7157 - Fax: +43 1 713 6004

*Ms Hogan
Please note of L.H.
me v. 13.10.14*

Date	Description of Item	Cost
19/10/2015	Cost of Carpet Delivery	€45.00
01/04/2015	Cost of Condition Report	€240.00
19/10/2015	Residence various small Items	€282.95
30/09/2015	Purchase light fittings	€306.97
25/09/2015	Cost of removal of items for disposal	€480.00
28/04/2015	Translation of lease costs	€510.91
07/12/2015	Purchase of Flag Pole & Flags	€615.60
07/10/2015	Purchase of Washer/Dryer	€720.00
05/11/2015	Purchase of Fire Extinguishers	€787.08
03/12/2015	Purchase of Glass light fittings	€797.07
18/11/2015	Transfer of non-NGI Art	€1,230.68
30/09/2015	Legal Fees	€1,344.00
28/11/2014	Purchase of Carpet	€1,460.00
16/12/2015	Restoration of Wooden Furniture	€1,520.00
13/02/2015	Legal Fees	€1,680.00
16/10/2015	Purchase of Carpet	€1,696.69
16/10/2015	Purchase of Carpet	€1,700.00
16/10/2015	Temporary accommodation for Ambassador	€2,412.20
18/11/2015	Refurbishing cost for wooden furniture	€2,600.00
04/11/2014	Painting of residence	€3,114.48
30/11/2015	Reupholstering costs for old furniture	€3,242.82
22/05/2015	Professional Fees	€3,250.15
14/10/2015	Cost of movers	€9,362.40
09/09/2015	Installation of new security system	€12,738.26
19/10/2015	Purchase of curtains	€20,555.48
22/05/2015	Estate Agent Fees	€21,513.00
19/11/2015	Transport of National Gallery Art	€25,504.21
18/09/2015	Security deposit for new residence	€26,900.00
		€146,609.95