

PRIVATE HOUSING SERVICES

PRIVATE HOUSING ASSISTANCE POLICY

30 July 2018

HOUSING GRANTS, CONSTRUCTION AND REGENERATION
ACT 1996

REGULATORY REFORM (HOUSING ASSISTANCE) (ENGLAND
AND WALES) ORDER 2002

Revised and effective from 30 July 2018

INTRODUCTION

This document provides details of the London Borough of Brent policy for the provision of assistance pursuant to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order provides local housing authorities with a general permissive power for the provision of assistance for the purpose of improving living conditions. In order to exercise this power a local authority must first adopt a policy for the provision of assistance. This document sets out the Council's policy for the approval of assistance commencing on the 30 July 2018. It will remain in force until any amendments are approved.

GENERAL

Ø Applicants for assistance must:

- be aged 18 or over, although applications for grants can be made on behalf of children under the age of 18 by a parent or guardian, and
- be a UK citizen (have a UK National Insurance number),

or

- have the Registered Office in the UK (if a Limited Company)

Ø Grant calculations are based on what the Council considers to be a reasonable price for the work (known as the "eligible expense"). This may not be as much as the estimated expense. For grants, eligible expense will always exclude labour carried out by the applicant or a member of their family.

Ø Where the Council's agency is managing the works, payment will normally be made direct to the main contractor(s) not their sub-contractors or grant applicant(s).

Ø Payment will only be made if acceptable invoices are submitted upon completion.

Ø Grants labelled (Discretionary) may be revised, prioritised or withdrawn, without prior notice as they are subject to the Council having sufficient financial resources.

FINANCIAL ASSISTANCE CANNOT BE GIVEN RETROSPECTIVELY. APPLICANTS ARE STRONGLY ADVISED NOT TO START ANY ELIGIBLE WORK BEFORE THEIR APPLICATION FOR ASSISTANCE IS APPROVED.

OWNER OCCUPIERS

Disabled Facilities Grant (Mandatory)

For “mandatory” (prescribed by the Housing Grants etc Act 1996) purposes only. On completion the dwelling must be free from serious (HHSRS Category 1) hazards, except where insistence on remedying such problems would prevent completion of a DFG and therefore a disabled person’s ability to remain at home.

These grants are means tested according to detailed Government Regulations. The grant is the difference between the disabled person’s means tested contribution and the eligible expense.

Mandatory grant is up to £30,000. Discretionary grant is also paid for the shortfall between £30,000 max mandatory DFG plus the disabled person’s means tested contribution, and the eligible expense.

A “Self - Fund Option” is permitted whereby the grant applicant prepares a scheme of adaptations that is more elaborate than necessary, partly funding these works using the amount of grant that would have been paid towards a basic scheme, had that basic scheme been executed.

Disabled Facilities Grants are not normally repayable.

To be eligible you or someone living in your property must be disabled. Either you or the person you’re applying for must:

- own the property or be a tenant
- intend to live in the property during the grant period (which is currently 5 years)

You can also apply for a grant if you’re a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person’s needs
- the most reasonable option and can be done - depending on the age and condition of the property

Discretionary Disability Adaptations Grant (Discretionary)

Identical to the mandatory disabled facility grant in every way however these grants are NOT means tested.

On completion the dwelling must be free from serious (HHSRS Category 1) hazards, except where insistence on remedying such problems would prevent completion of DFG and therefore disabled person’s ability to remain at home.

Discretionary Adaptations Grants are not normally repayable.

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- necessary and appropriate to meet the disabled person’s needs
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Relocation Grant

When a disabled person’s home cannot reasonably and practicably be adapted to the Occupational Therapist’s requirements and having regard to the age and condition of the property the Council will pay the necessary fees incurred, up to £5,000, if the household then decides to move to a suitably adapted, or adaptable, property.

These grants are not means tested and are not repayable.

Small Works Grant (Discretionary)

Only for vulnerable people, who don’t live with non-vulnerable joint owners. “Vulnerable” means:

- people in receipt of Pension Credit, or
- people who have been in receipt of Income Support for over a year *and* receive Child Benefit for 1 or more children aged 16 or under. Or,
- people who are in receipt of Income Support and are disabled. “Disabled” means either:

Ø Receiving Severe Disablement Allowance

Ø Receiving Disability Living Allowance of any sort

Ø Registered Disabled

Only for works that will deliver significant health gains.

The exception to this is for “adaptations” (or repairs to old adaptations) to benefit disabled people. These are eligible for SWG irrespective of any entitlement to benefits.

Grant(s) may total up to £7,000 in any 3 year period.

These grants are not repayable.

Spend to Save Grant (Discretionary)

These grants are for the provision of associated works that are not covered above but that are necessary in order to facilitate a disabled person to be able to continue to live at home rather than going into residential care. Applications for this Grant are only accepted by referral from Care or Health Professionals from either Brent Council or its NHS partners. Approval will be given only where a business case can be made to show that, in very special circumstances, an overall financial saving in relation to the combined care and health budgets of the council and its NHS partners across the following three year period can be achieved.

A charge would be placed against the property. The duration of the charge would be dependent upon the Council’s calculated cost benefit payback. Should the property be sold on during this time the grant is repayable.

To be eligible you or someone living in your property must be disabled. Either you or the person you’re applying for must:

- own the property or be a tenant
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You can also apply for a grant if you’re a landlord and have a disabled tenant.

The council needs to be happy that the work is:

- necessary and appropriate to meet the disabled person’s needs
- the most reasonable option and can be done - depending on the age and condition of the property

Advice

People who are not entitled to any of the above assistance will be offered advice on how to organise works.

Brent Acute Handyperson Service

Available to those with a responsibility for the upkeep of their living area, who are without regular help and support from family and friends and are unable to carry out the work themselves. Applicants are not required to be in receipt of any benefits to qualify but must be referred by a care or health professional from Brent Council or its NHS partners.

Assistance is intended for vulnerable adults, who are elderly and prone to falls, have a disability, have a sensory impairment, or people with a long term health conditions which restrict their functioning on a day-to-day basis. Applicants must also be

- Able to confirm that assistance is not available from a partner or family member.
- In agreement to a brief survey being carried out by the Handyperson to identify other risks and hazards in their home.
- In possession of the legal power or duty to carry out the works.

The service is free of charge in relation to both labour and materials but is restricted to a maximum of 6 visits per year, each of which would be limited to a maximum of 90 minutes work on site. This would not include any time taken to carry out a home safety check.

Receipt of "NHS ongoing care provision" would not disqualify applications whilst a customer remains living at home.

Typical services include:

- Odd jobs (i.e. minor repairs, putting up grab rails), backed up by professional surveyors and tradesmen where appropriate.
- Falls and accident prevention checks and remedial action.
- Moving beds and furniture.
- Checks and improvements in relation to home safety, security and energy efficiency.
- Fire safety precautions such as installation of smoke alarms, electric blanket checks, chip pan/fat fryer exchange.
- Providing a targeted information and advice service which will engage on behalf of customers with other services and voluntary organisations.

Services would not be offered (but may qualify for referral for a small works grant) in relation to:

- Housework, decorating or gardening (except emergency clearance of an overgrown means of private disabled access).
- Personal care, such as washing, bathing or nail-clipping.
- Provision or repairs to appliances such as cookers, fridges
- Provision of floorcoverings, curtains, wardrobes or furniture.

Brent Hospital Discharge Assistance service

Offered in special circumstances where a vulnerable person is unable to be discharged from hospital due to issues relating to housing disrepair or safety. This is a prioritised route to a small works grant using the Brent Handyperson Service.

Applicants must be referred by a Care or Health Professional from either Brent Council or its NHS partners. Referrals should state what is broadly 'necessary and appropriate' to enable the patient to return home.

Only for vulnerable people, who don't live with non-vulnerable joint owners. "Vulnerable" means:

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PRIVATE (INC RSL) TENANTS

Disabled Facilities Grant (Mandatory)

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Disabled Facilities Grants are not normally repayable.

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Enforcement Action against Uncooperative Landlords

The Councils overall objective is to remove category 1 hazards and achieve the Decent Homes Standard in accommodation where possible. This is particularly important in premises occupied by vulnerable groups.

The 2004 Housing Act places a duty on the Council to take action where a category 1 hazard has been identified. There is a discretionary power to deal with category 2 hazards. An improvement notice must be served where there are Cat 1 Hazards present. High Cat 2 Hazards (bands D and E) can also be included on the notice.

Where licensable properties are affected by high Cat 2 Hazards) an improvement notice shall be served and/or licensing enforcement action shall be taken to address any deficiencies.

LANDLORDS

Empty Property Grants

To convert a commercial property into one or more dwellings or to bring vacant dwellings back into residential use as one dwelling or convert to flats. The grant is to help fund all building works that are necessary to make the dwelling lettable.

Only available to landlords who:

- Do not owe the Council money
- Have no convictions (including formal cautions) for grant fraud, illegal eviction, harassment, or non-compliance with Notices in the last 10 years, or where a case for one of the above matters is pending.

Grant calculated as the first £3,000 plus 60% of the remainder of the eligible expense. Plus a further 5% for every year of Nomination Rights in excess of 5, (max 85% i.e. max 10 years Nomination Rights)

Grant conditions run for 5 years from the Certified Date of Completion of Works (or 1 year longer per extra 5% grant).

Grant is conditional upon:

- The Council having Tenant Nomination Rights during this period
- The dwelling(s) being adequately insured.
- Rent being charged at levels set by the Rent Officer.
- The dwelling(s) being free of serious (HHSRS Category 1) hazards.
- The dwelling(s) being continuously tenanted

Grant must be repaid in full if the grant conditions are breached, or the dwelling(s) is / are sold within the grant condition period.

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Advice

Landlords who are not entitled to any of the above grants will be offered advice on how to organise works.

AGENCY SERVICE

For a 16.5% fee the Council may, at their discretion, offer to provide clients (except landlords applying for Empty Property Grants or HMO Grants) with the necessary administrative and technical assistance, to ensure that the works are properly organised and executed.

Specifications for Empty Homes Grants schemes are issued, for a fee, where the applicant wants to engage their own architect / surveyor and builder.

ENQUIRIES

Disabled Adaptations – initial assessment by Brent Customer Services – 020 8937 4300, referrals may require an OT (Occupational Therapist) assessment.

Empty Property Grants – tel. Private Housing Services 8937 2536 or 8937 2539.

Enforcement – tel. Private Housing Services 8937 2976

Other assistance – tel. Private Housing Services 8937 2383 or 8937 2309

A full copy of the Council's Private Housing Strategy and Assistance Policy can be viewed at:

Brent Civic Centre,
Engineers Way,
Wembley,
Middlesex.
HA9 0FJ