



Housing Assistance Policy 2016-2021

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The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, as amended, gives local authorities the power to adopt discretionary housing assistance policies to improve the living conditions in their areas and for adaptations to disabled person's homes.

Discretionary Housing Assistance may be offered by Tunbridge Wells Borough Council in accordance with this Policy towards the cost of:

- The improvement, repair, adaptation and energy efficiency of living accommodation including mobile homes, caravans and houseboats
- To provide adaptations to either fulfil needs not covered by mandatory DFGs or, to deliver urgent adaptations.
- Relocation assistance, where a home is not suitable for adaptation.
- To provide top-up assistance to mandatory disabled facility grants where the costs of adaptations exceed the mandatory level.
- Empty Property Assistance
- Energy Efficiency Schemes

Mandatory Disabled Facilities Grants will remain payable under the Housing Grants, Construction and Regeneration Act 1996.

1. Corporate Priorities and Strategies

The Housing Renewal Assistance Policy 2016 - 2021 supports the Corporate Priorities, the Sustainable Community Strategy and the Housing Strategy by targeting assistance to:

- adaptations for disabled owner occupiers and tenants.
- improve the living conditions of vulnerable people,
- increase the energy efficiency of homes (so reducing heating costs and CO2 emissions)
- reduce the number of vacant properties

2. Persons eligible to apply for discretionary housing assistance

Any person who makes an application for assistance must live in the dwelling as his /her only or main residence, and

- have an owner's interest in the dwelling
- have a duty to carry out the works in question or have the owner's consent in writing to do so, and
- satisfy such test(s) of financial resources as the Council may impose from time to time, more specifically explained in the *Housing Renewal Assistance & Criteria*.

3. Form of Assistance

Assistance may be in any form including, but not restricted to, advice, grant assistance, repayable assistance and loan assistance via an intermediary organisation.

4. Applications for assistance

An application for assistance shall be in a form prescribed by the Council and shall include:

- full particulars, including, where relevant, plans and specifications of the works for which the assistance is sought ('the assisted works');
- at least two estimates from different contractors of the cost of carrying out the assisted works, unless the Council otherwise directs in any particular case;
- particulars of any professional fees and other charges which relate to the preparation for and the carrying out of the assisted works;
- proof that the applicant is an owner or a tenant of the dwelling;
- consent in writing from all owners/tenants of the dwelling to the carrying out of the assisted works;
- if the applicant is the owner of the dwelling(s), an undertaking to repay the grant in the circumstances described in sections 13 and 14 below.

5. Prior qualifying period

The Council may specify in its *Housing Renewal Assistance & Criteria* a period of time during which the applicant must have lived in the dwelling as his/her only or main residence prior to the date of application for assistance and may specify different periods for different purposes.

6. Amount of assistance

The Council may specify in its *Housing Renewal Assistance & Criteria* a maximum amount that may be paid in respect of an application for assistance and may specify different maximum sums for works of different descriptions.

7. Exclusion of works already carried out

The Council will not approve an application for assistance if the assisted works have been carried out before the application is approved, except where:

- the relevant works have begun but have not been completed (in which case, the application may be approved if the Council is satisfied that there were good reasons for beginning the works before the application was approved), or
- the Council decides to approve an application in accordance with this paragraph it may, with the consent of the applicant, treat the application as approved, or
- the Council decides to approve an application in accordance with this paragraph it may, with the consent of the applicant, treat the application as varied so that the assisted works do not include any that are completed.

8. Decision and notification

The Council will notify an applicant for assistance whether the application is approved or refused. The notification will be in writing as soon as reasonably practicable. The Council has a statutory duty to provide notification within six months in the case of Disabled Facilities Grants. However, in order to provide the best possible service to clients, the Council aims to provide notification no later than three months after the date of the application concerned.

If the application is approved, the notification will also specify the works eligible for assistance, the value of the assistance and the form that the assistance will take. The Council, by awarding funding assists the applicant with the works. The contractual agreement is between the applicant and the contractor.

If the application is refused, the Council will at the same time explain the reasons for the refusal and the procedure for appealing against the decision.

If the Council is satisfied that owing to circumstances beyond the control of the applicant the cost of the assisted works has increased or decreased, it may re-determine the amount of the assistance and notify the applicant accordingly.

9. Supervision of works

The Council does not accept any responsibility for supervision of works. This responsibility rests with the applicant, unless he/she appoints a professional advisor or agent for that purpose.

10. Payment of assistance: conditions as to carrying out of the works

The assistance will only be paid if:

- the assisted works are completed within 12 months from the date of approval, or such further period as the Council may allow,
- the assisted works are carried out in accordance with such specifications as the Council determines,
- the assisted works are carried out by one of the contractors whose estimates accompanied the application,
- the assisted works are executed to the satisfaction of the Council, and
- the Council is provided with an acceptable invoice, demand or receipt for payment for the works and any professional fees and other charges. For this purpose an invoice, demand or receipt is acceptable if it satisfies the Council and is not given by the applicant or a member of his/her family.

11. Payment of assistance

The Council will normally pay the assistance direct to the contractor, either in instalments as work proceeds or in one lump sum following completion of works. Where assistance is payable, but the assisted works have not been executed to the satisfaction of the applicant, the Council may at the applicant's request and if it considers it appropriate to do so withhold payment from the contractor. If it does so, the Council may make the payment to the applicant instead.

12. Repayment where an applicant is not entitled to assistance

If an application for assistance is approved but it subsequently appears to the Council that the applicant (or, in the case of a joint application, any of the applicants) was not, at the time of making a valid application to the Council, entitled to the assistance, no payment shall be made or, as the case may be, no further instalments shall be paid.

The Council may also demand that any payments that have already been made be repaid, together with interest from the date on which they were paid until repayment, at a reasonable rate determined by the Council.

13. Conditions for repayment of assistance

Discretionary assistance in respect of the following initiatives will be repayable in full on transference of ownership of the property to people other than a spouse, unless otherwise agreed in accordance with any exceptions policy that may be agreed from time to time by the Council:

- Discretionary Disabled Facilities Assistance.
- Relocation Assistance
- Decent Homes Assistance
- Energy Efficiency Assistance
- Empty Property Assistance

Mandatory Disabled Facilities Grants (DFGs) exceeding £5000 to owner occupiers will be repayable up to a maximum of £10,000 on the sale of the property within ten years.

14. Additional conditions

Where the Council approves an application for assistance it may impose additional conditions with the consent of the applicant. The additional conditions may include but are not restricted to:

- the applicant to make a contribution towards the assisted work,
- the right of the Council to recover specialised equipment when no longer needed,
- provision of nomination rights to the Council, for a period of five years from the certified date of completion.

Breach of any of these additional conditions will give the Council the right to demand repayment of the assistance.

15. Security for assistance

Any condition above which creates a liability to repay the assistance will be a local land charge.

The liability to repay any assistance may be discharged at any time by paying to the Council a sum equal to the amount of the assistance or such lesser sum agreed by the Council.

16. Appeals procedure

A review panel will be established to consider variations to the application of the Policy and appeals from those deemed ineligible for assistance. The recommended membership of the panel is:

- the Council's Private Sector Housing Manager and
- the Council's Head of Housing Services or such other officer designated by the Head of Customers and Communities.

17. Administration of policy

The Council may use the services of a home improvement agency or other external organisation to administer this Policy and to:

- help older, disabled and vulnerable people to remain independent in their own homes by identifying necessary repairs and improvements, finding suitable contractors and ensuring the work is properly carried out,
- help people to access public and other resources for housing renewal, including Disabled Facilities Grants.

18. Variations to the Policy

The Council retains the right at any time to introduce a mechanism for further prioritisation of assistance under this policy to reflect budgetary requirements at the time.

This policy will be reviewed as necessary to comply with changes in statute or delegated responsibility.

The Council may specify in detail in its *Housing Assistance & Criteria* the purposes for which applications for assistance are to be invited and may specify different purposes from time to time to reflect current priorities and budgetary constraints.

The net capital budget for funding works under the Policy is set out in the Council's Capital Programme. It is anticipated that monies recovered under repayment conditions or any breach of conditions will be repaid into the capital budget thus allowing money to be "recycled".

All assistance is subject to funding availability

HRA APPENDIX I

Housing Assistance and Criteria

The Council retains the right at any time to introduce a mechanism for further prioritisation of grant assistance under this Policy to reflect budgetary requirements at the time.

1. Disabled Facilities Grants (DFGs)

These grants are **mandatory** and are available for owner-occupiers and private tenants who are, or would be eligible to be, registered with Social Services as disabled. DFGs are means tested with the exception of grants which are given to children and are generally non-repayable. A grant is considered once an assessment has been carried out by an Occupational Therapist to determine any works that would be necessary and appropriate, including the following.

The first £5,000 of any means tested contribution will be paid as part of the grant, provided the client has less than £10,000 in savings.

1.1 Facilitating access to:

- a property, or to a building in which a flat is situated
- a room which is or will be used as the principal family room
- a room used or to be used for sleeping, or providing a suitable room for the disabled occupant
- a room in which there is a toilet, bath shower or wash basin, or providing a room which has the required facilities
- amenities for preparing and cooking food
- heating, lighting and power at the property, improved heating, and the relocation of controls or power points to make them more accessible

1.2 Making the property safe for the disabled occupant

1.3 Works to enable a disabled occupant to care for another dependant person, who normally resides at the property

The applicant must either be the owner or private tenant of the relevant dwelling, park home or houseboat.

Where grant assistance of more than £5,000 is given to an owner occupied property the Local Authority may demand repayment of part or all of the grant (but may not demand in excess of £10,000) if the property is disposed of within 10 years of completion of the grant.

Discretionary Grants are given subject to funding availability

2 Discretionary Disabled Facilities Assistance

- To provide adaptations for needs not covered by mandatory DFG's or delivery of urgent adaptations.
- To provide top-up assistance to mandatory DFG where the works exceed the maximum mandatory assistance.

- The level of assistance will be determined on an individual case by case basis, but the maximum will be £25,000.

Disabled Persons Equipment Assistance (Discretionary)

- A grant of up to £5,000 to replace obsolete or defective equipment OR
- A grant to fund the installation of a stair-lift or shower cubicle to assist hospital discharge or a patient in palliative care.

Applications will be considered from:

- Homeowners or private tenants who are in palliative care.
- A person in palliative care living at home with family.
- Applications from or supported by hospices to enable people to return home for care.

All applications will require consultation with Social Services, which will usually be a referral from a County Occupational Therapist.

Warm Homes Assistance

- Repayable Assistance of up to £5,000
- Any person living in a cold home with a diagnosed condition of:

Cardiovascular disease
Respiratory disease
Pulmonary disease
Mental health issues
Other multiple long term conditions and disability

And support from a health professional

Type of work includes boiler replacement and central heating, insulation and other energy efficiency measures.

A charge is placed on the property with the exception of the first £500 of assistance which is a non repayable grant.

3 Relocation Assistance

In cases where homes are unsuitable for improvement, repair or adaptation and/or owners are unable to afford the maintenance and running costs even after improvement, assistance may be awarded to help an applicant to move to more suitable accommodation provided they are willing to do so. The maximum award for this purpose is £10,000 in any five-year period. This assistance is repayable.

4 Decent Homes

Discretionary assistance is provided to carry out repairs and improvements which affect the health and safety of the occupants and/or enable them to remain in their own home.

Works that would be considered include energy efficiency measures and security works.

Applicants must be homeowners who meet the Definition of Vulnerability in Appendix II(b). **or** homeowners over 70 where state pension is more than 50% of the applicants income their and the applicant has savings less than £16,000. This Assistance is repayable and up to a maximum of £20,000.

5 Landlords Assistance

Repayable assistance of up to £2,000 maximum for improvement works to accredited properties under the Council's Private Accredited Lettings Scheme. Only works for improvements to energy efficiency or security will be eligible for this assistance.

6 Empty Property Assistance

Repayable assistance may be available in the following circumstances to help owners renovate long term empty properties and return them to use as affordable housing:

- The property has been identified as an 'empty property' (ie, vacant for at least six months) and
- There is a housing need for the identified units of accommodation in the area (determined by way of consultation with the Council's Housing Needs Team).

Consideration will be given to offering the owner of the property assistance towards the cost of bringing the property back into use, either through repair or conversion, or by providing self-contained flats within the property. The property must be brought up to the Decent Home Standard which would include any fire protection works necessary under housing legislation and in consultation with the Fire Safety Officer.

The Assistance will provide for up to 75% of the cost to a maximum of:

- 1 bed unit (flat or house) - £10,000
- 2 bed unit (flat or house) - £15,000
- 3 bed unit (flat or house) - £20,000

There will be a £100,000 limit for conversion works to any one property.

when making a valid application to the Council. The rent will be set at local Housing Allowance level, to provide As a condition of this assistance the Council will be given nomination rights for a three year period (from the date the Council certifies that the works are completed to a satisfactory standard) on the house or flat. The owner must sign a contract to this effect . The aim is to provide more affordable accommodation in the Borough.

Eligible works will not include decoration, carpets, curtain poles or curtains, furniture or fittings that would need to be provided by the owner prior to letting.

7 'No Use Empty Loan' Interest Payments

Assistance is available to owners of properties that have been empty for more than six months and qualify for the Kent County Council 'No Use Empty Loan' to fund the interest payments on these loans. The loan is to bring the property up to the Decent Homes Standard. This assistance is not repayable.

HRA APPENDIX II – Eligibility definitions

19.1

(a) – Possible works considered towards reducing the health and safety risk of hazards identified under the Housing Health and Safety Rating System

Hazards associated with excessive low or high indoor temperatures

- Any dampness in such a position, and sufficiently extensive and persistent as to reduce the effectiveness of the thermal insulating material and / or structure.
- Inappropriate type of heating system / Inadequate size of heating system / Poorly maintained heating system (Warm Front).
- Inadequate controlled means of ventilation such as permanently louvered windows.
- Disrepair to ventilation system such as warped and ill fitting metal windows or windows that are unable to be opened and provide poor ventilation.
- Faulty, inappropriately designed, or inadequate controls to the heating system.

Fall hazards

- The absence of stairs where access is required from one level to another.
- Very narrow tread lengths and / or high riser heights.
- Alternating tread stairs / narrow stair widths.
- Absence of any handrailing to stairs / Inappropriately positioned handrailing.
- Inadequate natural / artificial lighting to the top and foot of stairs.
- Disrepair to stairs / handrailing.
- Excessive slope / unevenness to a floor, path or yard.
- The presence of any trip steps or projecting thresholds.
- Disrepair to the structure of a floor, path or yard.
- Inadequate slip resistance to a floor, path or yard.
- Lack of safety catches to windows / disrepair to any window catches.
- Insufficient guarding to any balconies.
- Handrailing to baths insufficient or lacking.

Hazards from fire

- Insufficient and / or inappropriately sited electrical sockets.
- Defects to the electrical installation to the dwelling.
- Lack of smoke detectors.

Hazards associated with hot surfaces and materials

- Unprotected exposed surfaces to fixed appliances or pipework with surface temperatures of 70oC or more.

Hazards associated with damp and mould growth etc.

- Lack of controllable background ventilation especially for the extraction of moisture laden air during cooking / bathing.
- Inadequate damp proofing / disrepair to damp proofing.
- Disrepair to floors, walls or roofs.
- Inadequately installed and sealed facilities such as baths, showers, wash hand basins and WC basins.

Hazards from carbon monoxide etc.

- From any open flued appliances.
- Inadequate ventilation in rooms with any appliance.
- Disrepair to any ventilation in such rooms such as inability to open windows.
- Disrepair to appliances.

Hazards from electrocution

- Electrical hazards.
- Disrepair to wiring, sockets, light fittings or switches.
- Inadequate number of, and badly sited, sockets.

Hazards from noise

- Inadequate insulation and / or construction of floor / ceiling structure within a dwelling.

Hazards from lead

- Disrepair to old paint likely to contain lead.
- The presence of lead pipework for domestic water.

Hazards from asbestos and other fibrous materials

- Damage or disrepair to any fibrous material.

Hazards associated with entry by intruders

- Disrepair to doors and windows in a dwelling.
- Inadequate locks to external doors and windows.

Hazards associated with crowding and space

- N/A.

Hazards from explosions

- Inappropriate siting of LPG cylinders.
- Defects to gas installation / appliances

Hazards associated with domestic hygiene, pests etc.

- Uneven and / or cracked walls, floors and / or ceilings.
- Disrepair to drains, sewers and / or inspection chambers.

Hazards from inadequate provision for food safety

- Disrepair to any sinks, drainers or worktops.
- The absence of sufficient space for the installation of cooking facilities.

Hazards associated with inadequate provision for personal hygiene

- Lack of sufficient and / or appropriately sited baths, showers, wash hand basins.
- Disrepair to baths, showers, wash hand basins.

Hazards associated with inadequate sanitation or drainage

- Cracked or otherwise non-impervious bowl to a water closet.
- Inadequate supply of water to the flushing cistern serving a water closet.
- Defective mechanism to a flushing cistern serving a water closet.
- Defects to waste pipe serving a water using facility.
- Defects to a foul drainage system.
- Defects to the waste water drainage system.

Hazards from contaminated domestic water

- The supply of mains water of inadequate quality or inappropriate pressure.
- Defects to water pipework within the dwelling.

Hazards from structural failure

- Evidence of continuing structural movement.
- Structural cracks and / or bulges to external walls.
- Open jointed brick, stone or blockwork to external walls.
- Cracked or other disrepair to lintels or sills to opening to external walls.
- Loose or slipped roof slates or tiles.
- Loose pots to chimney stacks.
- Insecure rain water goods and / or external pipework.
- Cracked, damp and / or bulging ceilings and / or walls.

Hazards from inadequate lighting

- Inadequate means and / or inappropriate siting of artificial lighting.

Hazards from uncombusted fuel gas

- Defects to gas installation / appliances.

Entrapment and collision hazards

- Difficulty operation of door and window catches, and of doors and opening lights.
- Windows opening across pathways.

Hazards from poor ergonomics

- Inappropriate positioning of a wash hand basin, bath, shower, bidet, kitchen worktop, sink, etc.
- Inappropriate positioning of window controls.

HRA APPENDIX II

(b) – Definition of Vulnerability

For the purposes of this policy a vulnerable householder is one in receipt of one of the principal income related benefits and is either:
over 60 years old, or
considered disabled or suffering from a limiting long term illness, or
has children under the age of 16 years

Qualifying benefits include:

Income Support

Council Tax Benefit

Guaranteed Pension Credit

Working Tax Credit with an income of less than £16140 + Disability Premium

Child Tax Credit with an income of less than £16140

Income based Job Seekers Allowance

NOTES:

- 'Householder' includes the applicant's spouse or partner if they are living with the applicant.
- Partner means the spouse or person with whom the applicant lives as husband or wife or civil partner. This includes same sex partners.

HRA APPENDIX III – Summary of Tunbridge Wells Borough Council Housing Renewal Assistance Policy Activities 2016 – 2021

Activity	Who can apply	Objective
<ul style="list-style-type: none"> • Mandatory Disabled Facilities Grant • Mandatory • Means tested – client contribution of £5,000 or less paid if savings less than £10,000 	<p>Disabled people supported by an Occupational Therapist</p>	<p>To provide adaptations for disabled people.</p>
<ul style="list-style-type: none"> • Discretionary Disabled Facilities Assistance • <i>Discretionary</i> • <i>Repayable</i> • <i>Maximum £25,000</i> 	<p>Disabled people supported by an Occupational Therapist</p>	<p>To provide adaptations for disabled people which are not covered by mandatory DFG To provide “top- up” assistance to mandatory DFG where works exceed maximum assistance.</p>
<ul style="list-style-type: none"> • Disabled Persons Equipment Grant - Discretionary • <i>Discretionary</i> • <i>Grant</i> • <i>Up to £5,000</i> 	<p>Disabled people supported by an Occupational Therapist</p>	<p>To fund the installation of a stair-lift or shower cubicle to assist hospital discharge or a patient in palliative care. Replacement of obsolete or defective equipment.</p>
<ul style="list-style-type: none"> • Relocation Assistance • <i>Discretionary assistance</i> • <i>Up to £10,000</i> • <i>For legal and removal costs only</i> • <i>Repayable if another move is made within 10 years</i> 	<p>People eligible for a DFG but whose homes are not suitable for adaptation.</p>	<p>Where it not considered reasonable or practical to adapt the home of an applicant for a DFG, assistance may be provided to help the person move to more suitable accommodation, provided they are willing to do so.</p>

Housing Assistance Policy 2016 - 2021

Activity	Who can apply	Objective
<ul style="list-style-type: none"> • Housing Improvement <p>Discretionary assistance for essential improvements or repairs to make homes occupied by vulnerable owner occupiers decent. Remedial works to which may be eligible include:</p> <ul style="list-style-type: none"> • <i>Rewiring</i> • <i>Replacement windows</i> • <i>Damp and mould</i> • <i>Kitchen and bathroom improvements</i> <p>Maximum £20,000. Repayable.</p>	<p>Vulnerable owner occupiers as defined in Appendix II(b) (ie in receipt of a qualifying benefit) or who are over 70 years of age and whose state pension is more than 50% of their income with savings less than £16,000</p>	<p>To increase the number of vulnerable people living in a decent home. To enable vulnerable owner occupiers to remain living in their own home.</p> <p>Recycle more monies for private sector renewal.</p>
<ul style="list-style-type: none"> • Landlords Assistance <p>Discretionary assistance (maximum £2,000) for landlords to bring properties up to the Decent Homes Standard and above. Repayable on sale within 10 years.</p>	<p>Landlords of properties accredited under the Council's Private Accredited Lettings Scheme.</p>	<p>Link with accreditation scheme to improve the management and conditions of rented properties including Houses in Multiple Occupation (HMOs).</p>

Activity	Who can apply	Objective
<p>Energy Efficiency Assistance</p> <p>Warm Homes Assistance</p> <p>Discretionary assistance up to value of £5,000 to provide energy efficient heating and insulation for vulnerable private sector households at risk of fuel poverty.</p> <p>Eligible works may include::</p> <ul style="list-style-type: none"> • <i>Central heating systems</i> • <i>Replacement boilers and heating controls</i> • <i>Insulation measures not funded by national schemes</i> • <i>Wood fuel heating for properties not connected to mains gas</i> 	<p>Residents who have a medical condition which is exacerbated by their cold home and they have the support of a health professional that the assistance will improve their living conditions.</p>	<p>Reduce the number of vulnerable households living in fuel poverty.</p> <p>Increase the number of vulnerable households living in decent homes that are affordable to heat.</p> <p>To provide top up funding when the cost of heating and insulation exceeds government grant funding</p>
<ul style="list-style-type: none"> • Empty Property Assistance <p>Discretionary assistance to renovate, improve or convert long term empty properties (including flats above commercial properties) and return them to use.</p> <p>Assistance is conditional on the Council having tenant nomination rights for a three-year period with the rent set at Local Housing Allowance level.</p> <p>Repayable on sale of the property.</p>	<p>Owners of properties that have been vacant for more than six months.</p>	<p>To increase the supply of affordable housing and reduce housing waiting lists.</p> <p>To maximise the use of the existing housing stock and reduce the number of empty homes in the borough.</p>