

**Carlisle City Council**

**HOUSING RENEWAL ASSISTANCE**

**POLICY**

**2018**

*Version 6.0*

## **Introduction**

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 equipped local authorities with a wide-ranging power to provide assistance for housing renewal based on the principle that repairs are fundamentally the responsibility of the property owner but grant assistance should be given in particular circumstances.

Poor quality housing can have an adverse effect on the health and well-being of the occupants and the presence of long term empty properties can be blight on the neighbourhood.

The City Council recognises that assistance cannot be made available to all residents. Mandatory Disabled Facilities Grants under the Housing Grants Construction and Regeneration Act 1996 will continue to be offered to applicants who meet the eligibility criteria.

This policy makes use of the powers provided under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to broaden the scope of Disabled Facilities Grants and to offer alternative forms of grants for disabled, elderly, low income and other vulnerable residents in Carlisle and District. Also, the objective of this policy is to assist with meeting the aims of The City Council's housing strategy including to help combat fuel poverty and improving the standard of the housing stock in our area.

Through The City Council's Home Improvement Agency (H.I.A.), Homelife Carlisle, additional discretionary assistance may be provided to improve the health and well-being of Carlisle and District residents, particularly those considered to be more vulnerable. All forms of discretionary assistance beyond the Mandatory Disabled Facilities Grant Capital funding are dependent on the availability of external funding and can be withdrawn at any time.

Mandatory DFG applicants will not be disadvantaged by discretionary grants.

No works shall be carried out without a written formal grant approval. No retrospective applications will be considered.

## **Types of Assistance Available**

### **1.0 Mandatory Grants**

#### **1.1 Disabled Facilities Grants (DFG)**

The provisions governing mandatory Disabled Facilities Grant (DFG) are contained In the Housing Grants, Construction and Regeneration Act 1996 (the 1996 Act), as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order extended mandatory DFG eligibility to those occupying park homes and houseboats.

Provided they meet the defined criteria, all owner-occupiers and tenants, licensees or occupiers are eligible for DFG. Private Sector landlords and Register Providers (RP)

may also apply for a DFG on behalf of a disabled tenant but the tenant must also satisfy the relevant requirements under the same means testing arrangements.

## **1.2. Mandatory DFG – Additional Discretionary Payments**

A discretionary payment in addition to a mandatory DFG can be made by the City Council to provide top up funding to meet the cost of aids and adaptations to assist an applicant to live independently in their home where a DFG is approved at the statutory maximum and the eligible expense, less contribution, exceeds the statutory maximum (currently £30,000).

There will be no requirement for a separate application as the assistance is linked to a mandatory DFG application, but a means test through standard test of resources will apply except where the grant is approved in respect of a disabled child under the age of 19.

The maximum additional discretionary grant will be set at £15,000; this does not include Renovation Grants; Dementia Friendly, or Safe and Warm Grants detailed in part 2.0 of this Policy.

Any works should be completed within 12 months of application's approval. Works must be to the satisfaction of The City Council.

## **1.3 Independent Living Adaptation Grant**

To cover Mandatory DFG adaptations which assist with independent living but which add no value to a property (i.e. stair lifts and level access showers) provided they are supported by an Occupational Therapist / OT Assistant recommendation, or other competent authority.

Not subject to a means test.

**Amount of Assistance:  
Up to £7,500**

## **1.4 Relocation Grant as an Alternative to Adaptations**

Where an adaptation is not an appropriate option, the City Council may as an alternative and in agreement with the client, assist with a **Property Relocation Grant**. The applicant would be subject to the same prescribed test of resources used for a DFG application.

The relevant costs to be treated as eligible within this discretionary grant would be reasonable legal costs, estate agents fees, removal costs, necessary utility and service set up costs, and minor adaptations to make the property suitable. This would be applied in owner occupier and private tenant cases.

Financial assistance towards the purchase of a property may also be considered for owner occupiers, but only where there would be no financial gain in the sale of the old

property moving to the new property, equally the move to a new property must not place the applicant in negative equity.

In all cases the property to which the applicant moves must be compliant with the decent homes standard, when the current home cannot be suitably adapted.

An individual who receives relocation assistance shall not be entitled to claim similar assistance for a period of 10 years. Receiving this grant does not prevent applicants applying and potentially receiving grants and assistance from other schemes in this policy.

## **1.5 Commissioning Independent Assessment of Need**

The Housing Grants, Construction and Regeneration Act 1996 makes no reference to assessment of need for an adaptation, it only places a duty on housing authorities who are not themselves a social services authority to consult the social services authority on the judgement of whether the works are necessary and appropriate to meet the needs of the disabled occupant (Section 24). In *Disabled Facilities Grant Programme: The Government's proposals to improve programme delivery, 2007*, the Department for Communities and Local Government made it clear that an occupational therapy assessment is not a legislative requirement.

The City Council will accept referrals from Private Occupational Therapists or other health specialists including trusted assessors who are engaged by the applicant to advise on what works are required to meet their individual needs. The costs of these professional assessments would be recoverable under the grant.

Whilst many requests for a DFG come to The City Council via a Social Services assessment, applicants also have the right to make applications to The City Council directly. In addition, referrals for DFG applications may come from other organisations, including health professionals, voluntary sector organisations and different Council departments. Where applications do not come via a Social Services assessment The City Council shall proceed with the DFG application in the normal way and help the client complete the necessary application. The City Council has a legal duty to determine the application within 6 months of receipt. As part of the consideration process, The City Council has a duty to consult with Social Services department to ensure that the works being requested are necessary and appropriate.

**The City Council reserves the right to employ an Occupational Therapist, or other health professional or suitably competent person, through the DFG allocation to provide the necessary assessment and assistance with its delivery of the Disabled Facilities Grants programme.**

For example, this may include a medical health professional's assessment that confirms an individual is particularly at risk from excess cold due to a pre-existing medical condition. A DFG could be provided to improve any existing heating system or where there is no heating system, provide a system to meet their needs.

This policy does not include the costs of an Occupational Therapist acting on behalf of the Social Services authority in the discharge of their responsibilities under section 24(3)(a) of the 1996 Act (or any other enactment).

## **1.6 Priority Points System for allocation of DFGs**

If resources become limited in the future or demand increases significantly, The City Council will allocate DFG funding based on a priority points system. Applicants may be placed on a waiting list prior to being invited to make a formal application. Where this occurs, the applicant will be advised that they have been placed on a waiting list and will receive an update every 3 months as to the projected timescale for their application to be invited. Each applicant will be invited to make an application in date order. However, priority will be given to urgent applications as determined by both The City Council and the Occupational Therapist.

## **1.7 DFG for Recycled equipment**

In ensuring that the funding available for Disabled Facility Grants can benefit the maximum number of recipients, a scheme of re-commissioning key equipment such as ramps, stair lifts etc. will be applied where possible. All procurement frameworks relating to DFG supplies and services will include this as an option.

## **2.0 Discretionary Assistance**

Discretionary assistance will be made available under this policy, under the conditions and schemes criteria outlined. However in all cases the works or assistance being provided must meet the following objectives:

- Increased home independence, safety and minimising the effects of disability.
- Enabling the carer to continue care in the home.
- Prevention of admission to more institutionalised care.
- Reducing pressures on the NHS by supporting people to be discharged from hospital.

The availability of all discretionary grant assistance is subject to The City Council's annual budget setting procedure and the availability of sufficient levels of external funding. All such payments are at The City Councils discretion and will be removed once available funds are exhausted.

## **2.1 Renovation Grants**

The City Council reserves the right to use its discretion under the Regulatory Reform Order to pay for works under a DFG that may otherwise not be eligible for assistance. Typically these works could include the cost of undertaking repairs to a property to enable a DFG to proceed. These could include:

- a) Structural repairs.

- b) Undertaking works to resolve category one hazards within a property, such as remedial works to tackle damp or excess cold.
- c) Undertaking electrical repairs to a home where a new level access shower or stair lift is being provided.
- d) Undertaking measures to improve the safety and security of eligible households such as windows and door locks, fixing loose flooring, undertaking repairs to pathways and the removal of trip hazards.
- e) Assistive technology. Remotely operated equipment e.g. to allow people to control heating and appliances independently

Discretionary Renovation Grants shall only be awarded to households eligible for a Mandatory DFG. The Discretionary Renovation Grants are not means tested and shall not exceed **£15,000**.

## **2.2 Dementia Friendly Grant**

To help people with dementia to make changes to the home that would support them to live in their own home safely and for longer.

### **Who can apply for a Dementia Friendly Grant?**

Any person diagnosed, or awaiting a diagnosis, for a dementia related condition and who is an owner occupier, private tenant or tenant of a registered provider of social housing.

Referral should be from a health professional or the community sector.

Not subject to a means test.

**Amount of Assistance: Up to £3,000**

## **2.3 Additional Discretionary Assistance for Mandatory Grants**

Where the total cost of mandatory DFG works exceeds the grants available the County Council or the NHS can request further discretionary assistance from the City Council. Assistance will also be considered on requests relating to hospital discharge where the means test would affect the mandatory entitlement to a grant.

The request must be in writing. Additional discretionary assistance will be considered on a case by case basis and subject to funding being available for the anticipated mandatory commitments. All applications for additional discretionary assistance will be considered by the Corporate Director of Governance and Regulatory Services.

## **2.4 Safe and Warm Grants**

These grants are designed to enable qualifying home owners and tenants to access financial assistance to carry out a wide range of repairs and home improvement measures to:

- Keep them safe and warm at home

- Reduce risks and accidents around the home
- Promote independent living
- Assist with hospital discharge or prevent hospital admission.

## Conditions

The following paperwork will be required in order to make a completed application:

- Application form
- Proof of eligibility including proof of ownership or tenancy
- Landlord's permission where appropriate

Recipients of Renovation Grants would not normally be eligible for an additional Safe and Warm Grant.

## Criteria

1) **EITHER** The applicant or a member of their household must:

- have a prescribed medical condition that is impacted by their current housing situation
- **OR** be considered disabled by being in receipt of a disability benefit on the date of a completed application
- **OR** be 60 years of age or over
- **OR** be a carer for someone in their household.

**The applicant must also meet the following financial criteria:**

- Have a low household income in line with published criteria.
- **OR** be on a means-tested state benefit

## AND

- Have savings less than £23,500. The Council has discretion to waive the savings threshold in exceptional circumstances.

2) **OR:** An applicant would qualify for a Safe and Warm Grant if the works are required for the prevention of delayed hospital discharge. No means-test will be applied if the applicant is eligible based on the need to make their home safe and to prevent a further delay in discharging the patient. A means-test may be applied for works that are not necessary to prevent the client returning home from hospital

## Eligible Owner Occupiers

An owner occupier is eligible to apply for a Safe and Warm Grant if they:

- own their own home as a freeholder or leaseholder (with at least 5 years left to run)
- **OR** have a licence to occupy a residential park home on a licensed site

## **AND**

- Have owned the property for at least 6 months

## **Eligible Tenants**

Private sector and Registered Providers tenants may be eligible only if the measures do not fall under the landlord's general responsibilities or under the tenancy agreement.

Typical works that are eligible for a safe and warm grant for tenants would be:

- Deep Cleans that will enable hospital discharge or prevent homelessness
- Supply and fit of key-safes
- Basic draught-proofing measures

A tenant is one who meets one of the following:

- Is a secure tenant
- Is an introductory tenant
- Is a protected occupier under the Rent Act 1977
- Is an employee who occupies the dwelling or flat concerned for the better performance of their duties
- Is an assured tenant of a Registered Provider (Housing Association)

If the applicant is under 19 years old then the parent or guardian will be required to confirm one of the above.

Tenants must supply permission from the landlord for any works to go ahead and that it is the intention of the landlord to let the property to the applicant for at least the next 12 months from the date of application.

Applicants will not be eligible if the landlord is seeking possession of the property and has served the relevant notice or if there are significant rent arrears at the time of the application.

## **Amount of Assistance for a Safe and Warm Grant**

**The maximum grant is £7,500.** The grant may include the cost of the eligible works plus any agency fee which is set annually according to the charging policy.

The grant is limited to one application a year plus 2 grants up to £500 for minor measures and limited to a total of £10,000 in any 'rolling' 3 year period. The Council has discretion to allow the maximum grant of £10,000 to be awarded within the same financial year in exceptional circumstances.

## **Measures that are not eligible for Safe and Warm Grants**



- Furnishings such as carpets and curtains – unless specialist safety flooring
- Work to non-habitable rooms such as garages, basements, outhouses and porches
- Work that is covered by insurance – unless the householder does not have buildings cover – discretion maybe applied by the Council.
- Work that is covered by a government scheme such as the ECO energy schemes although the grant can be used towards client contribution to the costs of such measures
- Work or measures that are another statutory agency’s responsibility

## **2.5 Hospital Discharge Support**

Subject to there being sufficient finance the City Council may use DFG funding to employ a suitably competent person to provide the necessary liaison, assessment and assistance with its hospital discharge objective and the other discretionary assistance objectives.

## **2.6 Energy Efficiency Grants**

Discretionary Energy Efficiency Grants that meet the government’s criteria in VAT notice 7086 are available to improve the energy efficiency of low income owner occupiers to improve health and well-being.

### **Who qualifies for this grant?**

The applicant must:

Live in the local authority area of Carlisle City Council

**AND** receive one or more of the following benefits:

- child tax credit (other than the family element)
- working tax credit
- employment and support allowance
- council tax reduction (means-tested) or second adult rebate
- disability living allowance or personal independence payment
- disablement pension
- war disablement pension
- housing benefit or local housing allowance
- income-based job seeker’s allowance
- income support
- universal credit
- income-based employment and support allowance
- pension credit

The qualifying person should make the application for the grant.

## **Works that are eligible for an Energy Efficiency measures grant**

The grant covers the installation of heating appliances or for the installation, maintenance or repair of a central heating system or for a renewable source heating system.

These include:

- closed solid fuel fire cassettes
- electric dual immersion water heaters with factory-insulated hot water tanks
- electric storage heaters
- gas-fired boilers
- gas room heaters with thermostatic controls
- oil-fired boilers
- radiators
- insulation for walls, floors, ceilings, roofs or lofts, water tanks, pipes or other plumbing fittings
- draught-stripping
- central heating and hot water system controls include manual or electronic timers, thermostats, mechanical or electronic valves, including thermostatic radiator valves
- space or water heating systems which use energy from solar, wind, hydro-electric, ground and air heat source powers

Applicants would be expected to apply for ECO funding with the assistance of the H.I.A. towards the cost of any measures in the first instance.

## **Amount of assistance for an Energy Efficiency Grant**

The maximum grant is £7,500. The grant may include the cost of the eligible works plus any agency fee which is set annually according to the charging policy  
The grant is limited to one application in any 'rolling' 3 year period.

## **3.0 Other Grants**

### **3.1 Empty Property Grant**

Subject to the availability of funding, grants may be available to assist empty home owners to bring their properties back into use. Properties must have been empty for longer than 6 months and registered as empty with The City Council Tax Department.

The grant would be available to cover the cost of works associated with ensuring the property is free from Category 1 hazards under the Housing Act 2004.

The grant would be made available on a matched funding basis at a ratio of 50% grant 50% contribution from the owner.

The terms of the grant would require full time reoccupation of the property within 12 weeks on completion of the works with the property being occupied for a minimum of 12 months. Landlords would be required to let the property out within 12 weeks of

completion of the works and the rate of rent must be set at the applicable Local Housing allowance Rate for 12 months. Repayment of the grant will be required if these conditions are contravened.

The grant would be repayable upon sale of the property, if sold within 10 years.

Empty Property Grants maybe be registered as a Local Land Charge. Immediate repayment of grant will be required if grant conditions are not met. The City Council may recover the debt by Enforced Sale proceedings.

## **4. 0 General**

### **4.1. DFG for Registered Providers**

All Registered providers operating in the area will be asked to make a contribution if a tenant makes an application for a DFG. The receipt of any contribution entirely depends on the provider's Adaptation Assistance Policy, stock profile, asset management strategy of adapted properties and their financial position to make any contributions.

### **4.2 Grants Place as a Land Registry Charge**

Under the **Disabled Facilities Grant (Condition relating to approval or payment of grant) General Consent 2008** The City Council may place a Land Registry Charge on properties subject to a Grant where it is considered that the works add value to the property. If such a property is sold within a 10-year period, starting on the date of completion of the work (date of final invoice payment), the City Council will use its discretion to reclaim the funding from grants over £5,000 (inclusive), but may not require a repayment exceeding £10,000. In applying its discretion, the following criteria will be considered:

- A charge will only be applied where the Grant adds value to the property. Grants for stair lifts and level access showers will not have a land charge applied.
- The extent to which the recipient would suffer financial hardship if the grant were reclaimed.
- Whether the disposal of the property was to enable the recipient to take up employment or change the location of their employment.
- Whether the disposal of the property is made for reasons of the recipient's mental or physical health or well-being.
- Whether the disposal is made to enable the recipient to live with, or near, any person who will provide care for the recipient by reason of their disability

Any decision on repayment will be made by the Director of Governance and Regulatory Services.

### **4.3 Fees for professional services connected to DFG's.**

The City Council will charge professional fees for providing services to applicants which are subject to a DFG. The fees charges are fixed charges determined annually.

Grant Processing fees, to cover costs incurred by The City Council as permitted by The **Housing Renewal Grants (Services and Charges) Order 1996** will be determined annually. These will be applied to all applications and be dependent upon the works

expected by The City Council. These professional fees will be calculated and provided at the Grant Approval stage and be paid from the DFG allowance.

**4.4** The licensed software required for managing and reporting on the grants delivered through the DFG allocation will be recovered from the allocation.

**4.5** This policy or any part of it can be withdrawn with immediate effect for individual applications yet to be approved. In such cases applicants will remain eligible for the existing national mandatory Disabled Facilities Grant.

#### **4.5 Complaints**

Complaints regarding housing renewal assistance should be made through Carlisle City Council's formal complaints scheme.

<https://www.carlisle.gov.uk/Council/More-about-the-Council/Corporate-Complaints>