

# Housing Grants and Loans Policy

— Made under The Regulatory Reform (Housing Assistance - England and Wales) Order 2002

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# Contents

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1.	Purpose .....	3
2.	Applicability .....	3
3.	Roles and Responsibilities .....	3
4.	Financial Assistance Available. ....	3
5.	Mandatory Disabled Facilities Grants.....	4
6.	Discretionary Disabled Facilities Grants.....	7
7.	(Discretionary) Home Repair Assistance Grants.....	9
8.	Flexible Home Improvement Loans (FHIL).....	10
9.	Flexible Empty Home Loans.....	11
10.	Affordable Housing Empty Home Loan – Private Sector Leasing Scheme .....	11
11.	Implementing the Policy .....	11
12.	Applications Outside of the Policy .....	11
13.	Future Policy Implementation and Review.....	11
14.	Resources.....	12
15.	Complaints and Redress .....	12
16.	Equalities Impact Assessment.....	13

## **Purpose**

- 1.1. The purpose of this policy is to explain the Mandatory and Discretionary Housing Grants and Loans that are available to West Berkshire residents to assist them with the costs of adaptations, essential repairs and home improvements.
- 1.2. West Berkshire Council is committed to improving the standards of accommodation within the District. This policy supports the aims of the Councils Housing Strategy to improve Health and Wellbeing by tackling poor housing conditions

## **2. Applicability**

- 2.1. This procedure applies to all Housing staff who offer Grants and/or Loans to clients, or who process applications under the terms of the policy.

## **3. Roles and Responsibilities**

- 3.1. The Head of Care Commissioning, Housing & Safeguarding has overall responsibility for ensuring that Mandatory and Discretionary Grants and Loans are managed appropriately in accordance with these agreed standards.
- 3.2. The Service Manager for Housing Strategy & Operations and the Housing Strategy & Enabling Team Leader are responsible for:
  - Directing and reviewing this standard.
  - Ensuring that there is effective consultation and communication with West Berkshire Council staff, clients and voluntary agencies about the scheme
  - Publishing & Promoting the adoption of this procedure.
  - Ensuring compliance with published standards, procedures, working practices and technology changes.
- 3.3. The Housing Strategy and Enabling Team Leader and Private Sector Housing Officer are responsible for the day-to-day management of Mandatory and Discretionary Grants and Loans including ensuring implementation of this standard.

## **4. Financial Assistance Available.**

- 4.1. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) came into force in July 2002. This Order repeals much of the previous prescriptive legislation governing the provision of the renewal grants to homeowners and replaces it with a wide-ranging power to provide assistance for Housing Renewal. The grants and loans within this policy are offered in accordance with the Regulatory Reform Order.
- 4.2. The Private Sector House Condition Survey 2008 and 2011 Census generally demonstrates a good standard of housing within West Berkshire. There are no identified geographical areas or types of property that present a serious problem. The Council has therefore decided to adopt a Grants and Loans policy that is client based, rather than theme-based, and which focuses upon vulnerable people.

- 4.3. Financial assistance is available to owner occupiers and private tenants subject to eligibility (see Appendix 1).

Subject to funding, the Council will offer the following financial assistance:

- Mandatory Disabled Facilities Grants (MDFG)
  - Discretionary Disabled Facilities Grants (DDFG)
  - Discretionary Home Repair Assistance Grants (HRA)
  - Flexible Home Improvement Loans (FHIL's)
  - Flexible Empty Home Loans
  - Empty Home Private Sector Leasing Scheme.
- 4.4. The Council will work in partnership with statutory and voluntary organisations to deliver these grants and Loans. It will work across all council departments, in particular Communities, Planning and Countryside, Public Health and with the Crime Prevention Officer to promote financial assistance outlined in this policy and assistance offered by other organisations.
- 4.5. These priorities contribute to the vision set out in the Housing Strategy to provide quality housing, offer appropriate housing services, offer support to vulnerable households and promote safe and secure communities. They also contribute to the Council Strategy priority of caring for and protecting the vulnerable.
- 4.6. All discretionary assistance is subject to funding. All forms of assistance are dependent upon available budget provision and where the budgets have been exhausted, applicants will be refused on the grounds of no budget provision being available.

## **5. Mandatory Disabled Facilities Grants**

- 5.1. This is the only mandatory grant covered by this policy. Local Authorities are obliged, under the Housing Grants, Construction and Regeneration Act 1996, to provide Disabled Facilities Grants to eligible applicants in order to carry out appropriate adaptations to their homes to enable them to remain in their homes and to live as independently as possible.
- 5.2. Whilst the legislation provides eligible occupiers with the right to a mandatory DFG, landlords have the right to refuse tenants permission to alter or adapt their property.
- A private landlord may refuse consent. Disabled applicants who require adaptations to their current home should be signposted to the Housing Options Service if a landlord refuses permission. The Housing Options team will explore all available housing options including alternative Private Rented Accommodation, Common Housing Register and Home Ownership for Long Term Disabilities.
  - A Registered Provider may refuse permission for the adaptation in the event that they consider a move to alternative accommodation within their stock is a more appropriate option to address the needs of their tenant.

- 5.3. DFGs will only be provided for the main and principal home of the disabled person. In the event of owner occupiers we would consider this to be their owner occupied property even if they have temporarily occupying accommodation with family as their main home. If the move to alternative accommodation is a permanent move we would expect them to take steps to dispose of the owner occupied property.
- 5.4. DFGs are means tested (except for an application on behalf of a disabled child or qualifying young person) and have a mandatory limit of £30,000.
- 5.5. Where the cost of the works is in excess of the £30,000 maximum Grant, applicants will be expected to fund the difference through their own resources, charity funding or a Flexible Home Improvement Loan (subject to eligibility criteria). An exception to this is the case of disabled children where in some circumstances discretionary funding may be available.
- 5.6. Works must be deemed 'necessary and appropriate' by an occupational therapist. When considering what works are to be deemed 'necessary and appropriate' the occupation therapist should take into account the following:
- Facilitating access to and from the dwelling or the building in which the dwelling or, as the case may be, flat is secured;
  - Facilitating access to a room used or usable as the principal family room;
  - Facilitating access to a room used or usable for sleeping, or alternatively providing such a room for the disabled occupant;
  - Facilitating access to a room in which there is a lavatory, a bath or shower (or both) and a wash basin or providing a room in which there is such a facility or facilities;
  - Facilities for the preparation and cooking of food;
  - Facilitating access to and from the garden and make access safe.
- 5.7. All works and equipment deemed as 'necessary and appropriate' must be completed in a single Grant application. Grant applications can not be split to circumvent the maximum Grant limit.
- 5.8. Works must be deemed as 'reasonable and practicable' by the Local Housing Authority. Whilst 'reasonable and practicable' is not defined in legislation the Housing Service will take into account the following matters:
- If a Grant application has previously been approved and works undertaken to meet the needs of the disabled person and the household subsequently move to alternative accommodation, without disposing of the legal interest in the adapted property. The housing service will consider if further public funding is reasonable.
  - Age and condition of the property in respect of meeting the longer term needs of the household, especially if the architectural and structural characteristics of the dwelling render the adaptation inappropriate.

- When an applicant who requires adaptations is identified as under-occupying social housing, it may not be 'reasonable and practical' for the local authority to provide a DFG to adapt the home. This is either because the home is potentially unaffordable for the applicant in the longer-term or because the adaptation will move the household into a category that will result in a reduction in their benefit being applied (for example, if a ground-floor bedroom extension is provided). All applicants in this position will be considered on a case-by-case basis but in some circumstances an applicant may be required to move to more suitable accommodation to enable the adaptations to be provided.

- 5.9. Applicants must intend to occupy the property which is subject to the proposed adaptations for a minimum of 5 years. Applicants living in the private sector would need to provide evidence of a minimum of 5 years remaining on their tenancy agreement. Applicants who have expressed a desire to move via the Council's Common Housing Register or by marketing their property for sale will not have their grant approved.
- 5.10. For owner occupiers, where the Grant exceeds £5,000 a local land charge will be placed on the property for 10 years from the point of the grant being certified. This sum would be repayable to the Council in the event the property is disposed of within ten years of the Grant being certified. Refer to point 21 of the full Grant Conditions attached as Appendix 2.
- 5.11. Clients who do not qualify financially for a Disabled Facility Grant can submit a Nil Grant application and the contribution they make towards the Disabled Facility Grant can be deducted from any assessed contribution for any successive DFG's within the Grant period. Refer to appendix 4 for more information.
- 5.12. There are occasions where clients may wish for alternative works which are not approved by an Occupational Therapist and the Grants Team. Refer to Appendix 4 for more information.
- 5.13. Disabled Facilities Grants are subject to Grant Conditions. A copy of the full Grant conditions is attached at Appendix 2
- 5.14. The Council will provide a written decision on all Grant applications within six months of the receipt of a completed valid application with all relevant supporting documentation.
- 5.15. Applicants who need to financially contribute towards their grant application are encouraged to ensure they have sufficient private funding available prior to submitting their grant application. The reason for this is any works approved under a Grant application must be concluded within 12 months of approval.
- 5.16. Given the high demand for DFGs, it is necessary to manage the budget carefully. Consequently, the DFG resources for each year will be divided into twelve units and allocated for each month of the year. If allocation of the monthly budget is exceeded, the DFG panel will be implemented.

All applications received in any one month will be allocated a high, medium or low priority by the Occupational Therapist based on the prescribed priority rating guidelines. A risk assessment must be completed for each DFG application.

All applications will be referred to the monthly DFG panel to be considered for full approval. All high priority applications will be approved, subject to available budget. Medium and low priority cases will be approved if there is available budget, or deferred to the next Panel. All applications will be determined within the statutory 6-month period.

- 5.17. Applicants who experience a change in circumstances after submission of their full application should ensure their Occupational Therapist is informed. The Occupational Therapist should then pass the information on to the DFG Panel for consideration.
- 5.18. When determining DFG applications the Housing Service will have regard to “Delivering Housing Adaptations for Disabled People” a detailed guide to legislation and good practice.

## **6. Discretionary Disabled Facilities Grants.**

- 6.1. The Regulatory Reform Order (RRO) gives the Council the power to offer discretionary DFGs. However, after careful consideration, the Council has decided that with the exception of three specific circumstances, it is unable to award Discretionary DFGs because the current demand for mandatory DFGs exceeds the budget available.

The three circumstances in which the Council would consider a Discretionary DFG are:

- 1) Where the applicant occupies social housing and a move to alternative housing within the Registered Provider’s own stock may be a more suitable resolution. A Discretionary Disabled Facility Grant is available for up to £1,500 to assist tenants with their moving and resettlement costs. These Grants are considered on a case by case basis and examples of the costs which may be including are as follows: Removal costs including packing and unpacking for households within alternative support, provision of a Television Ariel and connection of a landline.

This may be considered as an option where the Registered Provider anticipates there is a reasonable prospect that they will be able to offer suitable accommodation within 18 months of DFG enquiry

That the alternative accommodation will allow the tenant to remain in or nearby to the area they currently live, if this is where their support needs are fulfilled and cannot be delivered elsewhere.

All applications for this Discretionary DFG, will be means tested. In the case of applications for children and qualifying young persons the means test will be undertaken using the resident parent’s income.

The new property must be suitable for the disabled persons needs. Only minor works, for example, small-scale ramping, door-widening etc of up to £3,000 will be considered for the new property. Adaptations such as level access showers or stairlifts are not deemed to be minor works.

Costs that are incurred before receipt and approval of a full Grant application will not be covered.

- 2) When it is significantly more cost effective and appropriate to provide assistance to enable a person in owner-occupied accommodation to move to more suitable accommodation than to make the necessary adaptations to their current home.

In this instance, discretionary assistance may be awarded, dependent upon available budget provision, to cover removal expenses (estate agent fees, solicitor fees, survey fees and removal costs) only, up to the value of £10,000.

All applications for this Discretionary DFG, will be means tested. In the case of applications for children and qualifying young persons the means test will be undertaken using the resident parent's income

The move may be inside or outside of the district. Where the move is inside the district, the Council would not expect to offer a DFG towards major adaptations once the move has been completed, although minor works of up to £3,000 will be considered (subject to demonstrating significant cost efficiency) If the move is outside of the district, the Private Sector Housing Team will require written confirmation from Social Services that future funding liability has been resolved, and will require written confirmation from the receiving local authority that they will address future adaptation requirements via their own private sector renewal policy.

Costs that are incurred before receipt and approval of a full Grant application will not be covered.

- 3) Where a major adaptation is required to meet the needs of a disabled child that exceeds the Grant maximum.

As the Discretionary Disabled Facility Grant would be awarded on behalf of a disabled child, it will not be means tested. The Grant will fund works exceeding the mandatory Grant maximum up to a value of £20,000.

All applications for this Discretionary DFG will be means tested using the resident parent's income.

For owner-occupiers, all discretionary DFG's are subject to a land charge for a period of 10 years, this is in addition to the Mandatory Grant charge.

Where there are pressures upon the DFG budget, mandatory DFGs will be given priority over discretionary applications. This may mean that a discretionary DFG application is declined because the demand for mandatory DFG is in line with budget restrictions.

Individuals affected by the decision to limit discretionary DFG assistance will be offered advice and support regarding other options which may be available. These may include, requesting funding via Social Services, reviewing the proposal plans to see if a cheaper alternative is available, seeking charitable



funding, considering a move to more suitable accommodation, signposting to seek independent financial advice on equity release, providing information on the Flexible Home Improvement Loan Scheme.

- 6.2. The Council will not offer discretionary DFG to cover an applicant's assessed contribution towards a DFG where the national means test has been applied and indicates that they should be making payment towards the adaptation.

## **7. (Discretionary) Home Repair Assistance Grants.**

- 7.1. The Home Repair Assistance Grant (HRA) is available to owner occupiers and private tenants only. HRA Grants are offered subject to available funding.
- 7.2. The maximum Grant limit is £5,000 per application and a maximum of two Grant applicants will be accepted per property in a three year period.
- 7.3. Owner occupiers who meet with eligibility criteria for a Flexible Home Improvement Loan are only eligible for a reduced Home Repair Assistance Grant of up to £1,000.
- 7.4. The Grant is means tested and to be eligible an applicant must be in receipt of at least one of the means tested benefits or disabled related benefits identified in appendix 1.
- 7.5. Owner occupiers are also subject to a maximum capital limit of £5,000.
- 7.6. The HRA Grant can be used to fund essential repairs including:
- Works of essential repair to a dwelling to enable a person to remain living at home or to return to their home from hospital, including , essential stair-lift repairs
  - Works to secure the basic fabric of the property from the entry of wind or rain or to protect the occupants from immediate exposure to dangerous and or insecure buildings or foul drainage.
  - Boiler repair or replacement (only where it is non-repairable), electrical works, roof repairs, provision of heating in main living rooms and bathroom and associated energy efficiency works.
  - Security works and home safety including door and window locks, spy holes, door chains, five lever mortice locks on external doors and replacement of insecure doors or windows (upon recommendation of the Crime Reduction Advisor, Housing Options Officer or Private Sector Housing Officer)
  - Works to prevent damp and mould within the property, including but not limited to provision of electrical extraction/ventilation system, mould wash treatment, fitting of trickle vents.
- 7.7. Where the Grant is being offered to a private tenant, the landlord must consent to the work and be willing for a local land charge to be applied for the Grant period of 5 years.
- 7.8. All HRA Grants are subject to a local land charge being placed on the property for 5 years.
- If the HRA Grant applicant is an owner occupier and they dispose of the property within the 5 year Grant condition period. The Grant is repayable on a sliding scale of 20% per year.

- If the HRA Grant is approved for a private rented property. The Grant is repayable if the property ceases to be available to rent during the 5 year Grant condition period. The Grant is repayable on a sliding scale of 20% per year.

Year	Repayment
Year 1	100%
Year 2	80%
Year 3	60%
Year 4	40%
Year 5	20%
Year 6	0%

## **8. Flexible Home Improvement Loans (FHIL)**

- 8.1. West Berkshire Council is part of a consortium of 16 local authorities across the South East which has established the Flexible Home Improvement Loan Company, offering equity loans to older owner occupiers who wish to repair or improve their homes.
- 8.2. Flexible Home Improvement Loans (FHIL) are available to home owners over 60 years old to carry out repairs and improvements to their homes over the value of £1,000. FHIL's are available in special circumstances to home owners aged over 55.
- 8.3. Applicants need to have sufficient equity in their property to be eligible for a Loan.
- 8.4. Works which can be funded by a FHIL include:
  - Roof and structural repairs
  - Replacement bathroom suites
  - Replacement kitchens
  - Plumbing and drainage repairs
  - Rewiring
  - Burglar alarm and home security
  - Replacement guttering, soffits and cladding
  - Work associated with eradicating dampness, wet rot, dry rot and woodworm
  - Installation of stair lifts, level access showers or other adaptations
  - To fund disabled adaptations in excess of the DFG limit
- 8.5. The loans are secured by a charge on the applicant's property and are flexible because they can be re-paid in a range of ways: the applicant can choose to make regular repayments, occasional repayments or no repayments at all. The loan, plus interest, must be repaid in full when the property is sold or the owners cease to occupy it.

- 8.6. The tracker interest rate is linked to the Bank of England rate, with a minimum of 3.5% and a maximum of 7%.

## **9. Flexible Empty Home Loans**

- 9.1. Loans can be offered to the owners of empty properties, through the FHIL Consortium, to undertake works that will enable them to bring the home back into use. Loans awarded for this reason must be repaid within five years and are secured by a charge on the property.

## **10. Affordable Housing Empty Home Loan – Private Sector Leasing Scheme**

- 10.1. The Empty Home Private Sector Leasing Scheme offers an owner the opportunity to bring their home back into use, using a loan to undertake any required works to bring it up to a decent standard. A designated Registered Provider will manage the homes for an agreed period, usually between 5 to 7 years. The Council will use the properties to provide affordable accommodation for families in housing need.
- 10.2. The Registered Provider will be responsible for all repairs and maintenance for the duration of the lease and at the end of the lease the property will be returned to the owner. The owner will receive a net rent each month.

## **11. Implementing the Policy**

- 11.1. Grants and Loans referred to in the document are administered by the Housing Service.
- 11.2. Applicants requiring assistance in applying for a Grant or a loan should contact the Private Sector Team on 01635 519680

## **12. Applications Outside of the Policy**

- 12.1. The Council acknowledges its general duty to consider the condition of the private sector housing stock and wishes to be flexible in exercising its discretionary powers.
- 12.2. All enquiries for assistance will be considered on a fair and equal basis. Enquiries which fall outside of the eligibility criteria for assistance, outlined in Appendix 1, can be considered in exceptional circumstances. Where the applicant is able to justify that there are exceptional circumstances which warrant special attention, these will be considered by the Head of Care Commissioning, Housing and Safeguarding as a special case which falls outside the normal policy. ▸

## **13. Future Policy Implementation and Review**

- 13.1. This policy will be reviewed to respond to any changes in and or legislation and will undergo a full review at least every 5 years.
- 13.2. The Service/Committee/Group responsible for reviewing and maintaining this Policy is the Housing Strategy and Enabling Team.
- 13.3. Any significant changes made to the published policy for Housing Grants and Loans will be made via Individual Executive Member Decision. The appropriate amendments to relevant policy documents will be made by the Housing Strategy

and Enabling Team Leader and requirements in relation to publication and dissemination will be fulfilled.

- 13.4. Significant changes will include those for eligibility and scope as well as any new forms of assistance which might be introduced, or changes to or removal of current assistance.
- 13.5. The Council recognises that more work needs to be done to further promote and encourage residents to use all of the resources available to them to improve their homes.
- 13.6. The Council also recognises that further work needs to be undertaken to develop closer relationships with private sector landlords to ensure a high quality supply of private rented accommodation within the district. The Council will be looking to adopt a Private Sector Strategy in 2016 to address this.
- 13.7. Unforeseen budget restrictions may necessitate the re-prioritisation of financial assistance and use of waiting lists.
- 13.8. Customer satisfaction will be monitored via customer satisfaction surveys which are sent to every applicant.

#### **14. Resources**

- 14.1. The amount of capital resources that will be committed to implementing this policy, including resources provided by partner organisations is outlined in Appendix 5 and projected until 2017. Future years funding can be found on the Council's website within the Capital Strategy which is approved by full Council annually.

#### **15. Complaints and Redress**

- 15.1. If an applicant has a complaint about any aspect of the service, initial contact should be made with the Private Sector Housing Officer and the matter will be discussed informally.
- 15.2. If the applicant's concerns cannot be resolved informally, they will be invited to make a formal complaint. If the matter involves Social Care Services through either the Council's Adult Social Care or the Children's and Young People's Service, the applicant should contact the Public Liaison Officer who manages complaints about Social Services. Social Care Services have a statutory complaints procedure laid down by Government. There is a leaflet explaining the process which can be used to make a complaint.
- 15.3. For all other complaints the applicant should follow the corporate West Berkshire Customer Complaints and Comments Procedure and contact should be made with the complaints officer. Again, there is a leaflet explaining the process and which can be used to make a complaint.
- 15.4. Where service users remain unhappy with the outcome of the formal complaint, they may wish to contact the Local Government Ombudsman.
- 15.5. If the complaint is about an organisation acting as an agent on behalf of the applicant, then the applicant should go through the organisation's respective complaints procedure.

## **16. Equalities Impact Assessment**

An Equalities Impact Assessment of the policy has been carried out.

## Appendix 1

### Appendix 1 Financial Assistance Eligibility Criteria

Type of Assistance	Eligibility Criteria	Eligible Works	Non-eligible Works	Conditions
<b>Mandatory Disabled Facilities Grant</b> (Max £30,000)	<p>Subject to financial Test of Resources (Means Testing) - with the exception of applications on behalf of a Child or Qualifying Young Person.</p> <p>Must be registered or eligible to be registered as disabled under the Chronically Sick &amp; Disabled Persons Act 1970. Usually receiving an allowance or benefit for disability.</p> <p>Can be owner, tenant (with at least 5 years of tenancy left to run) or a landlord (applying on behalf of disabled tenant). A relative who fits these criteria may apply on behalf of someone who lives in their home as part of their household.</p> <p>Any type or age of property.</p>	<p>Works recommended by Occupational Therapist (OT) and agreed by Private Sector Housing Officer (PSHO).</p> <p>Works required, because of the disabled person's condition, for facilitating access, making building or dwelling safe, facilitating adequate bedroom, bathroom and or kitchen facilities. Providing suitable heating installations.</p> <p>Facilitating and enabling a disabled person to care for dependant residents.</p> <p>Cases will be assessed on a case-by-case basis, but the following general rules apply:</p> <ul style="list-style-type: none"> <li>• Extensions are to be recommended as an absolute last resort.</li> <li>• Scooter access and stores are only to be recommended where</li> </ul>	<p>Works not supported by an OT and PSHO.</p> <p>Works that do not relate to the disabled person's medical and or independence needs.</p> <p>Major adaptations (extensions) where the existing property can be adapted in an alternative way to meet identified needs.</p> <p>Works which are not assessed to be the most cost effective solution</p> <p>Works that have</p>	<p>Works must be agreed and signed off as 'necessary and appropriate' by an OT and as 'reasonable and practicable' by the Private Sector Housing Officer.</p> <p>Works must be carried out and completed within 12 months of approval.</p> <p>Tenants must intend to continue to occupy the property for 5 years after the grant is awarded.</p> <p>For grants over £5,000 awarded to owner occupiers, a charge of up to £10,000 is secured on the property, to be re-paid if the property is disposed of within ten years.</p>

		<p>client meets wheelchair criteria.</p> <ul style="list-style-type: none"> <li>Level access showers – shower screens should only be recommended where a carer is needed.</li> </ul>	already been started or completed.	
<b>Discretionary Disabled Facilities Grants</b>	<p>Must be registered or eligible to be registered as disabled as set out above for mandatory DFG. Usually receiving an allowance or benefit for disability.</p> <p>Subject to financial Test of Resources (Means Testing)</p>	<p>Fees (estate agent, solicitors, removals, surveys) for moving to more suitable property and minor works to new home. £10,000 maximum. (Owner occupiers)</p> <p>Social Residents – Grant of up to £1,500 to support with removal and resettlement costs.</p> <p>Provide top-up funding to mandatory DFG works exceeding the mandatory grant maximum. Works for disabled children only. £20,000 maximum top-up grant.</p> <p>Move and works required, because of the disabled person's condition, for facilitating access, making building or dwelling safe, facilitating adequate bedroom, bathroom and or kitchen facilities. Providing suitable heating installations.</p>	<p>Move and works not supported by an OT and PSHO.</p> <p>Move where alternative adaptations to the existing home could be provided more cost-effectively to meet the identified needs.</p> <p>Moving costs or expenses that have already been paid prior to submission of the grant application.</p> <p>Stamp duty</p> <p>Works that have already been started or</p>	<p>Only available where there is sufficient budget.</p> <p>Move and works must be agreed and signed off as 'necessary and appropriate' by an OT and as 'reasonable and practicable' by the Private Sector Housing Officer.</p> <p>Works must be carried out and completed within 12 months of approval.</p> <p>Written confirmation required from Social Services that future funding liability is resolved.</p> <p>Written confirmation required from receiving local authority that they will address future adaptation requirements via their own private sector renewal policy.</p>

		Facilitating and enabling a disabled person to care for dependant residents.	completed.  Works that do not relate to the disabled person's medical and or independence needs.	A Local Land charge is placed on the property for the full value of the discretionary grant for a period of ten years, (In addition to the mandatory charge) to be re-paid if the property is disposed off within 10 years of certified completion.  For owner occupiers or social tenants moving - Only minor further works up to the value of £3000 including fees can be carried out to the new property under a DFG e.g. small scale ramping, door widening. Level access showers do not qualify as minor works.
<b>Discretionary Home Repair Assistance Grant</b>  (Max £5,000 per application, 2 applications per property address in any three year period).	Home owners or private tenants only.  Available to residents in receipt of at least one of the principle means tested or disability related benefits listed below who do not qualify for a Flexible Home Improvement Loan.  Applicants who qualify for a	Works of essential repair to a dwelling to enable a person to remain living at home or to return to their home from hospital, essential stair-lift repairs and essential equipment. The following criterion applies only when there is a healthy budget provision.  Works to secure the basic fabric	Maintenance works.  Extensive repairs.  Replacing windows (unless in a very bad state of repair).  Installing full	Only available subject to funds.  Not available to landlords.  Not available to RP tenants or private tenants where the property is owned by a family member.  Works must be carried out within 12 months of



	<p>FHIL are eligible for a reduced HRA up to the value of £1,000.</p> <p>Subject to a capital limit of £5,000.</p> <ul style="list-style-type: none"> <li>• Income Support</li> <li>• Employment and Support Allowance (ESA)</li> <li>• Housing Benefit</li> <li>• Income-based Job Seekers Allowance</li> <li>• Attendance Allowance</li> <li>• Disability Living Allowance</li> <li>• Industrial Injuries Benefit</li> <li>• War Disablement Benefit</li> <li>• Child Tax Credit</li> <li>• Working Tax Credit</li> </ul>	<p>of the property from the entry of wind or rain or to protect the occupants from immediate exposure to dangerous and or insecure buildings or foul drainage.</p> <p>Boiler repair or replacement (only where it is non-repairable), electrical works, roof repairs, provision of heating in main living rooms and bathroom and associated energy efficiency works.</p> <p>Security works and home safety including door and window locks, spy holes, door chains, five lever mortice locks on external doors and replacement of insecure doors or windows (upon recommendation of the Crime Reduction Advisor, Housing Options Officer or Private Sector Housing Officer).</p> <p>Works to prevent damp and mould within the property, including but not limited to, provision of electrical extraction/ventilation system, mould wash treatment, fitting of trickle vent</p>	<p>heating systems.</p> <p>Stair-lifts</p> <p>Decorating.</p> <p>Minor adaptations covered by social services.</p> <p>Energy efficiency works in isolation.</p>	<p>approval.</p> <p>Post-grant occupancy conditions apply to owner occupied properties and. post- grant conditions apply to private rented properties. Grant repayable as follows: between 0-1 years, the full grant is repayable; between 2 and 5 years the grant is repayable on a sliding scale of 20% per year.</p> <p>Entry on the Local Land Charges Register will be made.</p>
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	<ul style="list-style-type: none"> <li>• Guarantee Pension Credit</li> <li>• Universal Credit</li> </ul>			
<b>Flexible Home Improvement Loans</b>	<p>Owner occupiers over 60 years of age. (over 55 years in special circumstances – see Appendix 5)</p> <p>Joint owners must both be over 60 years of age.</p> <p>Must have sufficient equity in the property to support the loan.</p>	<p>Works relating to the improvement of the warmth, comfort, safety and security of the property. Works include:</p> <ul style="list-style-type: none"> <li>▪ Essential repairs and maintenance</li> <li>▪ Central heating or improvements to heating</li> <li>▪ Replacement doors and windows</li> <li>▪ Improvements to insulation</li> <li>▪ Roof and structural repairs</li> <li>▪ Replacement bathroom suites</li> <li>▪ Replacement kitchens</li> <li>▪ Plumbing and drainage repairs</li> <li>▪ Rewiring</li> <li>▪ Burglar alarm and home security</li> <li>▪ Replacement guttering, soffits and cladding</li> <li>▪ Work associated with eradicating dampness, wet rot, dry rot and woodworm</li> <li>▪ Installation of stair lifts,</li> </ul>	<p>Works relating to general maintenance. Decorating Servicing of boilers and other installations and equipment.</p>	<p>The cost of the loan is secured by a charge on the property.</p> <p>The loan must be repaid if the property is sold or the owners cease to occupy it. The loan must be repaid in either of the following ways:</p> <ul style="list-style-type: none"> <li>▪ Regular repayments</li> <li>▪ Occasional repayments</li> <li>▪ No payments at all – loan is repaid in full when the property is sold</li> </ul>

		<p>level access showers or other adaptations</p> <ul style="list-style-type: none"> <li>▪ To fund disabled adaptations in excess of the DFG limit</li> </ul>		
<b>Flexible Empty Home Loan</b>	<p>5 year fixed term loan available to empty property owners to bring the property back into use. Must have sufficient equity in the property to support the loan.</p>	<p>Same as those for a Flexible Home Improvement Loan</p> <p>HMO works: including fire precautions, means of escape and the provision of adequate facilities and amenities for the number of people or households.</p>	<p>Same as Flexible Home Improvement Loan</p> <p>HMO: any non structural works required under S372 of Housing Act 1985, Management Regulations for e.g. Cleaning communal areas, rubbish removal, decoration, servicing of gas and electrical installations.</p>	<p>The cost of the loan is secured by a charge on the property. The loan must not exceed the lesser of the cost of works or two-thirds of the value of the property. Further advances or stage payments may be possible if the value of the property increases as the work progresses. The loan must be repaid in full at the end of the 5 year term if not before, either by re-mortgaging or selling the property. The loan must be repaid if the property is sold. The loan must be repaid in either of the following ways:</p> <ul style="list-style-type: none"> <li>▪ Regular repayments</li> <li>▪ Occasional repayments</li> <li>▪ No payments at all – loan is repaid in full when the property is sold</li> </ul>

<b>Private Sector Leasing Scheme: Empty Homes</b>	<p>Lease offered to owners of empty properties to bring the property back into use. The landlord agrees to allow nomination rights to the Council for the duration of the lease. At the end of the agreement the property will be returned to the owner in a lettable condition.</p>	<p>A Housing Association, working in partnership with the Council, will assess whether the property is suitable. It will assess the achievable rent required to undertake necessary renovation works to bring it up to the appropriate standard.</p>	<p>Currently occupied properties.</p> <p>Properties that have been empty for less than 6 months.</p>	<p>Interest rate on the loan will be charged at the Bank of England rate, subject to a minimum rate of 3.5% and maximum of 7.0%. A registration fee will be charged for the loan documentation and legal charge. The fee will be added to the loan and is currently £80 for loans up to £100,000. An annual charge of £15 is also required to cover the cost of loan administration and statements.</p> <p>The loan may be repaid, in whole or part at any time without penalty. When the loan is repaid there is a fixed fee of £50 for cancellation of the registered charge.</p> <p>The Housing Association will also charge a fee for commissioning and supervising the works and an annual charge for the management, maintenance and insurance of the property.</p>
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**Housing Grants, Construction and Regeneration Act 1996  
Summary of Mandatory Disabled Facility Grant Conditions**

**Mandatory Disabled Facilities Grant**

1. In approving an application for a Grant the Council is liable to pay the Grant only in so far as payment for the cost of the eligible works described in any specifications or agreed schedule of work and any agreed drawings and where these works have been carried out in a reasonable and workmanlike manner.
2. It is a condition of the Grant that the eligible works are carried out within twelve months from the date of approval of the application. This period may, however, be extended by the Council if they think fit, particularly when they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made.
3. In every case, it is the applicant who employs the builder to undertake agreed works and the Council have no contractual liabilities in that relationship as their role is only to administer the Grant/loan process.
4. The applicant is responsible for ensuring the quality of the completed works
5. If an applicant submits an estimate/quote from a member of their family who then carries out the agreed works the Grant/loan will only be paid on the basis of the cost of materials and not labour.
6. In all cases, an application for assistance towards works that have already been completed will not be processed. Any part of works not commenced, which would otherwise have been considered for assistance will be processed for possible Grant/loan assistance as long as work is not commenced prior to formal approval.
7. All payments shall be conditional upon receipt of an acceptable invoice and made direct to the appropriate contractor following agreement with the applicant that works to the appropriate stage have been satisfactorily completed. In a situation of dispute between the applicant and contractor, which is not resolved in a reasonable time period the Grant, or part thereof, may be paid to the applicant at the discretion of the Council. Where works are incomplete as a result of a dispute the Council will withhold a proportion of the Grant awarded equivalent to the value of work outstanding.
8. The Council will include the cost of preliminary or ancillary services fees and charges within the calculation of assistance, each submission of fees will be individually considered for reasonableness. The payment of any such fees is conditional on a Grant being approved and the completion of all specified works, otherwise the Council will not be held responsible for any fees incurred before or after approval.
9. The Council will consider requests for interim payments such that no interim payment will be for more than 90% of the cost of completed work and in aggregate no more than 90% of the total approved amount before final completion.

10. The Grant works must be carried out by one of the contractors whose estimates/quotes were submitted as part of the application process, the Grant having been calculated using the lowest priced estimate/quote.
11. Where an applicant's circumstances change or are confirmed as different from originally stated, after approval is issued, such that approval would no longer be given, then the Grant approval will be cancelled and no payments made, or no further payments made where interim payments have already been paid, except in exceptional circumstances when the Head of Housing Strategy Services may give authority to provide further funding so as to conclude work at a suitable and appropriate stage. Where payments have been made, the local authority may demand repayment together with compound interest from the date on which payment was made until repayment, at such reasonable rate as the Council may determine.
12. In any case where financial circumstances at the time of application are later confirmed differently to those submitted by the applicant/s such that after approval a new processing of information would lead to reduced assistance or denial of assistance then the original approval will be amended/cancelled and the local authority may demand repayment together with compound interest from the date on which payment was made until repayment, at such reasonable rate as the Council may determine to recover any over payment. In such circumstances the local authority may choose to cancel the whole approval or demand repayment of all monies paid, plus compound interest, despite the fact that a reduced level of assistance would have been approved, where it is felt the degree of error in the applicant completing the original means test forms is such to suggest a deliberate attempt to deceive.
13. In certain circumstances where the Council believe that actions of applicants may have been taken to deliberately defraud the Council the application will be investigated by a senior officer and legal advice sought.
14. In the case of assistance for works to common parts an individual applicant may be assisted with the proportion of the cost for which they are responsible, eg where there are 4 residents each will be considered responsible for one quarter of the common parts unless evidence to the contrary, eg deeds or tenancy agreements etc, prove otherwise.
15. The Council or their agents will hold final authority to determine what works are included on Grant schedules although it is acceptable for owners, tenants or their agents etc to draw up initial schedules of work which may be reduced or added to by the Council in terms of work qualifying for possible assistance.
16. The payment of any Grant approved will only be considered after any applicant's contribution has been accounted for in the value of invoices submitted.
17. The responsibility to gain all necessary approvals for works to be undertaken with assistance rests with the applicant or their agent, such approvals may be Planning Permission or Building Regulation Approval or any of the matters raised within the terms and conditions of Grant assistance.
18. Where a Grant approval includes the cost of installing specialised equipment for the benefit of a person with a disability it is a condition of the approval that the equipment is returned to the Council if within 10 years it is no longer needed. The Grant recipient, or a representative, must notify the Council as soon as the equipment is no longer needed and the Council or their agent may choose to remove it for re-use elsewhere, making good any damage caused by its removal.

However, there is no obligation on the Council to carry out removal of equipment.

19. Where the Grant was approved in addition to a contribution from the applicant for the cost of any specialist equipment, in accepting a Grant the applicant waives their right to recover their contribution on removal or re-use of any equipment.
20. The Council reserves the right to re-consider any individual application against any of these terms and conditions subject to the approval of the Head of Housing Strategy Services.
21. DFGs for owner occupied dwellings may be subject to repayment.

A local land charge will be applied on in respect of Disabled Facilities Grants for a period of 10 years from the certified date.

In accordance, with the Disabled Facilities Grant General Consent 2008, a local land charge will be applied to such part of the grant that exceeds £5000 (up to a maximum charge of £10,000).

This will become subject to repayment if the applicant disposes of the property (whether by sale, assignment or transfer) within 10 years of the certified date.

Repayment will be required subject to the Council being satisfied that it is reasonable to require the repayment, having considered:

- The extent to which the recipient of the Grant would suffer financial hardship were they required to repay all or any of the Grant
- Whether disposal of the premises is to enable the recipient of the Grant to take up employment, or to change the location of his employment
- Whether disposal is made for reasons connected with the physical or mental health or well being of the recipient of the Grant or of a disabled occupant of the premises; and
- Whether the disposal is made to enable the recipient of the Grant to live with, or near, any person who is disabled or infirm or in need of care, which the recipient of the Grant is intending to provide, or who is intending to provide care of which the recipient of the Grant is in need of by reason of disability or infirmity.

The Council will also seek repayment of a DFG where it has investigated and has reasonable cause to believe that the applicant has abused the DFG system.

## Appendix 3

### Disabled Facilities Grants - Alternative Works Procedure

It has been West Berkshire Council's practice to approve Disabled Facilities Grants (DFG) on the basis that Grant aid is available to fund reasonable works to meet assessed need of the disabled person.

There are occasions where the applicant and/or their family would prefer an alternative scheme which may not be the most cost effective for the Council.

In these circumstances West Berkshire Council will calculate the cost of the work based on the most cost effective solution, the client would then be able to carry out alternative works providing these still meet the assessed needs. All additional costs will be borne by the family and or applicant.

This fits with the removal of the DFG ring fence by Communities and Local Government from 2008-09. The guidance on this change includes reference to local authorities being able *'to use specific DFG funding for wider purposes, which may be more appropriate for individuals than current DFG arrangements allow'*

This procedure also compliments the Self-Directed Support/Choice agenda

#### Application of this procedure

The determination of any Grant level would proceed exactly as it does now. If the applicant wishes to carry out alternative works to those specified they must submit their proposal together with quotes for the work, to ensure that the works do not cost less than the calculated Grant.

This proposal must then be cleared by the Occupational Therapist to ensure that on completion the needs of the disabled person would be met.

Grant aid will not be approved until both Building Regulations approval and Planning Permission is received for the alternative scheme.

- The Grant is approved on the costing of the original scheme which will be based on what is necessary and appropriate to meet the disabled client's needs.
- Once approved the Grant will not be revised, i.e. no unforeseen works.
- The Grant aid will only be paid when the needs of the applicant are fully met by the alternative works, as approved by the Occupational Therapist.
- Interim payments will not normally be made, only a final payment.
- Evidence that client funding is in place must accompany the completed application; the Council will not approve a scheme for alternative works without this assurance. Clients are strongly advised to obtain priced quotations from their respective



builder(s)/tradesmen. Where the client cannot provide evidence that the necessary funding is in place the Council will only approve and release funding based on the original scheme as approved by the Occupational Therapist to ensure the needs of the disabled person are met.

- Where an applicant is not familiar with commissioning building works it is recommended that a competent person be engaged to act as Project Manager. The competent person is engaged by the client and costs will be met by the client.
- Work must not be started until a completed application has been approved by the Private Sector Housing Officer. Work already commenced before approval is given cannot be paid for through Grant aid.
- A copy of the Alternative Works Procedure must accompany the signed Approval and sent to the applicant.

## Appendix 4

### Nil Grant Applications.

If a client pays an assessed financial contribution towards works being funded by a DFG, the amount that they contribute can be deducted from an assessed contribution for any future DFGs.

Therefore, where a client has an assessed contribution which is more than the likely cost of works, and so does not financially qualify for a DFG, they can apply for a Nil Grant in order to ensure that the cost of works is deducted from any future DFG applications.

This is only the case if the client decides to fund the works themselves. We would not consider a Nil Grant application if the client did not privately install the initial adaptation.

It is only worth a client applying for a Nil Grant if it is likely that they will need further adaptations in the future, ie if they have a progressive condition.

The client must decide to fund the works for the first application, and the cost of these works will be deducted from subsequent assessed financial contributions. The works must reflect the OT recommendations.

In order to apply for a Nil Grant, a full Grant application must be submitted, consisting of at least 2 quotations for the works, a completed application form and supporting financial documents. Where building works are involved, Planning and Building Regulations approval must be submitted.

The quotations must be based on only what is deemed necessary and appropriate, reasonable and practicable, and must not include any extra or higher specification items as chosen by the client.

Applicants should be advised that Nil Grants applications need to be prepared by the individual or their representative and as putting together a DFG application is a timely process it is only advised that Nil Grants are applied for in cases where it is highly likely that the client will require further adaptations in the future.

A Nil Grant award expires 10 years after the Nil Grant is awarded for owner occupiers and 5 years after award for tenants.

## Appendix 5

### Available Capital Resources

#### **Budget Projections 2012/13 to 2016/17**

	<b>2014/15</b>			<b>2015/16</b>			<b>2016/17</b>		
	Council	External	Total	Council	External	Total	Council	External	Total
Disabled Facilities Grant	725,000	648,000	1,373,000	725,000	648,000	1,373,000	725,000	648,000	1,373,000
Home Repair Assistance Grant	50,000		50,000	50,000		50,000	50,000		50,000
Renovation Grant									
Flexible Home Improvement Loan		TBC	TBC		TBC	TBC		TBC	TBC
Empty Homes Loan		144,000	144,000		TBC	TBC		TBC	TBC

Sovereign Housing Association also has an annual budget of £230,000 to pay towards adaptations, up to the value of £2,500 for their tenants

Occupational Therapist Equipment budget – in addition to the Grants budget specified above, Social Services hold an annual budget that is used to fund adaptations up to the value of £1,000.

	<b>2014/15</b>			<b>2015/16</b>			<b>2016/17</b>		
	Council	External	Total	Council	External	Total	Council	External	Total
Occupational Therapist Equipment	85,500		85,500	85,500		85,500	85,500		85,500

