

# Housing Renewal Financial Assistance Policy 2016/17 to 2019/20

Regulatory Reform (Housing Assistance) (England and Wales) Order 2002

Housing Services  
Rother District Council  
Town Hall  
Bexhill on Sea  
East Sussex TN39 3JX  
01424 787000

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## **Housing Renewal Financial Assistance Policy**

The Housing **Renewal Financial Assistance** Policy sets out the financial assistance tools for providing housing renewal assistance. This is a requirement under the Regulatory Reform (Housing Assistance) England and Wales Order 2002.

### **Resources**

Financial assistance measures are subject to available limited resources. With the exception of Mandatory Disabled Facilities Grants (DFG), financial assistance measures are **DISCRETIONARY**.

The Mandatory DFG is subject to a test of resources set by the Government.

### **New measures – the need to offer flexible assistance (Better Care Fund)**

Rother District Council may develop alternative options to the stated assistance available within this policy.

In consultation with the Portfolio Holder with responsibility for housing, the Executive Director of Resources has discretion under this policy to introduce and develop assistance that enables existing and new sources of funding to be targeted at eligible clients. This includes setting bespoke conditions and eligibility criteria.

The key aim of this section is the need to respond quickly to proposals, schemes and funding offered from time to time by other agencies and partner organisations.

From time to time resources may be targeted at specific areas and therefore some assistance measures will be unavailable. Up to date information will be provided on the Council's website or will be available from the Housing Team.

## **Mandatory Disabled Facilities Grant**

**Details:** The Mandatory DFG is a mandatory grant as prescribed by the Housing Grants Construction and Regeneration Act 1996 as amended by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. **Applications for this grant will be determined in accordance with current legislation, guidance and good practice guides.**

The adaptations to the property must be considered necessary and appropriate for one or more of the following purposes:

- a) facilitating access to and from the dwelling or building by the disabled occupant;
- b) making the dwelling or building safe for the disabled occupant;
- c) access to the principal family room by the disabled occupant;
- d) access to or providing a bedroom for the disabled occupant;
- e) access to or providing a room containing a bath or shower for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- f) access to or providing a room containing a w.c. for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- g) access to or providing a room containing a wash hand basin for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- h) facilitating the preparation and cooking of food by the disabled person;
- i) improving or providing a heating system for the disabled person;
- j) facilitating the use of power, light or heat by the disabled person by altering same or by providing additional means of control; and
- k) facilitating access and movement around the dwelling to enable the disabled person to provide care for someone.

**Maximum:** The maximum grant set by statutory instrument. The amount of grant will include all relevant works, reasonable fees and VAT. Where the cost of the work is less than the maximum grant limit the grant will be the cost of the works less the assessed contribution. Where the cost of the work exceeds maximum grant limit, the grant will be the maximum grant limit less the assessed contribution.

**Eligibility:** Applicants for a Mandatory DFG must be either the owner or a tenant of the property to be adapted and the disabled person must be registered or registerable with the welfare authority.

The disabled person and any partner are means tested to determine the amount of their contribution towards the cost of the works. If the disabled person is a child, the parents are no longer means tested.

Owner-Occupation Certificate or Certificate of Intended Letting required.

The Council operates a priority scoring system to help manage demand for assistance

**Property Charges:** The Local Authority may place limited charges on adapted properties of owner occupiers, where the cost of the DFG exceeds £5,000, limited to a maximum charge of £10,000. The charge will be incurred if the property is sold within ten years.

**Funding:** Budget set on annual basis comprising of specific Government allocated funding via the Department for Communities and Local Government.

### **Mandatory Disabled Facilities Grant – `top up` assistance**

**Details:** A discretionary payment to provide top-up assistance to a Mandatory DFG where the Council has taken the view that the amount of assistance available under mandatory DFG is insufficient to meet the needs of the disabled person and their family.

**Maximum:** £5,000 limit

**Eligibility:** As per mandatory DFG.

### **Discretionary Disabled Facilities Assistance**

**Details:** The adaptations to the property must be considered necessary and appropriate for the following purpose: small scale adaptations making the dwelling suitable for the accommodation, welfare or employment of the disabled person with relation to the Better Care Fund.

**Maximum:** £30,000 (where the cost of the work is less than the maximum limit of £30,000) the assistance will be the cost of the works less the assessed contribution.

**Eligibility:** Priority shall be given to persons who are in receipt of an income related benefit i.e.

- Income Support
- Universal credit
- Housing Benefit
- Working Tax Credit and/or Child Tax Credit (where your annual income for the purposes of the tax credits assessment was below £15,050)
- Guaranteed Pension Credit
- Income Related Employment Support Allowance not contribution based ESA alone
- Income based Jobseekers Allowance not contribution based JSA alone

**Conditions:** See Definition and Procedure of Discretionary (extraordinary) payment through DFG Scheme.

## **Definition and procedure of Discretionary (extraordinary) payment through DFG scheme**

### **Eligibility Conditions**

1. In situations where a case is so urgent that the time waiting for an Occupational Therapist would be detrimental to the clients lifestyle.
2. An organisation working with disabled clients who has expended its budget and requires further funds.
3. To make a building disabled friendly.
4. Any other use of the money which would improve the lifestyle of a disabled client by adapting the dwelling they reside in.

### **Where discretionary funds will not be allocated**

Discretionary payments will not be used for owner occupier cases where a test of resources has been carried out and has resulted in a large personal contribution or where a client has savings of more than £30,000.

### **Allocation of Discretionary Funds**

Brief report to be provided by Housing Aid Co-ordinator and a final decision to be made by two senior members of staff.

### **Disabled Persons Relocation Assistance**

**Details:** In such situations where major adaptations to adapt a property under a Mandatory DFG are not considered cost effective and where the applicant would consider relocating to a previously adapted or more adaptable property a Disabled Persons Relocation Assistance may be appropriate.

**Maximum:** £5,000 towards the cost of moving e.g. estate agent fees, legal costs, surveyor fees, removal costs.

**Eligibility:** The disabled person must be registered or registerable with the welfare authority. For each case a cost benefit analysis will be undertaken taking into account the potential cost of adapting the existing property and of adapting any future property in relation to the amount of Disabled Persons Relocation assistance provided. It is unlikely that any relocation assistance will be payable if the eligible DFG to adapt the new property exceeds £20,000.

Applicant must meet the criteria for a Mandatory DFG. Priority shall be given to persons who are over 60 and are in receipt of a benefit that would enable them to be eligible for home maintenance assistance.

Tenants of Registered Social Landlords – if the cost of adapting your home is uneconomic, priority will be given on the Council's Housing Register to move to more appropriate accommodation.

**Conditions:** 15 year repayment period if paid by grant, if property sold or otherwise disposed of or parted possession with, registered as a land charge. Separate repayment conditions if assistance is paid by means of loan/equity release registered as a land charge.

### **General Grant Conditions**

1. Applications for assistance shall be made on the appropriate Council application form and be accompanied by all supporting documents as required.
2. The Council will not approve any application for assistance if the relevant works have started before the application is approved.
3. Sections 38, 40, 41, 42, 43 and 51 of the Housing Grants, Construction and Regeneration Act 1996 apply.
4. It is a condition of the DFG that the applicant shall notify the Council immediately if equipment installed with grant assistance is no longer needed. Subsequent to this the Council may upon providing 21 days written notice access the dwelling in order to inspect the equipment and, where appropriate, remove it.
5. The payment of any assistance is conditional upon any eligible works being carried out to the satisfaction of the Council and upon receipt by the Council of an acceptable invoice for the works carried out and any ancillary charges or services. All payments will be made direct to the contractor or other agency involved in the provision of any assistance. The Council may, in certain circumstances, make payments to applicants in the form of an instrument (cheque) made payable to the contractor.
6. Payment of any assistance is also conditional on the applicant taking all reasonable steps when appropriate to pursue any relevant insurance claim or legal claim for damages in which the cost of the works to the dwelling to which the assistance relates is part of that claim. The applicant shall repay to the Council any assistance so far as is appropriate out of the proceeds of that claim.
7. Where the applicant is a tenant, no work can take place without the written consent of the owner of the property.