

For its Third Special Report on NAMA, published in May 2014, the C&AG examined 144 individual transactions with gross proceeds of €1.1 billion. He found evidence of open marketing in all but 26 of the 144 sales. Of the 26 he found:

- In **15 cases**, the reasons put forward for the lack of open marketing were reasonable. These included, for example, contractual options for the purchase being in place before NAMA acquired the related loan or where the sale was agreed prior to acquisition by NAMA. The total gross proceeds from the sale of these properties were around €151 million.
- The sales, with gross proceeds of €12.1 million, of **six other properties** not openly marketed, were to state bodies in Ireland or Great Britain
- In **one case**, a property was sold in Ireland for €27 million. Extensive marketing had been conducted over an eight week period, and a winning bid chosen from a shortlist. This transaction failed to complete. Another party, not previously included on the shortlist, completed the purchase at the same price five months after the end of the marketing campaign. No evidence was provided to show how the purchaser was selected. Nor was there any evidence of the asset being returned to the market after the failed initial competition. NAMA stated that it engaged with the eventual purchaser, who had previously expressed interest in acquiring NAMA-controlled assets. NAMA also stated that its view was that it would have had to accept a lower price if it returned to the underbidders and that it achieved the best possible price for the taxpayer by taking this decision. ([REDACTED] [REDACTED] [REDACTED] [REDACTED])
- In another **four cases** with a gross disposal value of about €0.5 million, there was no evidence that the properties had been openly marketed and the files did not provide explanations for this. In three of these cases, there was evidence that NAMA had either obtained assurance regarding the market price of the property or had otherwise compared the selling price with similar properties. There was no evidence of open marketing or obtaining market assurance for the remaining property. NAMA stated that it is satisfied that the properties in these cases were openly marketed because fees had been paid to selling agents. **NAMA subsequently provided evidence to the PAC that these four properties had in fact been openly marketed.** I quote from the opening speech of 29th May 2014:

"In 4 of the 144 cases sampled, the report states that there was no evidence that the properties had been openly marketed. The gross disposal value in these four cases was about €500,000. In relation to these four cases, we disagree with the report's conclusions that there was no open marketing. We have looked in detail at the four cases and we are satisfied, based on evidence available to us and that we have since provided to the C&AG team, that the assets were openly marketed".