

Stafford Borough Council

Housing Assistance Policy January 2018

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1 Introduction

This policy sets out the Council's approach to the provision of financial assistance for private sector housing in Stafford Borough under the provisions of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002.

It is an update of the policy adopted in July 2016 and reflects changes in national and regional policy since that date.

The policy supports the Council's priorities set out in its Corporate Plan 2016-20 of:-

- **Prosperity** by supporting future population through ensuring there is an adequate supply of appropriate, good quality and affordable housing;
- **Clean, Green, Safe** by ensuring residents have environmentally sustainable homes that are safe and protect them from harm;
- **Health and wellbeing** by ensuring homes occupied by vulnerable households are safe, warm and healthy
- **Leading and Delivering for Communities** by ensuring interventions are evidenced and influenced by customer feedback.

It also delivers against a number of other key strategies including:-

The Housing Strategy 2015-19 by:-

- delivering desirable homes and neighbourhoods and supporting healthy people and communities.

The Homelessness Strategy 2015-19 by:-

- preventing homelessness and
- ensuring there is sufficient accommodation for people who are or who may become homeless.

The Health and Wellbeing Strategy by:-

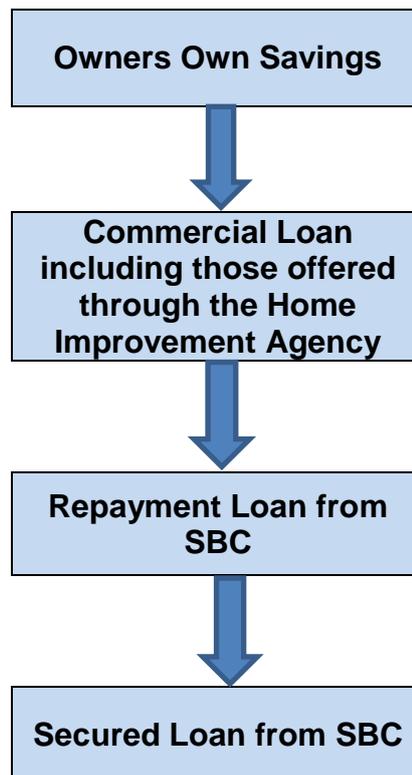
- reducing the risks of injury and illness in homes with families containing children aged 0-5 (Start Well)
- reducing hazards contributing to low level mental health problems (Live Well), and
- Tackling fuel poverty, falls and cold homes in homes occupied by older people (Age Well)

Key principles

The key principles of the policy are:-

- All residents of the Borough should have access to a safe, warm and healthy home that meets their needs;
- The primary responsibility to maintain private homes lies with the owner. The Council will support owners in fulfilling this responsibility by providing advice, support and assistance to enable them to make use of their own resources to fund repairs and improvements and only provide financial assistance where this is not possible or practical.
- The Council will seek to make the best use of available resources; therefore wherever possible loans will be offered prior to grants and funding from other sources such as charitable organisations sought to match fund assistance provided (see Figure 1 below).
- All assistance is offered subject to available resources.

Figure 1: Hierarchy of Assistance



Key Outcomes

The policy will aim to achieve the following key outcomes:-

- A reduction in the number of homes with category 1 or high scoring category 2 hazards under the Housing Health and Safety Rating System;
- An improvement in the energy efficiency of homes in the Borough;
- An increase in the number of older or otherwise vulnerable households assisted to remain living independently within their own homes and reporting

Delivery

The Home Improvement Agency will be the main agency for delivery of this policy.

The Agency will ensure advice is available to all clients to enable them to make informed choices about the options available to them for home improvements and adaptations. Where required the Home Improvement Agency will provide practical support to vulnerable clients throughout the process. Support can be provided specifically in relation to:

- Identifying works of repair or improvements that are required to provide a safe and healthy home;
- Providing an understanding of what the works may cost, and considering the options for funding;
- Assisting in preparing a scheme of works and making relevant applications for permissions such as planning, building regulations and financial assistance as appropriate;
- Selecting a contractor to carry out and oversee the work;
- Advising clients about housing options where repairs or adaptations will not meet their long term needs.

2 Assistance provided

Assistance	Disabled Facilities Grant (DFG)
Description	<ul style="list-style-type: none"> A mandatory grant to provide adaptations to enable a disabled resident to remain living safely and independently within their own home.
Eligible Persons	<ul style="list-style-type: none"> Eligibility for DFG is set out in Sections 19, 20, 21 and 100 of the Housing Grants, Construction and Regeneration Act 1996 as amended.
Eligible Works	<ul style="list-style-type: none"> The works for which a DFG may be approved are set out in section 23 of the Housing Grants, Construction and Regeneration Act 1996 as amended.
Fees and Charges	<p>The following fees or charges may qualify for grant assistance:</p> <ul style="list-style-type: none"> Costs of preparing a schedule of works; Agents fees for submitting a grant application and supervising works on site; Building Regulations and Planning Fees.
Amount of Assistance	<ul style="list-style-type: none"> The maximum amount of assistance is set out in the Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008. This is currently £30,000. Applicants will be assessed for their ability to contribute to the cost of the works in accordance with the Housing Renewal Grant Regulations 1998 (as amended) or any subsequent act or amendment. The Council may reduce the amount of grant payable to Housing Association tenants to take into account any contribution provided through an agreed protocol with the landlord.
Specific Conditions	<ul style="list-style-type: none"> The Council will require repayment of the maximum amount of grant allowable under the terms of the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grants (Conditions Relating to Approval or Repayment of Grant) General Consent 2008 upon relevant disposal subject to conditions (i) and (m) in Appendix 1; The Council may reclaim, at its own cost, any specialist equipment provided once it is no longer required by the disabled person where this is subject to an ongoing maintenance contract paid for by the Council or its partners including the County Council; The pursuance of any insurance claims by the applicant to cover the cost of adaptations and reimbursement of the Council where appropriate. All applicants must either use the services of the Home Improvement Agency or a suitably qualified building professional such as a member of the RICS, RIBA or equivalent.

Assistance	Adaptations Grant
Description	<ul style="list-style-type: none"> • In order to improve the delivery of major adaptations to the homes of eligible applicants the Council may use its powers under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to authorise a nominated organisation to approve and pay an Adaptations Grant. • The nominated party for the purposes of this Policy will be a Home Improvement Agency (HIA) selected following an approved procurement process either by the Council in isolation or in partnership with other local authorities. • The requirements of the HIA in delivering Adaptations Grants will be set out in a contract either directly between the HIA and the Council or, in the case of a joint procurement exercise, a contract between the HIA and the Accountable Body. • Stafford Borough Council will audit the activities of the HIA in delivering Adaptations Grants including examining such documents and records as it deems necessary to satisfy itself that grants are being approved in accordance with this policy and grant monies managed in accordance with good accounting practises and the requirements of the HIA contract. • The purpose of an Adaptations Grant is to deliver the same outcomes of a Disabled Facilities Grant (described above).
Eligible Persons	<ul style="list-style-type: none"> • Eligibility will be the same as DFG set out above. • Any other person with an interest in the property either as owner or lessee that the Head of Environment (or equivalent) or the Public Appeals Committee (or equivalent) upon appeal consider it appropriate to offer assistance
Eligible Works	<ul style="list-style-type: none"> • The works will be the same as for a DFG set out above. • Any other purpose agreed by the Head of Environment (or equivalent) or agreed upon appeal by the Public Appeals Committee (or equivalent)
Fees and Charges	<p>The following fees or charges may qualify for assistance:</p> <ul style="list-style-type: none"> • Costs of preparing a schedule of works; • Agents fees for submitting a grant application and supervising works on site; • Building Regulations and Planning Fees.
Amount of Assistance	<ul style="list-style-type: none"> • The maximum amount of assistance will be £30,000. • The Health and Housing Group Manager (or equivalent) may at his discretion approve a grant above the maximum amount for an individual case or revise the maximum grant payable in order to ensure effective budget management.
Specific Conditions	<ul style="list-style-type: none"> • The Council will require repayment of the maximum amount of grant allowable under the terms of the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grants (Conditions Relating to Approval or Repayment of

Assistance	Adaptations Grant
	<p>Grant) General Consent 2008 upon relevant disposal subject to conditions (i) and (m) in Appendix 1;</p> <ul style="list-style-type: none"> • The reclamation of any specialist equipment provided where this is subject to an ongoing maintenance contract paid for by the Council or its partners including the County Council; • The pursuance of any insurance claims by the applicant to cover the cost of adaptations and reimbursement of the Council where appropriate. • All general conditions set out in Appendix 1 except conditions relating to (j) no provision of assistance for 5 years after the certified date. • The Head of Planning and Economic Development (or equivalent) in consultation with the relevant Cabinet Member may at any time specify additional conditions for the provision of assistance.

Assistance	Adaptations Top Up
Description	<ul style="list-style-type: none"> • Discretionary assistance to carry out works recommended by an Occupational Therapist as part of a Disabled Facilities Grant in excess of the maximum amount payable, including an applicant's contribution, where it can be demonstrated they are unable to meet this through their own resources, by taking out a loan or by accessing top up funding from the County Council. • Assistance will be in the form of a loan secured against the property for homeowners and a non repayable grant for tenants.
Eligible Persons	<ul style="list-style-type: none"> • Eligibility will be the same as DFG set out above. • Any other person with an interest in the property either as owner or lessee that the Head of Planning and Economic Development (or equivalent) or the Public Appeals Committee (or equivalent) upon appeal consider it appropriate to offer assistance
Eligible Works	<ul style="list-style-type: none"> • The works will be the same as for a DFG set out above. • Any other purpose agreed by the Head of Planning and Economic Development (or equivalent) or agreed upon appeal by the Public Appeals Committee (or equivalent)
Fees and Charges	<p>The following fees or charges may qualify for assistance:</p> <ul style="list-style-type: none"> • Costs of preparing a schedule of works; • Agents fees for submitting a grant application and supervising works on site; • Building Regulations and Planning Fees.
Amount of Assistance	<ul style="list-style-type: none"> • The maximum amount of assistance will be £10,000. • The Health and Housing Group Manager (or equivalent) may at his discretion approve a grant above the maximum amount for an individual case or revise the maximum grant payable in order to ensure effective budget management.
Specific Conditions	<ul style="list-style-type: none"> • Applicants must be able to demonstrate they are unable to meet the reasonable costs of repaying a loan from traditional high street lenders or equivalent • Assistance may be provided at the discretion of the Head of Environment (or equivalent) where it is considered requiring the applicant to exhaust all other sources of funding or make repayments would cause unacceptable delays and/or hardship. • The reclamation of any specialist equipment provided; • The pursuance of any insurance claims by the applicant to cover the cost of adaptations and reimbursement of the Council where appropriate. • All general conditions set out in Appendix 1 except conditions relating to (j) no provision of assistance for 5 years after the certified date. • The Head of Planning and Economic Development (or equivalent) in consultation with the relevant Cabinet Member may at any time specify additional conditions for the provision of assistance.

Assistance	Home Improvement Assistance
Description	<ul style="list-style-type: none"> • Financial assistance to carry out home repairs and improvements to protect the health, safety and welfare of an occupier. • Assistance will be in the form of an interest free repayment or secured loan. Tenants with a repairing obligation who cannot afford a repayment loan will be offered a non-repayable grant. • Assistance may be offered in the form of a grant in order to deliver programmes to achieve specific strategic outcomes for example tackling fuel poverty and Excess Winter Deaths, falls prevention and hospital discharge.
Eligible Persons	<ul style="list-style-type: none"> • Owner-occupiers or tenants with a repairing obligation in receipt of a means tested benefit or with a “nil” contribution following a Test of Resources in accordance with the Housing Renewal Grant Regulations 1998 (as amended) or any subsequent act or amendment. • Owner-occupiers or tenants where it can be demonstrated they are unable to meet this through their own resources, by taking out a loan • Owner-occupiers in fuel poverty or with long term health conditions • Private landlords letting properties with rent no more than 5% above the Local Housing Allowance rate • Any other person with an interest in the property either as owner or lessee that the Head of Planning and Economic Development (or equivalent) or the Public Appeals Committee (or equivalent) upon appeal consider it appropriate to offer assistance.
Eligible Works	<ul style="list-style-type: none"> • Works to protect the health, safety and welfare of the occupier; for example (but not limited to) category 1 or high scoring category 2 hazards under the Housing Health and Safety Rating System, particularly where the property is occupied by a member of the most vulnerable group for that hazard; • Works to achieve specific strategic outcomes for example tackling fuel poverty and Excess Winter Deaths, falls prevention and hospital discharge; • Any other purpose agreed by the Head of Environment (or equivalent) or agreed upon appeal by the Public Appeals Committee (or equivalent).
Fees and Charges	<p>The following fees or charges may qualify for assistance:</p> <ul style="list-style-type: none"> • Costs of preparing a schedule of works; • Agents fees for submitting an application and supervising works on site; • Building Regulations and Planning Fees; • Legal costs in confirming ownership and registering any relevant charges;

Assistance	Home Improvement Assistance
Amount of Assistance	<ul style="list-style-type: none"> • The maximum amount of assistance will be £3,000 for repayment loans, £5,000 for secured loans and £5,000 for grants. • Loans may be repayable by monthly instalment or upon disposal of the dwelling – the type of loan offered will be dependent on an assessment of the applicant’s ability to meet repayments. • The maximum period for repayment loans will be 3 years. • The Head of Economic Development and Planning may at his discretion approve assistance above the maximum amount for an individual case or revise the maximum payable in order to ensure effective budget management. • No interest charges will be applied to Home Improvement Assistance loans.
Specific Conditions	<ul style="list-style-type: none"> • Applicants must be able to demonstrate they are unable to raise a loan to cover the cost of the works from traditional high street lenders, specialist loan providers approved by the Council or its agents (e.g. Just Retirement Solutions) or a Home Improvement Loan from the Council. This includes a Green Deal Plan. • The Council will determine prior to agreeing a loan whether an applicant has the ability to repay any loan requested with reference to an assessment of the client’s income and expenditure. Alternatively loans may be recovered upon disposal of the property. • Landlords must agree to rent their property at no more than 5% above Local Housing Allowance rates for the duration of the loan. • Landlords must agree to offer the local authority first opportunity to nominate a tenant for the property should it become vacant at any point during the duration of the loan. Any such nominations may not be unreasonably rejected. • Landlords should either be an existing member of a recognised accreditation scheme or take all reasonable steps to join such a scheme within 6 months of payment of the loan • Assistance may be provided at the discretion of the Head of Planning and Economic Development where it is considered that requiring the applicant to exhaust all other sources of funding would cause unacceptable delays and/or hardship or would be counter to achieving specific strategic outcomes. • The Head of Economic Development and Planning in consultation with the Cabinet Member for Community may waive the requirement for repayment (i.e. offer a grant) in order to deliver programmes to achieve specific strategic outcomes for example tackling fuel poverty and Excess Winter Deaths, falls prevention and hospital discharge.

Assistance	Home Improvement Assistance
	<ul style="list-style-type: none">• Any grant paid under this Assistance must be repaid upon relevant disposal for a period of 3 years after the certified date;• Applicants must have occupied the home continuously for at least 12 months• All general conditions set out below.• The Head of Economic Development and Planning in consultation with the relevant Cabinet Member may at any time specify additional conditions for the provision of assistance.

3 Appeals Relating to this Policy

Stafford Borough Council's Corporate Complaints, Compliments and Comments procedure will be followed in an effort to resolve any complaint about the Service.

A complaint that relates to the determination of a valid application for assistance (eg the value of assistance awarded, or a decision not to approve assistance) will initially be considered by the Head of Environment.

Where a complaint cannot be resolved by the Head of Environment, the complaint will be referred to the Council's Public Appeals Committee.

All decisions of the Public Appeals Committee will be made in accordance with the Private Sector Housing Assistance Policy.

The Public Appeals Committee will issue its decision in writing to the appellant, which will include reasons for the decision of the Committee.

Any appeal must be set out in writing and set to the Head of Environment, Stafford Borough Council, Civic Centre, Riverside, Stafford ST16 3AQ. The appeal must contain details about the nature of the appeal and must include specific grounds on which the appeal is based:

- That the Council Policy has not been applied correctly, or,
- That the case in question is exceptional and for that reason alone justified an exception to the Private Sector Housing Renewal Policy 2013 policy.

Appeals will not be considered on the grounds that the applicant does not agree with the Council Private Sector Housing Renewal Policy.

A copy of the Public Appeals Committee procedure can be obtained from the Head of Law and Administration (01785 619000).

ANNEX 1

General Conditions relating to Grants and Loans provided under this Policy

- a. Grants or loans will not be paid for works that have been started or completed before a valid application is determined;
- b. Grant or loan monies will be paid directly to contractors or agents in all but exceptional cases.
- c. Grants or loans will be paid subject to the works being completed to the satisfaction of the Council or its agents and the receipt of an acceptable invoice, demand or receipt.
- d. Interim payments may be made at the discretion of the Council. In such cases no more than three interim payments will be made, unless there are exceptional circumstances, and no more than 90% of the total amount of grant or loan may be paid in interim payments.
- e. The Council may vary a grant or loan to take account of unforeseen works.
- f. All grant or loan applicants are recommended to use the services of a properly qualified agent (eg Revival Home Improvement Agency (or equivalent) or a member of the RICS or RIBA). Where clients choose not to use an agent they must obtain at least 2 quotes from different contractors for the agreed works.
- g. All works must be carried within 12 months of the date of approval or such further period as the Council agree.
- h. The grant or loan will be repayable in full if applicants (or their tenants in the case of an Empty Homes Loan) fail to take up permanent occupation of the property within 6 weeks of the certified date or breach any of the specific conditions set out above.
- i. The Council may, at its discretion, decide not to reclaim the amount of assistance or to reclaim a lesser amount in accordance with m below.
- j. No further assistance will be made for a period of 5 years after the certified date.
- k. Conditions will be registered as a Legal Charge. This Legal Charge will be registered at HM Land Registry and secured against the property; the Legal Charge will rank in priority after any existing mortgages.
- l. The provisions of Section 45 of the Housing Grants, Construction and Regeneration Act 1996 will be adopted in determining whether a disposal is a relevant or exempt disposal.

- m. The provisions of the Housing Grants, Construction and Regeneration Act 1996 (Grant Repayment) General Consent 2000 will be adopted in determining the circumstances in which the Council may determine not to demand repayment.

ANNEX 2

Definitions

Vulnerable households

Department for Communities and Local Government - A Decent Home: Definition and Guidance for implementation

Vulnerable households have been defined as those in receipt of at least one of the principal means tested or disability related benefits listed below:

- income support
- housing benefit
- disabled persons tax credit
- income based job seekers allowance
- income based employment and support allowance
- working families tax credit
- attendance allowance
- disability living allowance
- industrial injuries disablement benefit
- war disablement pension
- child tax credit (Income of less than £16,040)
- working tax credit (Income of less than £16,040)
- pension credit

Dwelling

A “home” or “dwelling” for the purposes of this policy means a building or part of a building occupied or intended to be occupied as a separate dwelling and includes any yard, garden, outhouses and appurtenances belonging to, or usually enjoyed with, it (or any part of it).

It also includes houseboats and park homes that have been permanently situated in the same location in the Borough for a minimum of 12 months prior to the date of application.

