

# **Housing Assistance Policy 2021**

**Review 2024**

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## **1. Introduction**

- 1.1. The Council has had a discretionary assistance policy since 2004 it has been reviewed at intervals to respond to changing circumstances and government priorities. This is the latest review and updated policy for discretionary assistance and pilot new schemes to meet identified local need and will complement the delivery of mandatory Disabled Facilities Grants (DFGs).
- 1.2. Mandatory DFGs will always have priority on the use of DFG monies, all other assistance which may be provided under this policy is at the sole discretion of the Council and will be subject to the availability of financial resources. At times of high demand, waiting lists for discretionary schemes may be instigated or schemes may be amended, suspended, or removed entirely to ensure the Council can meet its statutory responsibilities.
- 1.3. In addition to the DFG funding, the Council will exploit all possible opportunities for internal and external funding and work with other providers to improve housing conditions and the health and well-being of our residents.

## **2. Policy Background and Implementation**

- 2.1. This Policy has been formulated in the light of the Council's corporate strategy which is a statement of the Council's vision, service priorities and values.

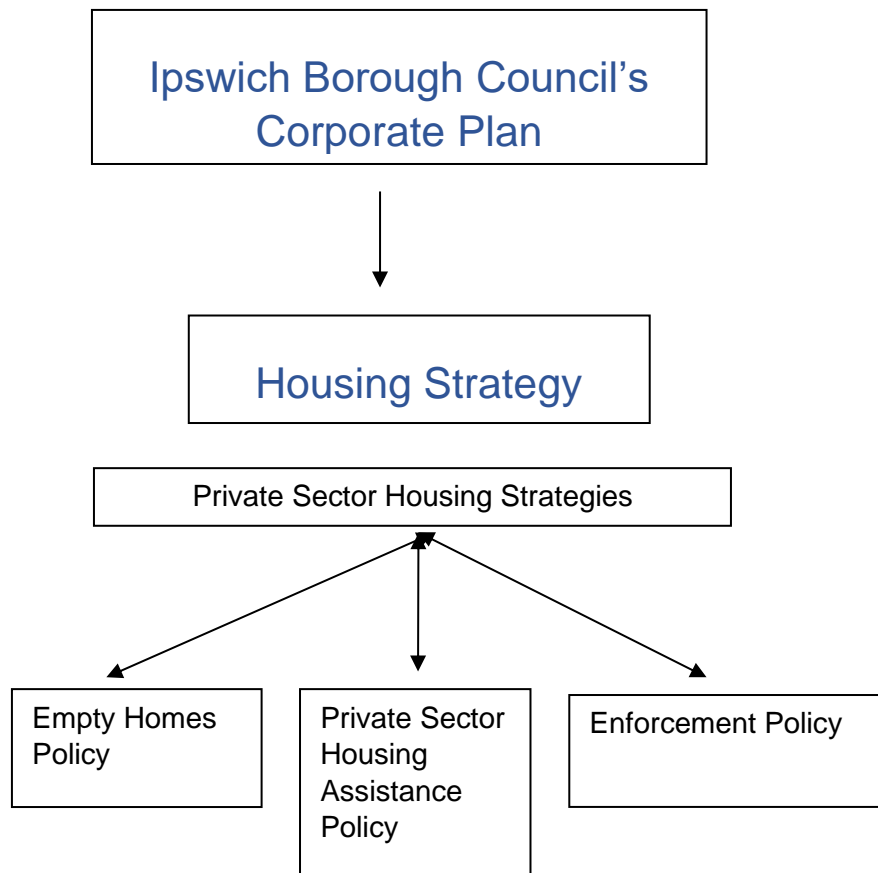
A Financially Sustainable Council Providing Good Quality Services

Meeting the Housing Needs of our Community

- 2.2. This Private Sector Housing Assistance Policy will be reviewed every three years. Amendment should only be necessary in the case of significant change to policy items. The Operations Manager in consultation with the Portfolio Holder will make changes to the document without the need for formal ratification, where such changes make no significant difference to service provision. Where amendments produce significant change to service provision those amendments will require approval of the Executive before the operational policy is changed.
- 2.3. There may be 'external' factors that require major review earlier than anticipated, e.g.
  - Changes to Capital Spending Plans
  - Acute changes to local circumstances
  - National policy/legislative changes
  - Local Strategic Partnership influences
- 2.4. In implementing this policy, the Council will make reference to all relevant national legislation and guidance that is currently in place or is introduced during the life of the Policy. The Guidance issued for housing renewal will be of relevance, especially where it deals with the Housing Health and Safety Rating System and the provision of Mandatory Grants for Disabled Facilities.

## **3. Key Strategic and Service-Related Aims and Objectives**

The Council strategies that inform and link into this Private Sector Housing Renewal Policy are:



#### **4. Resourcing the Private Sector Housing Renewal Policy**

- 4.1 The Council recognises the needs and benefits of supporting the private housing sector in a targeted and effective manner.
- 4.2 The allocation of capital funding for private sector renewal forms part of the Council's overall Capital Programme and is managed through that process. This is split between mandatory and discretionary grants.
- 4.3 Capital funding for disabled adaptations comes from central government through the Better Care Fund. This enables the Council to fund both mandatory DFGs and to offer grants for discretionary adaptations where it considers there is a local need, as long as it has a policy which sets out that provision. Other assistance comes from the Council's own resources.
- 4.4 Significant investment is required in order to maintain the housing stock and stop an increasing number of vulnerable households living in poor housing conditions. Whilst a large proportion of owner occupiers are able to fund repair works themselves many, particularly those who are considered vulnerable, require assistance to maintain their properties.
- 4.5 The Council will not approve any grants or commit monies to any grant/property when the spending allocation from the Capital Programme has been exhausted.

#### **5. Delivering the Policy Objectives**

- 5.1 This policy will be delivered through three main mechanisms. These are the provision of advice and education, enforcement of statutory standards and the provision of financial advice and assistance.

#### **6. Advice and Education**

- 6.1. The Council will offer general help and advice along with the provision of information on a range of topics to assist people in the private sector maintain and improve their properties.
- 6.2. In addition, the Council will undertake specific targeted education campaigns to achieve certain objectives, e.g. improving domestic energy efficiency.
- 6.3. The provision of advice and education may or may not be linked to financial assistance.

#### **7. Enforcement**

- 7.1. The Housing Act 2004 placed a duty on the Council to deal with properties that fail the statutory standard. In applying to the Council for assistance and assistance is not available or the owner refuses assistance it will instigate enforcement action which will be taken in line with government guidance and the Council's Enforcement Policy.

## 8. Financial Assistance

8.1. Financial assistance will involve a grant, subject to the applicant's financial status and any conditions attached. The grants offered are:

- Mandatory Disabled Facilities Grants
- Discretionary Disabled Facilities
- Discretionary Minor Disabled Facilities Grants
- Discretionary Renovation Grants
- Discretionary Empty Homes Grants for Landlords
- Discretionary First Time Buyers Empty Homes Grants
- Discretionary Heating Repair Grants

## 9. Applying for A Grant

9.1. The Council's policy on assistance takes into account the primary responsibility of owners to maintain their own properties. In addition, when determining eligibility, it considers whether they fall into a vulnerable group along with other criteria, such as financial circumstances.

## 10. Assistance Being Offered

10.1 A summary of the types of assistance offered to residents under the Housing Assistance Policy, can be found in the table below. A more detailed explanation of each of these schemes can be located in Appendices 1 to 7.

Type of assistance	Eligibility	Works	Financial limits	Conditions
DFG <i>Appendix 1</i>	As prescribed in legislation	As prescribed in legislation	£30,000 or as prescribed in legislation	As prescribed in legislation
Discretionary DFG <i>Appendix 2</i>	At the discretion of the Operations Manager- Public Protection as prescribed in legislation	As prescribed in legislation	£15,000 (£45,000 Including Mandatory DFG) minus any means tested contribution, including fees	A charge will be registered against the property of owner occupiers.
Minor Discretionary DFG <i>Appendix 3</i>	Non means tested For works over £1,000 Occupational Therapist, adult social care, hospital admittance or discharge team or other health care professional who	Minor adaptations to help applicants remain at home or where a property is unable to be fully adapted to meet the client's needs	£10,000	One grant in 3 years Charge on property for grants over £5000, repayable 10 years.

	has a direct knowledge of the applicant's health condition			
Renovation grants <i>Appendix 4</i>	Means tested in line with statutory DFG means test	Works to bring the property up to the current statutory standard: as defined by the Housing Act 2004	£10,000	Repayment on sale of property if within 80 years
Empty homes grants <i>Appendix 5</i> <i>Appendix 6</i>	<b>First time buyers-</b> Property must have been empty more than 2 years. First time buyer and their mortgage is over 80% with savings of less than £7000. <b>Landlord Empty Homes Grants-</b> any grant aided property is let for 5 years at an affordable rent and the Council will be given nomination rights for 5 years	Works to bring the property up to the current statutory standard	£20,000	Repayment on sale of property if within 80 years
Heating repair grants <i>Appendix 7</i>	Homeowner or tenants with a repairing obligation. In receipt of means tested benefit. Written quote from heating engineer for repairs is required	Repairs to heating systems	£500	None

NB. The Council reserves the right to refuse a referral from a health professional or refer it to Suffolk County Council for an OT assessment

## 11. Prioritisation of Funds

11.1. This policy has been created to allow and encourage more flexible use of the DFG Capital Budget. However, should there be insufficient funds available in the future, then Mandatory DFG's will ordinarily be given priority over any Discretionary Grants.

- 11.2. If the Council considers there are insufficient funds available to provide discretionary 'top up' grants for Mandatory DFG's, then all applications will be dealt with on a first come, first served basis until the funding has ceased.
- 11.3. If multiple applications are received at the same time, the Council will use the following criteria to fairly prioritise them: -

DFGs	Repair Grants
Mandatory DFG's	Renovation grants
Discretionary 'top up' for DFG's	Heating repair grants
Minor Disabled Facilities Grants	Empty homes grants

- 11.4. Grant aid will be targeted at people on low incomes, particularly those considered to be in vulnerable groups such as the disabled, elderly and families with young children.
- 11.5. Priority will be given to properties in the most serious state of disrepair and bringing houses up to the statutory standard for housing at that time, usually via discretionary renovation grants.
- 11.6. Priority will also be given to returning problematic long-term empty properties to use as affordable housing.
- 11.7. The Council reserve the right to amend how applications are prioritised if the need arises, particularly if new funding is available for specific projects, which would mean certain types of assistance are prioritised.

## **12. Grant Payments and Approval of Applications**

- 12.1. The Council must be satisfied that prior to approving an application, it is completed in full and it accurately reflects the applicant's circumstances. The Council must also be satisfied that the applicant clearly understands and accepts the conditions of any financial assistance being provided, including any charges being made against the property.
- 12.2. Where the assistance is to pay for work to be carried out:
- The Council must be satisfied that the cost of the works is reasonable and that all the appropriate notifications and/or permissions have been obtained e.g. Building Regulations, Planning Permission etc.
  - If the applicant is arranging their own work, they should not make any arrangements for the work to start until they have received approval in writing from the Council for any grant or loan being awarded
  - If the applicant is arranging their own work, they must notify the Council when the work is completed
- 12.3. A council representative will visit the property and carry out an inspection of the works before arranging for any payments to be made. Under no circumstance will a payment be made until the relevant work is completed to the Council's satisfaction.



12.4. If the applicant is arranging their own work, the applicant will be responsible for ensuring that any defects are remedied.

12.5. Unless otherwise specified, payment will be made direct to the contractor.

12.6. Where the approved work has not been carried out to the satisfaction of the applicant the Council may, at the request of the applicant and if it considers it to be reasonable, withhold payment.

### **13. Discretion (Cases outside Policy)**

13.1. All cases will be considered on a case by case basis. Although, there is legislation and this policy to provide guidance on what assistance can be offered, the Council will not fetter its discretion and may on occasions agree to award a grant outside of the policy.

13.2. Where renovation grant cases fall outside of the policy the decision will rest with the Operations Manager for Public Protection.

### **14. Appeals Process**

14.1. If an applicant wishes to appeal against a decision made under this policy, it will be considered by independent officers.

14.2. Appeals, will be considered by the Director and Operations Manager for Public Protection.

### **15. Complaints' Policy**

15.1. The Council aims to offer a first-class service. In the event that any customer is unhappy with the service, they may contact the Private Sector Housing team in the first instance or, if they are still not satisfied, there are the following options:

- Although there is no appeal against the outcome of 'means testing', applicants who disagree with means test can informally request a further calculation to be undertaken.
- Where customers are aggrieved with either the policy or the service provided by Private Sector Housing, they are entitled to make a complaint via the Council's formal complaints procedure.

### **16. Safeguarding**

16.1. The Care Act 2011 established a National Framework for safeguarding and protecting people who are at risk of abuse or neglect. The Council is committed to safeguarding its residents and promoting the welfare of those who may be at risk of abuse or neglect. We work closely with our Suffolk Partners to ensure those at risk are identified and referred for support.

16.2. For more information on Safeguarding in Suffolk, please use the following links:

- For Adults - <https://www.suffolkas.org/>
- For Children and Young People - <https://www.suffolkscb.org.uk/>

## **17. Equality**

17.1. The Public Sector Equality Duty under the Equality Act 2010 requires all public bodies, when exercising their duties and functions to have due regard to the following:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not, and
- Foster good relations between people who share a protected characteristic and those who do not

## **18. Key Service Standards**

18.1. The Private Sector Housing Team is committed to providing a fair responsive and cost-effective service. The service that is provided will be measured against a number of challenging performance standards.

18.2. First response to a service request within 5 working days of receipt of request.

18.3. Written response made to letters within 7 working days of receipt of letter.

18.4. Initial grant enquiries to be processed to a point of initial inspection within 60 working days of receipt of enquiry.

18.5. Schedule of works prepared within 10 working days of initial inspection.

18.6. Full application pack sent to 'applicant' within 20 working days of agreed works being scheduled, or, in the case of disabled facilities grants, of the Occupational Therapist's written agreement of schedules.

18.7. Grant approvals to be issued within 15 working days of a complete application being received or after receipt of outcome of independent financial advice where appropriate.

18.8. Payments to be made on receipt of invoices conditional on grant completion being certified prior to receipt of invoice.

18.9. 95% of customers to be satisfied with the level of service provided.

## **Appendix 1 Mandatory Disabled Facilities Grant**

### **Type of Assistance**

A Mandatory Disabled Facilities Grant (DFG) is a means tested grant designed to help meet the costs of adaptations to a property for a disabled occupant.

To qualify for a DFG, the required adaptations need to be necessary and appropriate to meet the needs of the disabled person; and it must be reasonable and practicable for the relevant works to be carried out.

When deciding whether proposed alterations are reasonable and practicable, the Council must have specific regard to the age and condition of the building. The Council will also consider things such as the effect on other residents, the practicalities of carrying out work on properties with limited access, conservation considerations, and the structural characteristics of the property.

The Council may consider it more reasonable to move a person to another property rather than fund the alterations which have been requested.

### **Eligible Works**

Mandatory grants can be awarded for the following works:

Facilitating a disabled person's access to:

- The dwelling.
- A room usable as the principal family room, or for sleeping in.
- A WC, bath, shower, etc (or the provision of a room for these facilities).
- Facilitating the preparation of food by the disabled person.
- Improving/providing a heating system to meet the disabled person's needs; Necessary and appropriate. In addition to the requirement that any alterations be reasonable and practicable, a Housing Authority should also consult the Social Services department to ensure that any alterations are necessary and appropriate. This means that it would be necessary to get a community care assessment from your Social Services department before any application for a DFG would be granted.
- Facilitating the disabled person's use of a source of power.
- Facilitating access and movement around the home to enable the disabled person to care for someone dependent upon him or her.
- Making the dwelling safe for the disabled person and others residing with him or her.

- Facilitating access to and from a garden or making a garden safe.
- Adaptations to facilitate access around the home can include adaptations allowing a disabled person to do things such as prepare and cook food, although full adaptations to a kitchen are unlikely to be funded if the majority of cooking is done by another family member.
- Adaptations for access will also include work for access to the principal family room, a room used for sleeping and rooms containing a lavatory and/or washing facilities. In particular, the importance of being able to wash and bathe has been emphasised by the Local Government Ombudsman. The relevant Government guidance on DFGs states that funds for new central heating systems should only be provided for rooms usually used by the disabled person. In addition, funding should only be provided where the wellbeing and mobility of the disabled person would be otherwise adversely affected.

## **Eligibility**

A DFG is only available to people who are disabled within the meaning of the National Assistance Act 1948. This means that a DFG will not be granted to a person who is merely elderly or retired.

In addition, a DFG is only available to pay for alterations to a disabled person's main residence. It is possible for a disabled person to apply for a DFG if they are a tenant, in which case the landlord can also apply for a DFG on the disabled person's behalf. The disabled person must have lived, or be intending to live, in the property in question for at least five years, or for such a shorter period as their health and other relevant circumstances permit.

Amount of Grant Payable	£30,000 (as set out in legislation) (including fee's)
Means Test	Yes (see Means Testing Criteria)
Repayment	Where the value of the grant exceeds £5,000, a charge up to £10,000 will be registered against the property making some of the grant repayable if the property is sold or disposed of within 10 years of the works being completed.
Future Applications	If works have been completed under a Mandatory DFG and the applicant has been required to make a financial contribution towards the works, then this may reduce the financial contribution for further works, if required under a new application in the future.

## Appendix 2– Discretionary Disabled Facilities Grant

### Type of Assistance

In cases where the cost of the works agreed through the Mandatory Disabled Facilities Grant application is above the £30,000 threshold. The Council may consider whether to allow up to an additional £15,000 of work to be carried out under the Discretionary DFG, top up fund. This is a discretionary grant and whether to award it, will be dependent on the individual's needs, circumstances, and the funds available.

### Eligibility

The same assessment of eligibility will apply as for Mandatory DFG's A DFG is only available to people who are disabled within the meaning of the National Assistance Act 1948. This means that a DFG will not be granted to a person who is merely elderly or retired. In addition, a DFG is only available to pay for alterations to a disabled person's main residence. It is possible for a disabled person to apply for a DFG if they are a tenant, in which case the landlord can also apply for a DFG on the disabled person's behalf. The disabled person must have lived, or be intending to live, in the property in question for at least five years, or for such a shorter period as their health and other relevant circumstances permit.

Amount of Grant Payable	£15,000 (including fee's)
Means Test	Yes
Repayment	A charge will be registered against the property making some of the grant repayable if the property is sold or disposed of within 10 years of the works being completed. The charge will be in addition to the mandatory DFG charge.
Future Applications	If assistance has previously been granted. Further applications for Discretionary Disabled Facilities Grant Applications will not be considered.

## **Appendix 3– Minor Disabled Facilities Grant**

### **Type of assistance**

The Council may offer grants for minor adaptations designed to assist and support residents and their families cope with the challenges of living at home with long term conditions as part of home care support package for minor adaptations to property to help people remain at home or when the home cannot be fully adapted

The minor adaptation grants are open to all Homeowners, Private Tenants and Registered Provider Tenants in the Borough.

All applications are considered on a case by case basis, but may include but is not limited to the following eligible works: -Talking reminder clocks, Labelling / Sticker Booklet, Installation of a Key Safe, Grab Rails, Motion sensor lights, Pressure sensor equipment, Removing Door Thresholds, Installation of a Level Access Shower, installation of stairlifts, Installing Pivot Hinges, Widening Doors, Ramps

### **Eligibility**

You will need to submit a letter from Occupational Therapist, adult social care, hospital admittance or discharge team or other health care professional who has a direct knowledge of the applicant's health condition confirming your needs with your application and proof of property ownership ( the Council reserves the right to refuse a referral from a health professional or refer it to Suffolk County Council for an OT assessment)

Amount of Grant Payable	Grants are available between £1,000 and £10,000.
Means Test	This grant will be non means tested.
Repayment	This grant will be repayable over £5000 for a period of 10 years.
Future Applications	Only one Discretionary Non-Means Tested Grant can be awarded under this category during a 3-year period

## **Appendix 4 Renovation grants**

### **Type of Assistance.**

The Council will consider applications for discretionary renovation grants from owner-occupiers and occupying long leaseholders, subject to its own terms and conditions. There will be a pre-set maximum of £10,000 limit for assistance in most cases; the Council will consider the cost of all proposed work in the light of the eligibility of the work and the

reasonableness of the cost based on the quotations submitted and the Council's determination of the most satisfactory course of action.

Applications within this heading will be considered to achieve the following:

- Bringing a property up to the current statutory standard for housing as detailed in the Housing Health and Safety Rating System. Eligible Works are restricted to works to remove category 1 hazards, and category 2 hazards likely to become category 1 hazards within the next 12 months.
- Works to repair a property to ensure the integrity of the property or to protect the occupants from immediate exposure to dangerous and/or insecure building elements.
- To bring a property up to an EPC rating of C or higher with insulation and heating measures. This will focus on greener fuels.

### **Eligibility**

The eligibility of an applicant will be assessed using the current statutory means test for Mandatory Grants. A separate financial assessment will be carried out for first time buyers who are purchasing an empty property. Any grant payable will be reduced by the applicants' contribution that will be calculated using the statutory means test for mandatory grants. Applicants for discretionary renovation grants must have been either owners or qualifying tenants of the property concerned for a period of **18 months prior to the date of application**, except for works to empty properties

Amount of Grant Payable	up to £10,000
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Repayment	Repayment on sale of property if within 80 years
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## **Appendix 5 Landlord Empty Homes Grants**

### **Type of Assistance**

Grants to bring long-term empty homes to use with works to bring the property up to the current statutory standard

For landlord applications grant conditions will require that any grant aided property is let for 5 years at an affordable rent and the Council will be given nomination rights for 5 years.

Affordable rent is defined as Local Housing Allowance level for that type of property.

Amount of grant payable	maximum grant of £20,000
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Repayment	Repayment on sale of property if within 80 years
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## Appendix 6 First Time Buyers- Empty Homes Grants

### Type of Assistance

Grants to bring long-term empty homes to use with works to bring the property up to the current statutory standard. Renovation of dwellings, which have been unoccupied for longer than one year where the applicant is a first-time buyer and their mortgage is over 80% with savings of less than £7000. Grant aid will be up to a maximum of £20,000. The grant will only be approved if, a valid application is made within the first year of ownership and on completion the works, the property will meet the current statutory standard for housing.

Eligibility	Property must have been empty more than 1 year. And must be a first-time buyer and their mortgage is over 80% with savings of less than £7000.
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A valid application must be made within the first year of ownership

Amount of grant payable	maximum grant of £20,000
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Repayment	Repayment on sale of property if within 80 years
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## Appendix 7 Heating Repair Grants

### Type of Assistance

A grant targeted at repairing central heating boilers in owner/occupier dwellings to ensure efficient running and to prolong the life of the boiler.

Boiler Repair Grant to repair a central heating boiler to a maximum of £500 limit for assistance in most cases; the Council will consider the cost of the proposed work in the light of the eligibility of the work and the reasonableness of the cost based on the quotation submitted and the Council's determination of the most satisfactory course of action.

Eligibility	Applicant an owner/occupier and must be in receipt of one or more of the statutorily means tested benefits listed above Applications must be made on the Boiler Grant Application form, accompanied with an inspection and quote for the repairs produced by a gas safe engineer for the repair on headed paper.
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Amount of grant payable	maximum of £500 (These grants are discretionary and are dependent upon sufficient grant funding availability)
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Repayment	The grant is not repayable, and no land charge will be placed on the property.
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## Appendix 8

### TERMS AND CONDITIONS

The Council will attach suitable conditions to grants it approves under this policy. It requires applicants to enter into a binding legal agreement that will form a charge on the property. The terms of that agreement will prevail over the information in this document.

Mandatory Disabled Facilities Grants have conditions attached under the Housing Grants Construction and Regeneration Act 1996, details of which are available separately.

The terms, conditions and eligibility criteria for discretionary grants detailed within this policy will be available in writing for all applicants for assistance.

1. **Information provided** to the Council by applicants as part of the application process will be checked thoroughly and may be shared with other departments of the Council and other organisations involved in any aspect of handling public funds to help prevent and detect fraud or in investigation of other possible criminal activities.
2. Applications or enquiries will only be accepted if they are made on the current form provided by the Council.
3. Applicants will be required to provide full **details of financial circumstances** on a form provided by the Council. In completing this form applicants will be required to sign a declaration as to the accuracy of information provided and that of supporting paperwork, e.g. wage slips and accounts etc. The Council will routinely carry out cross checks on information provided; item 9.1 above will apply to all such information. If incorrect information is provided to the Council, the grant will be repayable on demand.
4. All applications with the exception of Disabled Facilities Grants and grants below £5000 and boiler repair grants must be accompanied by two signed copies of the deed agreement, which state that the applicant will comply with all conditions and that any failure to comply or first disposal or transfer (except a transfer to a spouse or partner living as a spouse on the death of the spouse for Renovation Grants and Discretionary Disabled Facilities Grants) of the property will require the grant to be repaid. The grant condition period for Renovation Grants, Discretionary Disabled

Facilities Grants and First Time Buyers Empty Homes Grants is eighty years, for Landlord Empty Homes Grants is ten years.

5. Applicants will normally be expected to submit at least two quotations with their application for a grant. However, for Discretionary Disabled Facilities Grants will only normally require one quotation. The Council may require further quotations to be submitted if it so wishes. The Council may accept a single quote where two would normally be required for work from specialist contractors.
6. If the Council believe that applicants or someone acting on their behalf may have been seeking to deceive or defraud the Council, then the Council may put forward a case for prosecution.
7. Grant assistance will only be approved for the benefit of applicants who are able to provide evidence of a **valid National Insurance Number**.
8. The **discretionary grants** the Council awards are all subject to levels of available funding in each financial year and as such the Council reserves the right to defer approval, or even consideration, of applications for periods of time of its own choosing in order to properly manage its budgets.
9. Applicants must be **18 years of age or older** at the date of application and in the case of joint applications at least one must be over 18 at the date of application.
10. The Council will not normally consider an application for a discretionary grant unless the property has been used as a dwelling for at least eleven years before the date of the application. **Applications from the owner-occupiers or long leaseholders of mobile homes will only be considered for a discretionary Disabled Facilities Grant.**
11. No application will normally be accepted for works required to reinstate any **dwelling designated as defective** under Section 528 or 559 of the Housing Act 1985, although applications for other types of work to defective dwellings will be considered, e.g. for a disabled facilities grant.
12. Before approving a grant, the Council will need to see **proof of ownership** to enable property ownership to be confirmed, a copy of the proof of title should be obtained through Land Registry. Other forms of proof of ownership will be at the Council's discretion.

13. Applications from tenants for Discretionary Renovation Grants must be from **qualifying tenants** who according to the terms of their lease are responsible for the work for which assistance is being sought.
14. In the case of applications initiated by a qualifying tenant they must be accompanied by a **tenant's certificate** stating that the applicant is a qualifying tenant of the dwelling and that they or their partner intends to live in the dwelling as their only or main residence. A tenant's application must also be supported by a landlord's deed agreement. In all circumstances work to a property will require the **owners written authority**
15. Applicants for discretionary renovation grants must have been either owners or qualifying tenants of the property concerned for a period of **18 months prior to the date of application**, except for works to empty properties.
16. An application for a disabled adaptation under minor works grants will only be considered complete and subsequently processed when it is accompanied by an **Occupational Therapist's report** or other health provider recommending the necessary works. It would normally be expected that such a report would be provided at the commencement of the enquiry/application process.
17. Grants for the renovation of empty properties by owner-occupiers will only be considered where the person/s applying for the grant had not owned the property for more than 3 months before contacting the Council about applying for a grant, also a valid application must be submitted within one year of ownership. Discretion to waive this section is lies solely with the Operations Manager – Housing Support Services in circumstances they decided in consultation with the portfolio holder for housing, such as to deal with problematic empty properties.
18. Applications for assistance towards **works that have already begun or been completed** will not be accepted.
19. The details of **means testing** referred to in individual grant descriptions shall apply to all applications accompanied by an owner occupier's prior qualifying certificate, by tenants and any for disabled facilities grants. In the case of any application accompanied by a certificate of intended letting then the landlord's levels of grant aid shall apply.

20. 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.
21. Where there has been an award under the Party Wall Act reasonable fees and works to neighbouring properties detailed in the award will be considered eligible for grant aid, only where the works being undertaken are those scheduled by the Council.
22. In considering applications for the benefit of people with disabilities the Council will not grant aid adaptations for which County Council Social Services are responsible under the **Chronically Sick and Disabled Persons Act 1970**.
23. The Council **may refer enquiries** for assistance to the externally managed schemes such as Warm Front Scheme as appropriate, or to the Home Improvement Agency if appropriate.
24. The Council may from time to time utilise **special funding** from central government, or other sources aimed at specific subjects to target issues of local and national concern in accordance with any special conditions, e.g. replacement of inefficient boilers. Any special terms and conditions applicable to such initiatives will be appended to the Private Sector Housing Renewal Policy, as they will not significantly alter the Council's primary approach to the subject.
25. The Council may not consider applications from persons, organisations, etc, where there is a possible **alternative source of funding** for maintaining properties, e.g. the NHS.
26. The Council reserves the right to **re-consider any individual application** against any of these terms and conditions upon the authority of the Operations Manager – Housing Support Services.
27. Grant will only be paid for work done by one of the people from whom a quotation was submitted with the application, where none of the contractors who submitted are able to carry out the works, further quotations may be sought with the agreement of the Council. Payment will then be made to the appropriate contractor. If a quotation

is submitted by someone who is related to the applicant, the grant will only be paid based on the cost of the materials not the labour.

28. Upon the completion of a discretionary renovation grant (as per section 10.4) it will be expected that the property meets the current minimum statutory standard for housing with the exceptions already specified in section 8, any further exceptions to this will require the authority of Operations Manager – Housing Support Services.
29. The amount of **grant payable** shall be the reasonable cost of undertaking the works plus any associated fees less any owner's contribution, up to the total value of the grant approved. Additional funding will only be provided above the original approval level in the event of unforeseen work being needed to allow completion of eligible works or associated works of a nature to protect the health and safety of occupiers, or evidence to show increases in costs to the contractor Private Sector Housing must be able to independently confirm any such increases. A formal re-approval to a higher level of assistance will be required before any payment above the originally approved level is paid.
30. All **payments** shall be conditional upon receipt of an acceptable invoice and will be made direct to the appropriate contractor following agreement with the applicant that works to the appropriate stage have been satisfactorily completed. Where the applicant has already paid the contractor, payment will be direct to the applicant on production of a receipt for payment. In the case of a 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.
31. 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.
32. Where, after a grant is approved, an **applicant's circumstances change** or the Council considers that incorrect or incomplete information was supplied with the application and approval would not have been given if the applicant had re-applied, then the Council will normally cancel the grant with immediate effect. If this happens then no further payments will be made, although exceptionally the Council may decide to allow some further payments to be made. Where money has been paid 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

- 33.** In the case of any grant for which part or complete payment has been made, where the applicant **disposes of the property** or, if appropriate, ceases to make it available for letting within the grant condition period (specified as eighty years for Renovation Grants, Discretionary Disabled Facilities Grants and First Time Buyers Empty Homes Grants and ten years for Landlord Grants) then she/he shall repay to the Council on demand the amount of assistance that has been paid or such part thereof as required by the deed agreement.

This condition for repayment of assistance set out above does not apply to:

Exceptional circumstances at the discretion of Operations Manager – Housing Support Services in consultation with the portfolio holder for housing.

- 34. Discretionary Disabled Facilities** Grants where the works are for disabled adaptations in line with the statutory discretion for repayment.

In cases where a property is disposed of within the grant condition period and recipients wish to make representations as to the Operations Manager – Housing Support Services why assistance should not be repaid they will be considered by the in consultation with the portfolio holder for housing, who will determine whether to waive repayment or not.

- 35.** 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 process.
- 36.** The **applicant** is ultimately responsible for ensuring the quality of the completed works. Applicants are strongly advised to engage a professional agent e.g. an architect, surveyor, or a Home Improvement Agency to act on their behalf/supervise the works on their behalf.
- 37.** The Council will consider requests for **interim payments if they are requested before works commence or in exceptional circumstances**. However, it will not normally approve an interim payment of more than 80% of the cost of completed work and in aggregate no more than 80% of the total approved cost of the work before final completion.

38. The Council will determine on each approval document the **time period allowed for works** to be completed, which will not normally exceed 12 months and may be significantly shorter for small items of work.
39. The grant **works must be carried out** by one of the contractors whose quotations were submitted as part of the application process, the grant having been calculated using the lowest priced quotation. The Council must agree any variance prior to works starting or in exceptional circumstances however they direct.
40. The Council will **not normally undertake works on behalf of applicants**, except where works may be due in default of an owner's, tenants, etc, failure to comply with a statutory notice.
41. The Council or their agents will hold final authority to determine what works are included on **grant schedules** although it is acceptable for agents authorised by the Council, 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.
42. 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.
43. In the case of a grant paid for works to a Landlord Empty Home Grants the owner allows the condition of the home to deteriorate so that enforcement action is taken by means of statutory notice within ten full years of final payment being made then she/he shall repay to the Council on demand the full amount of the grant that has been paid plus compound interest at a reasonable rate as determined by the Council.
44. If in any position whereby **repayment of grant** is required the applicant fails to make the necessary arrangements the Council will seek to recover the money through the courts, which may involve obtaining a charging order.
45. In the grant condition period (specified as eighty years for Renovation Grants, Discretionary Disabled Facilities and First Time Buyers Grants and ten years for Landlord Grants) following final payment of grant monies the applicant shall upon written request from the Council, reply in writing, within 21 days of the date of the request stating how she/he is **complying with any of the terms and conditions** of the grant enquired about.

Failure to comply with this item will be deemed a failure of grant conditions requiring total repayment of grant plus compound interest at a reasonable rate determined by the Council.

**46.** The conditions relating to **repayment of grant** apply equally to whichever deed was signed.

**47.** In the event of a recipient of assistance pursuing a **successful insurance claim**, action for legal damages, etc which covers the cost of works for which grant was previously paid the applicant will on demand repay the total value of grant paid relating to such works or the value of the insurance payment/legal damages if lower.

**NB: grant applicants must demonstrate that they have contacted their insurance company and to be progressing with the insurance claim prior to assistance being agreed to.**

**48.** The Council may exercise its right to require surplus equipment to be returned under the conditions as specified under the Housing Grants Construction and Regeneration Act 1996 (as amended) and the disabled facilities grant application. Any revenue obtained from the reused equipment will be returned to the capital programme.



## Appendix 8 – Abbreviations, Key Definitions and References

Administration Charge	Will be imposed by the Council to cover the cost (plus VAT) of its officers organising works in default of an owner, e.g. after a statutory notice has not been complied with or when a responsible person requests the Council to organise works.
Agreed Works	are those works appearing on a schedule produced or authorised by the Council
Assistance	Financial assistance approved under this Policy
Better Care Fund (BCF)	The Better Care Fund (BCF) is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing and live independently in their communities for as long as possible. The BCF has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.
Certified Date	Means the date certified by the local housing authority as the date on which the execution of eligible works is completed to their satisfaction.
Charge on a Property	Is where the local authority legally records a debt on the local land charges record, and recovers the debt, plus interest, upon its sale if not settled beforehand.
Children	For mandatory DFG applications, the relevant person is a child if: - under the age of 16, a person who is 16 or over, but not yet 20 and is still in full-time education (A Level and Below) and not getting Income Based Benefits (Job Seekers Allowance, Income Support or Employment and Support Allowance), including Universal Credit.
Condition	Any condition attached to financial assistance approved under this Policy. Details of conditions are available on request
Date of final payment of grant	Is the date the Council completes payment of the grant assistance.
Deed Agreement	Is a contract signed by all applicants stating that they abide by the conditions of the grant.
DFG	Disabled Facilities Grant
Disabled Person	For the purposes of this policy, a person is disabled if: their sight, hearing or speech is substantially impaired. they have a mental disorder or impairment of any kind; or they are physically substantially disabled by illness, injury, impairment present since birth or otherwise. (s100 Housing Grants, Construction and Regeneration Act 1996)

Discretionary Assistance	Grants and/or loans which the council may make available to applicants, subject to having a policy in place, and to having sufficient funding available to offer that assistance. The extent to which discretionary assistance may be available to an applicant may also be subject to how the council concerned interprets and/or implements financial regulations – e.g. use of capital grant funding for revenue purposes
Enforcement Action	Is the service of any statutory notice or formal letter requiring works be carried out to meet the requirements of the current statutory standard for housing
First Time Buyer	Is a single person or member of a couple who have not been a mortgagee either alone or as part of a couple previously and has a connection with Ipswich. See connection with Ipswich definition
Fuel Poverty	Is the recognised definition of fuel costs exceeding ten percent of the disposable income once housing benefit has been taken into account.
Grant Condition Period	Is the length of time specified in the deed agreement that requires the property to be occupied as per the deed agreement and that disposal or transfer (unless the transfer is to a spouse or partner living as spouse on the death of one of the parties) or the property is no longer let within that time frame will require repayment of the grant.
HAP	This Policy will be referred to as the Housing Assistance Policy (HAP)
Home Improvement Agency (HIA)	Ipswich Independent Living agency within the Local Authority to support people to remain independently at home. Also includes an outside independent agency commissioned by the applicant
Household	The person or persons who occupy a dwelling as their only or main residence.
Local Housing Allowance	Is the rent as defined by the local Rent Officer for each type of property in the Ipswich area.
Mandatory Assistance	Disabled Facilities Grants are 'mandatory' in that local authorities are legally required to provide them to applicants who meet national eligibility requirements.
Mandatory Disabled Facilities Grant	is defined as per in the Housing Grants Construction and Regeneration Act 1996, as amended, or as in any successor statutory definition.
Means Tested Benefits	is any income-based benefit received by an applicant, as defined, and listed in a separate information sheet.
Means Testing	As part of an application for some forms of assistance under this policy, a test of resources must be carried out to assess the amount, if any, that the applicant must contribute to cost of the works. If the applicant is not in receipt of a passporting benefit they will have to provide details of income and capital

Member of a Couple	Means a member of a married or unmarried couple and are members of the same household.
Member of a Family	Includes spouses, persons who live together as husband and wife, parents, grandparents, children, grandchildren, brothers, sisters, uncles, aunts, nephews, and nieces.
Owner's Interest	Where an application for a DFG (or other works to the home) has been made by an owner-occupier the applicant must provide proof of ownership. Under the 1996 legislation: An owner's certificate' certifies that the applicant has, or proposes to acquire, an owner's interest (as defined in section 21(2)) in the dwelling, and that he intends that the disabled occupant will live in the dwelling as his only or main residence'.
Partner	Means member of a couple.
Person with a disability/people with disabilities	She/he is registered as a person with a disability or, in the opinion of the Social Services Authority is registerable as a person with a disability. This definition recognises the fact that the majority of people will not be on a register.
Persons not related or connected with the owner of a dwelling	Means not being a member of the owner's family in accordance with the definition of 'Member of the family'.
Preliminary or Ancillary Services, Fees and Charges	which may be included in a grant application are: technical and structural surveys. design and preparation of plans and drawings; and preparation of schedules of works. obtaining of estimates and valuations. applications for building regulations approval and planning permission. supervision of works. disconnection and reconnection of electricity, gas, water, and drainage utilities made necessary by the works (but no charges arising out of non-payment of bills). Advice on contracts and on financing the cost of works. Fees associated with the Party Wall Act Including such services given by or through home improvement agencies.
Proof of Title	Is to be provided by the applicant in the form of a Land Registry proof of title
Property	Includes any building or part of building used or intended to be used in whole or in part as a dwelling including a mobile home.
Qualifying Tenant	Means a tenant who within their tenancy agreement has the responsibility to repair or maintain the element of a structure for which they are seeking assistance.
Reasonable Repair	Means the Council shall have due regard to the age and character of a dwelling and the locality in which it is situated, but not its state of internal decoration, when considering its condition.
Related	Use definition for member of the family
RRO	Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 <a href="https://www.legislation.gov.uk/ukxi/2002/1860/contents/made">https://www.legislation.gov.uk/ukxi/2002/1860/contents/made</a>

Statutory Notice	Is a notice requiring owners/responsible persons to carry out work or some other action with regard to their property. The notice is served using the power of a national law and failure to comply may result in prosecution through the courts, civil penalty or works being carried out at the responsible person's expense.
Disrepair	Means repairs to a single property, being required to put it in reasonable repair that will cost over £1,000.
The 'Act'	Housing Grants, Construction and Regeneration Act 1996 <a href="http://www.legislation.gov.uk/ukpga/1996/53/contents">http://www.legislation.gov.uk/ukpga/1996/53/contents</a>
The 'Council'	Any reference to council means the local housing authority operating in the area in which the person on behalf of whom an application is made resides, or an authorised representative of that housing authority. i.e. Ipswich Borough Council.
Working Days	Means days excluding Saturday and Sundays.