Lewisham

Private Sector Housing Assistance Policy

Private Sector Housing
April 2006 (as amended March 2012)

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Introduction

Improving the condition of the Borough's private sector housing stock is an important priority for the London Borough of Lewisham (otherwise known as "the Council"). This priority has also been recognised by Central Government through extending the decent homes target to vulnerable people living in private sector homes.

It is estimated that 36% of private sector stock fails to meet this standard and that 40% of vulnerable households are living in non-decent homes*.

**Source: London Borough of Lewisham House Condition Survey 2010*

The link between health and housing has been reinforced through the housing health and safety rating system which came into force in April 2006 and now forms part 1 of the decent homes standard. The Council now considers the health impact associated with poor housing conditions, rather than just concentrating on disrepair.

Whilst repair and maintenance remains the responsibility of the homeowner, it is sometimes necessary and appropriate for the Council to step in and offer assistance to those in greatest need. The development of new interest free loans has helped to reinforce the need for personal responsibility, by encouraging low income homeowners to help themselves. With decreasing resources, the Council can no longer offer home owners large grants and continue to help all the people it wants to. Therefore in order not to exhaust funds earlier and earlier each year, Home Repair Grant has been reduced to a maximum of £3000, and the Home Repair loan maximum increased to £27,000. The greater loan element of the assistance will help towards funding the scheme in the future, as any returned loans can be recycled into further loans.

Providing help to low income older households supports safe and independent living, thereby reducing the burden on health and social services. Offering support to low income families with children also helps in tackling child poverty.

Providing a disabled adaptation service in conjunction with Community Occupational Therapy will remain a high priority. Lewisham Staying Put has been amalgamated with the Housing Grants team so as to provide a more efficient, seamless service to vulnerable clients.

Offering help with energy efficiency will help address fuel poverty whilst reducing carbon dioxide emissions associated with climate change. It will also help to reduce the high winter death rate amongst older people associated with excessive cold. Help with home security will make people feel more secure within their own home and will improve residents' quality of life.

Within the private rented sector, assistance will be targeted at responsible landlords who are willing to make their properties available to benefit claimants for at least 5 years, thereby increasing the supply of affordable accommodation within the borough.

Addressing poor quality housing will also support wider regeneration and environmental sustainability objectives. Anyone who has lived near a long term empty and derelict property will know the negative impact this has and the extent to which it attracts vandalism, graffiti and associated anti-social behaviour.

All discretionary grants and loans are subject to available budgets and may be temporarily withdrawn without notice if budgets have been fully committed.

.Home Repairs

Purpose

To provide safe, warm and decent homes for older and vulnerable residents living in private sector accommodation.

Background

Over 69% of all properties were built before 1945 and require significant investment to keep them in good repair. It is estimated that nearly 30,000 private sector properties fail the decent homes standard, of which 7780 are occupied by vulnerable households.

Many older homeowners are cash poor but asset rich. By releasing some of this capital value, many homeowners could afford to maintain or improve the condition of their home.

Eligibility

To obtain loan assistance, the applicant must:

- Have owned and occupied the property for at least three years immediately preceding the date of application;
- Be over 18 years old and living at the property as their main residence;
- Have a member of their household who is over 60 years old, children who are under 16, or someone who is disabled or has a long term serious illness; and
- Be on a low income.

To calculate whether someone is on low income, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. Applicants will only be accepted if their assessed financial contribution is no more than £3,000.

What help is available?

Loan assistance is available to:

- Bring the property up to the decent homes standard;
- Install full gas central heating with a condensing combination boiler, controlled by a room-stat, programmer and thermostatic radiator valves;
- Replacement of boilers that are over 20 years old and in poor condition ;
- Install 270mm loft insulation and cavity wall insulation (where appropriate).

To obtain a loan, the applicant must carry out all necessary work to bring the property up to the decent homes standard.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Common parts of buildings containing flats

Provided the applicant meets the eligibility criteria outlined above, the grant and/or loan can extend to the common parts of the building containing their flat.

Assistance will only be available if the condition of the common parts is directly affecting the applicant and causing their flat to fail the decent homes standard. Other major repairs or elemental replacement designed to bring the whole building up to the decent homes standard may be considered at the discretion of the Housing Grants Manager.

Assistance will not be provided just because the applicant has a duty to contribute to the cost of work under the terms of their lease. In particular, assistance will not be available for ongoing regular cleaning, maintenance and redecoration of the common parts of the building, repair or replacement of lifts, or any works to the grounds around the building. If assistance is available, it will be given in proportion to the applicant's repairing responsibility for the work as stated in their lease.

Assistance will not automatically be given to leaseholders of right-to-buy housing stock that are being improved or maintained by the Council. In this instant, to qualify for grant or loan the works must fail the decent homes standard as determined by the Housing Grants Manager.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made completing and submitting:

- A prescribed application form;
- An owner-occupation certificate;
- Proof of ownership and prior occupation;
- Proof of earning and benefits;
- Proof of age and/or disability;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

If the applicant has a long term serious illness, the Council may require a medical report from the applicant's GP or consultant. The cost of obtaining a report will be the applicant's responsibility but the cost can be included within the grant or loan if it is subsequently approved.

Amount of Grant and/or Loan Assistance Available

The Grant and/or loan will cover the full cost of eligible work up to a maximum of £30,000. This is the maximum level of grant or loan assistance that can be awarded in any 5 year period. In calculating this amount, any repairs grants or loans awarded under this policy or previous policies will be included.

In the case of buildings containing 3 or more flats, the maximum grant/loan allocation for the whole building will be £60,000 (with no more than £3,000 in grant for each leaseholder). The remaining loan will be split equally amongst all eligible leaseholders.

The applicant's assessed financial contribution (if any), will be deducted from the grant or loan, up to a maximum of £3,000. Once a grant or loan has been approved, the applicant will be expected to pay their contribution to the builder or agent before any grant or loan monies are released.

If the total cost of the eligible work exceeds £30,000, the scheme can only proceed if the applicant has access to private finance to fund the additional cost of the work, and in this case there will be two options available. The applicant can either withdraw

their loan enquiry or they can arrange private finance for the additional cost of the work. In the case of private finance, the applicant must provide the Council with full details of the amount and source of the funding before the grant can be approved.

Where a property is under-utilised, and the works exceed £30,000, and other finance is not available, and it is expected that the owner should consider selling the property and purchasing a smaller property. A Help with Moving Grant may be available.

The interest free loan is a product that has been designed by the Council. It is intended as a simple mechanism to help home owners secure additional finance at minimal cost. The loan will be provided by the Council and not a commercial lender. There will be no interest payments and no regular repayments. Loans will only be available to freeholders and long leaseholders where the lease has an unexpired term of at least 60 years.

In deciding whether an applicant is eligible for a loan, the Council will have regard to the value of any mortgage(s) and/or other loans secured on the property. The Council will also have regard to any unsecured debts exceeding £10,000. Loans will not normally be offered if the total value of mortgages, secured loans, and/or other unsecured debts exceeds 80% of the property's current market value. In some circumstances, a formal valuation may be required to confirm the property's current market value.

No loan will be offered if the applicant has any outstanding Council Tax arrears or other debt owing to the Council.

There are some fees and other ancillary charges associated with taking out a loan. These could include: Land Registry fees, legal fees, planning and building control fees, any necessary specialist reports (e.g. electrical or structural), medical reports and valuations. Any such costs will be clearly documented in the loan agreement.

Applicants will be given a Plain English Guide to Loans which explains the legal terminology in the formal loan agreement. Before signing the agreement, applicants will be encouraged to seek independent legal advice. When the loan agreement is sent out, applicants will be given 14 days to decide whether to proceed. In order to proceed with the loan, the applicant must sign (and have their signature witnessed) and return two copies of the loan agreement.

Throughout the duration of the loan, the owner must maintain a current buildings insurance policy for the full reinstatement value of the property. A copy of the policy must be provided to the Council on request.

The loan must be repaid in full and without interest in the following circumstances:

- Within six months of the death of the owner, or in the case of joint owners, within six months of the death of the last owner.
- If the whole or part of the property is sold at least five years after the Certified Date.
- In the case of long leaseholders, on the date 50 years from the expiry of the lease.

Even if property prices fall, the Council guarantees that it will at not recover a sum greater than the value of the property under the circumstances listed above. This avoids the risk of putting applicants in negative equity. This guarantee does not apply to applicants who default on the terms of the loan agreement.

The loan must be repaid in full and with interest at 2% above the Bank of England base rate if the applicant defaults on the loan in any of the following circumstances:

- The Council finds the applicant gave false information on their application form.
- The Council discovers the applicant was not eligible for help at the time the application was made.
- The applicant ceases to be the owner of the property before the Certified Date.
- The applicant ceases to occupy the property for the whole of the five year period after the Certified Date.
- The applicant fails to provide information as to how they are complying with the loan conditions following a written request by the Council.
- The applicant fails to maintain an adequate buildings insurance policy.
- The applicant breaches any of the obligations in the loan agreement.
- The applicant becomes bankrupt or subject to an event of insolvency.
- The Council is at any time of the view that the applicant intentionally deprived themselves of income or disposed of savings so as to fulfil the criteria to qualify for a loan.

Loans will be registered at the Local Land Charges Section as a local land charge and at HM Land Registry.

The applicant retains the right to pay off the loan at any time, without any interest payments being incurred

Conditions applicable to grants

If the owner disposes of the property after any instalment of grant has been paid but before the Certified Date, the owner must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be owned and occupied by the applicant(s) as their main residence;
- The property must be kept in good repair;
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request; and
- The owner must notify the Council in writing if they intend to dispose of the property and must provide any information reasonably requested by them in that connection.

The grant will be registered at the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent grant applications, the Council will demand immediate and full repayment of the grant, plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

The Council reserves the right to either withdraw or change the level of grant or loan to take into account available funding.

Emergency Home Repairs

Purpose

To provide a quick and simple solution for vulnerable and low income homeowners who are at imminent risk of harm due to the condition of their property.

Background

The home repairs loan is the main route by which disrepair and poor housing conditions will normally be addressed. However, there will be circumstances where this approach takes too long and does not protect the homeowner from imminent risk of harm. In these circumstances, emergency home repairs assistance may be available.

Eligibility

To obtain grant assistance, the applicant must:

- Have owned and occupied the property for at least three years immediately preceding the date of application;
- Be over 18 years old and living at the property as their main residence; and
- Be in receipt of a qualifying benefit.

What help is available?

Grant assistance is available to deal with situations that place the applicant at serious or imminent risk of harm. In addressing the problem, there is no requirement to bring the property up to the full decent homes standard.

Examples of work eligible for grant assistance include:

- Dangerous electrical or gas installations;
- No form of heating (from 1 October to 31 March)
- No hot water supply;
- Risk of injury from falling elements or structural collapse;
- Serious roof leaks;
- Defective stair-lifts, through-floor lifts or other disabled adaptations which are required by the occupant to maintain independent living.
- Improving the security to windows and doors.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made completing and submitting:

- A prescribed application form;
- Proof of benefit entitlement; and
- One competitive estimate from a legitimate building contractor.

The Council will normally verify ownership details by carrying out a land registry check.

Special Arrangements for Defective Stair and Through-floor Lifts

The Council recognise the serious impact this can have on the ability of a disabled person to maintain independent living. In exceptional circumstances, provided the remedial work is ordered through the Council's Housing Grants section, the work can proceed prior to a formal grant application being received.

In such cases, a grant application must be submitted as soon as reasonably practicable after the work has been completed. In the event that the applicant is not eligible for grant assistance (i.e. not in receipt of a qualifying benefit) or does not make an application, they will be responsible for paying the full cost of the work.

This grant will not cover works to repair lifts that have been used incorrectly or misused.

This special arrangement does not apply to any other work carried out under the emergency home repairs assistance policy. In all other cases, the work must not be carried out until the grant has been approved in writing.

Home Security

To provide safe and secure homes for older and vulnerable residents living in private sector accommodation.

Applicants must be at least 65 years old, living at the property as their main residence and be in receipt of a qualifying benefit.

Help is also available to people aged under 65 if:

- They have been burgled whilst living at the property
- They have been a victim of racial or religious hate crime whilst living at the property.

Qualifying Benefits

For the purpose of this grant, qualifying benefits are defined as:

- Income support
- Income based job seekers allowance
- Guaranteed Pension credit
- Council tax benefit (excluding the single person allowance)
- Housing benefit
- Working tax credit (with an income of less than £16,040*)
- Child Tax Credit (with an income of less than £16,040*)

* or the current level at the time.

Amount of Grant Assistance Available

The grant will cover the full cost of eligible work, up to a maximum of £2,000. The maximum amount that is allowed for home security works is £500.
This is the maximum level of grant assistance that can be awarded in any 5 year period. In calculating this amount, any repairs grants or loans awarded under this policy or previous grant policies will be included.

Conditions

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

No other conditions will be attached to this grant.

Renewable Energy Systems

Purpose

To encourage local residents to generate their own renewable energy and help tackle climate change.

Background

As fuel costs continue to rise, the cost of installing a renewable energy system becomes a more realistic option.

Encouraging residents to install these measures will help to increase demand, which in the longer term will start to drive down installation costs.

Every new installation will help to reduce carbon dioxide emissions, thereby tackling the global issue of climate change.

Eligibility

Grant assistance is available to all private sector homeowners including landlords within the borough.

What help is available?

Anyone installing a new renewable energy system will be eligible for a single grant of £500 towards the cost. The installation must be professionally installed by a specialist contractor.

Any type of renewable energy system may be considered provided it can be shown to have long term benefits and be practical and possible to install. Because the technology in this area is constantly changing and improving, the Housing Grants Team should be consulted to discuss any proposals so as to ensure that the type of installation will attract grant aid.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email: housingassistance@lewisham.gov.uk, via the council website or in writing.

Alternatively, contact Sustainable Resources on telephone 020 8314 6339, email: energy@lewisham.gov.uk

A formal application is made by completing and submitting a prescribed form.

As funding for this scheme is limited, applicants are advised not to place an order with the contractor until the Council have confirmed in writing the grant assistance is still available.

Amount of Grant Assistance Available

A grant of £500 is available in respect of each property that has a new renewable energy system installed. This is in addition to any grants the applicant may be able to obtain from other sources.

Conditions

No conditions will be attached to this renewable energy grant.

Handyperson Service

Purpose

To help older, and disabled residents carry out small jobs around the home.

Background

The Lewisham Handyperson Service offers valuable support for older and disabled homeowners and tenants, and has been operating in the borough for the past 10 years.

The service assists with hospital discharge, falls prevention, fire safety and security. It provides residents with reassurance and encourages independent living. It enables small repairs and tasks to be done in the home that contractors would be unwilling to undertake due to the small nature of the work.

A gardening service has been introduced in 2009 to undertake grass cutting, hedge trimming and one off clearances if required.

The Handypersons employed by the Council are security checked for residents' peace of mind.

Eligibility

Clients must be over 60 or disabled.
For the gardening service the clients must be over 60 or disabled and in receipt of a qualifying benefit.

During periods of high demand, priority will be given to the most urgent cases.

What help is available?

Up to 2 hours labour to help with small jobs around the home. Residents pay for the cost of materials. The Council reserves the right to charge either a flat amount or an hourly rate for this service. Clients will be notified of any costs prior to any work being carried out.

The type of work carried out by the Handyperson service includes:
Small plumbing repairs, moving furniture for easier access, adjustments to doors and windows, fixing loose flooring or floor coverings, putting up handrails, grab rails and curtain rails, fitting and testing smoke alarms and changing light bulbs.

The service is unable to help with decorating, gas/electrical work or general domestic tasks.

Method of Application
Enquiries can be made by telephone (020 8314 6309), email handyperson@lewisham.gov.uk, via the council website, or in writing.

Disabled Facilities Grants

Purpose

To assist with disabled adaptations which fall within the mandatory Disabled Facilities Grant (DFG) regime.

Background

The Council has a duty to provide DFG's under the Housing Grants Construction and Regeneration Act 1996. DFG's are the last remaining mandatory grant.

Occupational Therapists, the Housing Grants Team and Lewisham Staying Put work in close partnership to deliver this important service.

Eligibility

To obtain grant assistance, the applicant must:

- Be the owner or tenant of the property;
- Be over 18 years old and living at the property as their main residence;
- Be disabled or have a member of the family living with them who is disabled; and
- Be referred to the Housing Grants Team by an Occupational Therapist in the Council's Community Services Directorate.

All applicants will be subject to a financial test of resources. To do this, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. The resultant contribution (if any) will be deducted from the maximum grant allowed.

In the case of disabled children, the parents' income and/or savings are discounted (as of December 2005).

What help is available?

Grant assistance is available to adapt a property to meet the needs of a disabled occupant.

An Occupational Therapist from the Council's Community Services Directorate will recommend works that are necessary and appropriate for the disabled person, for one or more of the following reasons:

- To facilitate access to the dwelling.
- To make the dwelling safe.
- To facilitate access to a family room, bedroom or bathroom/toilet.
- To provide or improve any heating system.
- To provide access to controls to provide heating, lighting, power or amenities.
- To facilitate access around the dwelling to enable care of a resident.
- To enable access to a garden.

The Housing Grants Team will then determine whether the works are reasonable and practical.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Method of application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

To find out if a disabled person is eligible for a visit and assessment by an Occupational Therapist, contact the Community Occupational Therapy team direct on telephone 020 8314 7777.

A formal application is made by completing and submitting:

- A prescribed application form;
- An owner-occupation certificate or certificate of intended letting;
- Proof of ownership;
- If the applicant is a tenant, written confirmation from the owner that they agree to the work being carried out;
- Proof of earning and benefits;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Amount of Grant Assistance Available

The grant will cover the full cost of eligible work, up to a maximum of £30,000.

The applicant's assessed financial contribution (if any), will be deducted from the grant. Once a grant has been approved, the applicant will be expected to pay their contribution to the contractor or agent before any grant money is released.

If the total cost of work exceeds £30,000, the applicant may be entitled to an interest free loan to meet the balance of the cost. For further information, please refer to the Discretionary Disabled Adaptations section.

Conditions

If the owner disposes of the property after any instalment of grant has been paid out but before the certified date, the applicant must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be occupied by the disabled person as their main residence;
- The owner must provide the Council with full details of how the property is being occupied within 21 days of a written request; and
- The owner must notify the Council in writing if they intend to dispose of the property and must provide any information reasonably requested by them in that connection.

The grant will be registered at the Local Land Charges Section as a local land charge.

There are no conditions on the first £5,000 of any grant. The first £10,000 of any grant given above £5,000 (between £5,000 and £15,000) must be repaid in full if the owner or the disabled person disposes of the property or fails to comply with any of the grant conditions within 10 years of the Certified Date. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant, plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Discretionary Disabled Adaptations

Purpose

To assist with disabled adaptations which fall outside the mandatory Disabled Facilities Grant (DFG) regime.

Background

Mandatory DFGs provide up to £30,000 to assist with work which is necessary and appropriate, reasonable and practical to meet the needs of a disabled person.

Larger schemes involving extensions or loft conversions often exceed this grant limit. Such schemes often require input from an architect or agent which pushes the cost even higher.

Schemes relating to the welfare, needs or employment opportunities of a disabled person fall completely outside the grant regime and are not eligible for a mandatory DFG.

Unless a family have access to private finance, limiting the grant to £30,000 may prevent some schemes from going ahead.

Eligibility

To obtain assistance, the applicant must:

- Be the owner of the property;
- Be over 18 years old and living at the property as their main residence;
- Be disabled, or have a member of the family living with them who is disabled; and be referred to the Housing Grants Team by an Occupational Therapist in the Council's Community Services Directorate.

In relation to cases involving the welfare, needs and employment opportunities of a disabled person, the applicant must also be on low income.

To calculate whether someone is on low income, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. Applicants will only be accepted if their assessed financial contribution is no more than £3,000. In this connection, the parents of disabled children are assessed.

Private tenants and housing association tenants are not eligible for this type of assistance. For schemes costing over £30,000, the property owner will be expected to contribute to the cost.

What help is available?

Loan assistance is available to:

- Top up a mandatory DFG where the cost of the work exceeds £30,000; and/or
- Carry out building work which will improve the welfare, needs or employment opportunities of the disabled person or help provide satisfactory care arrangements.

In each case, the Occupational Therapist and the Grants Surveyor must be satisfied that the work is necessary and appropriate, reasonable and practicable and that this

is the most appropriate and cost effective option to meet the needs of the disabled person. This loan will not be available to fund alternative schemes put forward by clients.

Older, disabled or vulnerable residents may wish to use the services of Lewisham Staying Put to help organise the work. For further information, see the terms and conditions at the end of the policy.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

To find out if a disabled person is eligible for a visit and assessment by an Occupational Therapist, contact the Community Occupational Therapy team on telephone 020 8314 7777.

A formal application is made by completing and submitting:

- A prescribed application form;
- An owner-occupation certificate;
- Proof of ownership;
- Proof of earning and benefits;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Amount of Loan Assistance Available

An interest free loan will cover the full cost of eligible work, up to a maximum of £15,000.

In relation to cases involving the welfare, needs or employment opportunities of the disabled person, the applicant's assessed financial contribution (if any), will be deducted from the loan, up to a maximum of £3,000. Once a loan has been approved, the applicant will be expected to pay their contribution to the builder before the loan is released.

Interest Free Loan

The interest free loan is a new product that has been designed by the Council. It is intended as a simple mechanism to help homeowners secure additional finance at minimal cost.

The loan will be provided by the Council and not a commercial lender. There will be no interest payments and no regular repayments.

Loans will only be available to freeholders and long leaseholders where the lease has an unexpired term of at least 60 years.
In deciding whether an applicant is eligible for a loan, the Council will have regard to the value of any mortgage(s) and/or other loans secured on the property. The Council will also have regard to any unsecured debts exceeding £10,000. Loans will not normally be offered if the total value of mortgages, secured loans, and/or other unsecured debts exceeds 80% of the property's current market value. In some circumstances, a formal valuation may be required to confirm the property's current market value.

No loan will be offered if the applicant has any outstanding Council Tax arrears or other debt owing to the London Borough of Lewisham.

There are some fees and other ancillary charges associated with taking out a loan. These could include: Land Registry fees, legal fees, planning and building control fees, any necessary specialist reports (e.g. electrical or structural), medical reports and valuations. Any such costs will be clearly documented in the loan agreement.

Applicants will be given a Plain English Guide to Loans which explains the legal terminology in the formal loan agreement. Before signing the agreement, applicants will be encouraged to seek independent legal advice. When the loan agreement is sent out, applicants will be given 14 days to decide whether to proceed. In order to proceed with the loan, the applicant must sign (and have their signature witnessed) and return two copies of the loan agreement.

Throughout the duration of the loan, the owner must maintain a current buildings insurance policy for the full reinstatement value of the property. A copy of the policy must be provided to the Council on request.

The loan must be repaid in full and without interest in the following circumstances:

- Within six months of the death of the owner, or in the case of joint owners, within six months of the death of the last owner. If the disabled person is not the owner, this condition will not be enforced whilst the disabled person remains living at the property.
- If the whole or part of the property is sold at least five years after the Certified Date.
- In the case of long leaseholders, on the date 50 years from the expiry of the lease.

Even if property prices fall, the Council guarantees that it will at not recover a sum greater than the value of the property under the circumstances listed above. This avoids the risk of putting applicants in negative equity. This guarantee does not apply to applicants who default on the terms of the loan agreement.

The loan must be repaid in full and with interest at the 2% above the Bank of England base rate if the applicant defaults on the loan in any of the following circumstances:

- The Council find the applicant gave false information on their application form.
- The Council discover the applicant was not eligible for help at the time the application was made.
- The applicant ceases to be the owner of the property before the Certified Date.
- The applicant and/or the disabled person ceases to occupy the property for the whole of the five years after the Certified Date.
- The applicant fails to provide information as to how they are complying with the loan conditions following a written request by the Council.
- The applicant fails to maintain an adequate buildings insurance policy.
- The applicant breaches any of the obligations in the loan agreement.
- The applicant becomes bankrupt or subject to an event of insolvency.
- The Council is at any time of the view that the applicant intentionally deprived themselves of income or disposed of savings so as to fulfil the criteria to qualify for a loan.

Loans will be registered at the Local Land Charges Section as a local land charge and at HM Land Registry.

The applicant retains the right to pay off the loan at any time, without any interest payments being incurred.

Private Landlords

Purpose

To increase the supply of safe, warm and decent housing accommodation in the private rented sector.

Background

There is a shortage of affordable housing accommodation within the borough, with 2,500 homeless families in temporary accommodation and 17,000 people on the housing register.

The borough contains 33,180 private rented properties, comprising 29% of the total housing stock. Of these it is estimated that 4112 are non-decent let to vulnerable households*.

**Source: London Borough of Lewisham House Condition Survey 2010*

In April 2006, the fitness standard was replaced by a new housing health & safety rating system. This forms part 1 of the decent homes standard. A mandatory licensing scheme for certain larger houses in multiple occupation was also introduced.

Eligibility

To obtain grant assistance, the applicant must be:

- The owner of the property;
- A member of the London Landlord Accreditation Scheme (LLAS) or a recognised landlord association;
- A 'Fit and Proper' person; and
- Renting or intending to rent the property to someone who is not a member of their family.

The London Landlord Accreditation Scheme can be contacted on 020 7974 1970 or e-mail llas@camden.gov.uk website: www.londonlandlords.org.uk

Recognised landlord associations are associations where members sign up to a code of practice which has been approved by the Council e.g. London Landlord accreditation scheme or the Southern Private Landlords Association Tel 0845 456 9313 or email info@spla.co.uk. Other associations may be added in the future.

What help is available?

Grant assistance is available to:

- Bring the property up to the decent homes standard;
- Resolve any category 1 or 2 hazards which have been included on a Hazard Awareness, Improvement, or Prohibition Notice served by the Council;
- Provide adequate kitchen, bathroom and/or other amenities as required within a licensed HMO; and
- Provide 270mm loft insulation and cavity wall insulation (where appropriate).

To obtain a grant, the applicant must carry out all necessary work to bring the property up to the decent homes standard.

Common parts of buildings containing flats

Provided the applicant meets the eligibility criteria outlined above, the grant can extend to the common parts of the building containing the flat.

Assistance will only be available if the condition of the common parts is directly affecting the applicant's flat and causing it to fail the decent homes standard or causing a category 1 or 2 hazard on which the Council is considering enforcement action.

Assistance will not be provided just because the applicant has a duty to contribute to the cost of the work under the terms of their lease. In particular, assistance will not be available for ongoing regular cleaning, maintenance and redecoration of the communal areas, repair or replacement of lifts, or any works to the grounds around the building.

If assistance is awarded, it will be given in proportion to the applicant's repairing responsibility for the works as stated in their lease.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

Formal applications are made by completing and submitting:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;
- Documentary evidence of LLAS membership or membership of another recognised landlord association;
- Two competitive estimates from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Amount of Grant Assistance Available

The grant will cover 50% of the eligible cost of the work (or whatever percentage is allowable at the time), up to a maximum of £3,000. The maximum grant limit will be increased to £6,000 for licensed Houses in Multiple Occupation (HMOs), or properties where an application is pending and the HMO will be subject to licensing on completion of the building work.

This is the maximum level of grant assistance that can be awarded for each property within any 5 year period. In calculating this amount, any grants awarded under this policy or previous grant policies will be included.

Conditions

If the owner disposes of the property after any instalment of grant has been paid but before the certified date, the owner must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be rented out to tenants who are in receipt of housing benefit (at the start of their tenancy). If the property is already tenanted, this condition will not come into force until the current tenants vacate the property;(this does not apply to Houses in multiple occupation);
- Rent levels must not exceed the Local Housing Allowance rates;
- The tenants must not be members of the Landlord's family;
- The property must not be rented out as a holiday let;

- The property must be kept in good repair and maintained in accordance with all necessary legal requirements; and
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request.

The grant will be registered with the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Empty Homes

Purpose
To bring empty homes back into use and increase the supply of safe, warm and decent housing accommodation in the private rented sector.

Background
There are currently 2,500 homeless families in temporary accommodation, 17,000 people on the housing register and 350 families in hostel accommodation.

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Within the borough, there are about 2,000 privately owned properties which have been empty for at least 6 months. Of those there are approximately 271 long term derelict or problematic eyesore empty properties that are causing concern. Grant aid will be prioritised to these properties.

Long term empty and derelict properties blight local communities and neighbourhoods. They attract anti-social behaviour, crime, vandalism and arson.

Empty Dwelling Management Orders were introduced in April 2006 as result of the 2004 Housing Act (section 133).

This grant policy will complement other initiatives and support those owners who want to take action to bring their properties back into use.

The Council obtain the tenancy rights to properties brought back into use for five years and in doing so help to reduce the number of people on the housing register.

Eligibility

To obtain grant assistance, the applicant must be:

- The owner of the property;
- A member of the London Landlord Accreditation Scheme (LLAS) or a recognised landlord association;
- A 'Fit and Proper' person; and
- Intending to rent the property to someone who is not a member of their family

and the property must:
Have been empty for at least 6 months; and

- Be intended for occupation as a single family house or as self-contained flats/maisonettes with no shared facilities. Studio flats will only be accepted if there are no reasonable alternatives having regard to the structure and layout of the property.
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The London Landlord Accreditation Scheme (LLAS) can be contacted on 020 7974 1970 or e-mail at: LLAS@camden.gov.uk Website: www.londonlandlords.org.uk

Recognised landlord associations are associations where members sign up to a code of practice which has been approved by the Council e.g. the Southern Private Landlords Association Tel 0845 456 9313 or email info@spla.co.uk. Other associations may be added in the future.

The proposed scheme must also be supported by both the Housing Grants Manager and the Empty Homes Manager, having regard to all relevant factors (location, access arrangements, internal layout, etc).

What help is available?
Grant assistance is available to:

- Renovate empty homes and bring them up to the decent homes standard; or
- Convert empty properties into self-contained flats or maisonettes that comply with the decent homes standard.

In this connection priority will be given to properties that are entirely residential. Except in exceptional circumstances, the Council will no longer support grants to flats above shops.

For each unit of accommodation, the work must include:

- Full gas central heating with a condensing combination boiler, controlled by a room-stat, programmer and thermostatic radiator valves; and
- 270mm loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls).

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made by completing and submitting:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;
- Documentary evidence of LLAS membership or membership of another recognised landlord association;
- Two competitive estimates from legitimate building contractors;
- Details of any professional fees and/or other ancillary charges;
- Details of the management arrangements for the property

In the case of property conversions, evidence of planning permission and/or building regulation approval must also be provided.

Amount of Grant Assistance Available

The grant will cover 50% of the eligible cost of the work, up to a maximum of £15,000 for each house or unit of accommodation (e.g. self contained flat or maisonette) which is brought back into use. For studio flats, the maximum grant will be £7,000.

The maximum grant will usually be £50,000 per property. Larger grants will be considered at the discretion of the Head of Private Sector Housing. Relevant factors to be taken into account include the location of the property, the length of time it has been empty, how it will contribute to meeting housing need, how it links to other regeneration objectives and what match funding is available.

No grant will be awarded if the property has received an empty homes grant before.

This grant is given subject to funding being available from the South East London Housing Partnership.

Conditions

If the owner disposes of the property after any instalment of grant has been paid out but before the certified date, the owner must immediately repay the full amount and the grant will be cancelled.

Throughout the five year grant condition period:

- The property must be managed by the applicant and rented out to tenants nominated through the Council's Housing Options service, leased to a Registered Social Landlord (RSL), or leased to the Council through the Private Sector Leasing (PSL) scheme. Schemes that help key workers will also be considered at the discretion of the Council;
- If the property becomes unoccupied, the applicant or their agent must notify the Council and allow at least 14 days for the Council to nominate a new tenant. This condition will not apply whilst properties are being leased to RSL's or to the Council's PSL scheme;
- The applicant must not unreasonably refuse a tenancy to someone nominated by the Council;
- Rent levels must not exceed the Local Housing Allowance rates;
- The tenants must not be members of the Landlord's family;
- The property must not be rented out as a holiday let;
- The property must be kept in good repair and maintained in accordance with all necessary legal requirements; and
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request.

The grant will be registered with the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date, or any such longer period which is negotiated with the Council at the time of grant approval. These conditions are binding on the applicant and on any other person who is for the time being an owner of the property.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Help with Moving

Purpose

To help older or disabled residents move into a home which is more suitable to meet their needs.

Background

Whilst grants are available to adapt a property to meet the needs of a disabled person, it is not always reasonable and practical to carry out the work within the grant limit. Rehousing can sometimes provide a better long term solution.

Many older people living in non-decent homes fear the disruption that will be caused by major building works.

Given the shortage of housing accommodation within the borough, helping older people move into smaller and more suitable accommodation will reduce their heating and maintenance costs whilst freeing up larger family homes.

Eligibility

To obtain grant assistance, the applicant must:

- Be the owner of the property;
- Be living at the property as their main residence;
- Be over 65 years old, and/or have a member of the family living with them who is disabled (Disabled residents must be referred to the Housing Grants Team by an Occupational Therapist in the Community Services Directorate); and
- Be on a low income.

To calculate whether someone is on low income, the Council will need full details of all income and savings. This information will be assessed using the Ferret Renovator software package, or any similar package the Council decide to use. Applicants will only be accepted if their assessed financial contribution is no more than £3,000.

What help is available?

Grant assistance is available to:

- Help a disabled person move into a decent home which is already suitable or which is capable of being easily adapted to meet their needs. This option will only be considered if the Council are satisfied it is not reasonable and practical to adapt their current home and that finding alternative accommodation is the best and most cost effective long term solution;
- Help someone who is over the age of 65 and living in non-decent accommodation to sell their home and move into a decent home which is an appropriate size to meet their needs. The Council must be satisfied that this is the most appropriate option having regard to the condition of the property, the level of under-occupation and the amount of disruption that will be caused by major building works.

It will remain the applicant's responsibility to find suitable alternative accommodation. The Council is unable to provide this service.

Method of Application

Preliminary enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the council website or in writing.

A formal application is made by completing and submitting:

- A prescribed application form;
- Proof of ownership;
- Details of the new property; and
- Two sets of competitive estimates for the cost of moving.

Amount of Grant Assistance Available

The grant will cover the full cost of:

- Legal fees;
- Estate agents fees;
- Stamp Duty; and
- Removal costs

up to a maximum of £3,000.

The grant is intended to help with the cost of moving and not the capital cost of purchasing a new property. This is the maximum level of grant assistance that can be awarded within any five year period.

The applicant's assessed financial contribution (if any), will be deducted from the grant up to a maximum of £3,000. Once a grant has been approved, the applicant will be expected to pay their contribution before any grant money is released.

No payments will be released until the Solicitor has provided written confirmation that the sale has been completed.

Conditions

Throughout the five year grant condition period:

- The new property must be owned and occupied by the applicant and/or the disabled person;
- The property must be kept in good repair;
- The owner must provide the Council with full details of how the property is being occupied and/or maintained within 21 days of a written request; and
- The owner must notify the Council in writing if they intend to dispose of the property and must provide any information reasonably requested by them in that connection.

The grant will be registered with the Local Land Charges Section as a local land charge and must be repaid in full if the owner disposes of the property or fails to comply with any of the grant conditions within 5 years of the Certified Date. If the applicant moves outside the borough, the grant will be registered as a charge with HM Land Registry.

Depending on the circumstances, the Council does have discretion to either not demand repayment, to delay repayment or to demand a lesser amount. The Council will normally only exercise its discretion not to demand repayment where they consider there to be extenuating circumstances and the applicant supplies such supporting information as is necessary to reach a decision.

In the case of fraudulent applications, the Council will demand immediate and full repayment of the grant plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date.

Terms and Conditions

The following terms and conditions are applicable to all grant and/or loan applications made under this private sector housing assistance policy.

Making an Enquiry

Following receipt of an initial enquiry, the applicant will be asked to complete a form to check whether they are eligible for assistance. Applicants will normally be asked to return the completed form within 28 days. Failure to do so will result in the enquiry being cancelled.

No applications will be accepted from an applicant who is a 'person from abroad' within the meaning of the Housing Benefit (General) Regulations.

No applications will be accepted in respect of a property that has been built or provided by conversion within the last 10 years.

Once the initial enquiry form has been returned, the Housing Grants Team will assess whether the applicant is eligible for assistance. If they are eligible for assistance, a Grant Surveyor will then visit the property to carry out a full inspection. The applicant will also be advised, based on the information they have provided whether they will need to make a financial contribution towards the cost of the work.

Following the inspection, the Grant Surveyor will prepare a schedule of work that needs to be carried out. This will be sent to the applicant together with a grant and/or loan application pack.

The application pack issued by the Council is only valid for six months from the date of issue. Failure to submit a grant and/or loan application within this period will normally result in the enquiry being cancelled.

Applicants should notify the Council in writing if they cannot submit a completed application within this time period. Applicants must explain the reasons why and give a clear indication how much extra time they require. The Housing Grants Manager may use his discretion to extend the time period.

Choosing a Building Contractor

Applicants should take care when selecting contractors. Applicants should not enter into any agreement with a contractor until a grant and/or loan has been approved and they are certain they can meet the cost of the work.

Guidance on employing contractors can be found by using 'Trustmark' – a scheme which is backed by Government, the building trade and consumer groups. For more information, visit www.trustmark.org.uk.

The Housing Grants Team does not maintain a list of recommended contractors. However, the team may be able to supply a list of contractors who have carried out similar types of grant work in the past. It is important to note that this is not a recommended list and so the applicant must satisfy themselves with the ability of the contractor to carry out the proposed works.

To obtain grant and/or loan assistance, applicants must normally supply two original quotations or estimates from legitimate building contractors for the full cost of the

building work. Photocopies or faxes are not acceptable. The contractor's quotation or estimate should:

- Be printed on company headed paper;
- Include the company's full address and telephone number;
- Include the date;
- Be signed by a representative of the company whose name is clearly printed below the signature;
- Include the company's VAT registration number (if applicable) and make clear whether the price is inclusive or exclusive of VAT.
- Include the company registration number, if it is a Limited Company.

Quotations or estimates that do not contain all this information will be rejected.

Wherever possible applicants are encouraged to submit quotes rather than estimates. A quote is a fixed price whereas an estimate can go up in price.

The Grant Surveyor will normally issue a schedule of work eligible for grant and/loan assistance. The applicant must ensure that all this work is included in the contractor's quotation or estimate. In some cases, applicants may decide to use different contractors for different elements of the work – roofing, damp proofing, electrics, etc. There is no problem with this, provided two sets of quotations or estimates are submitted for all the work.

The quotations or estimates must be itemised which means that a separate price must be given for each part of work to be carried out. The Grant Surveyor will assess the quotations or estimates and may disallow any costs which they consider are unreasonably high, or costs for works that are not included in the schedule.

If the applicant wishes to use a more expensive contractor, they are able to do so but will be responsible for paying any additional costs involved. Before using a different contractor, the applicant must get the Council's written consent.

Where Staying Put have obtained estimates by competitive tendering, only those contractors who have been asked to tender may carry out the works. Clients own contractors, who have not been part of the tendering procedure will not be allowed to carry out the works.

<u>Professional and Ancillary Fees</u>

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process. For example, agents fees, planning application fees, building control fees, or a report from a structural engineer.

The Housing Grants Team will charge a fee of £250 plus VAT for producing a schedule of work that is eligible for grant or loan assistance. This fee will automatically be included within the grant and/or loan and will be paid directly into the relevant Council account. In the event that an application does not reach approval stage, no fee will be charged.

Where repairs to personal lifting equipment are arranged through the Housing Grants Team via an Emergency Home Repair Grant, a fee of £50 plus VAT will be charged. In the event that an application does not reach approval stage, no fee will be charged.

All necessary fees will be included within a grant and/or loan that is approved by the Council. These fees can be paid directly from the grant and so applicants do not need to pay the fees themselves and reclaim the cost.

Where possible, applicants should not incur any costs until after the grant and/or loan has been approved in writing. Otherwise, if the case does not proceed to approval, the applicant will be responsible for any costs already incurred.

The applicant will be responsible for any costs above the maximum grant and/or loan limits. Any fees included in a grant and/or loan will also have to be repaid by the applicant in the event of a breach of conditions.

Approving Grants and Loans

Before the Council can decide whether to approve or refuse a grant and/or loan, the applicant must submit a 'valid application'. An applicant is considered to have made a valid application when:

- they submit all the information referred to under 'Method of Application' in the relevant part of the policy; and
- the Council are satisfied that they have all necessary information on which to base a decision.

Where necessary, the applicant may be required to submit further supporting documentation or information to help the Council reach a decision.

Any assessed financial contribution (excluding excess costs) that was paid towards previous housing grants within the last 5 years will be taken into account and will be deducted from any financial contribution due in respect of the current grant application.

The Council will notify the applicant in writing of its decision to approve or refuse an application for grant and/or loan assistance. The approval letter will set out details of the eligible work, the amount of grant and/or loan assistance available, any financial contribution by the applicant and any associated conditions. If the application is refused, the refusal letter will explain why the application has been refused and set out the applicant's right of appeal.

Decisions will normally be made within 28 days of receiving a valid application.

In the case of DFGs, the decision to approve or refuse a grant can be delayed for up to six months. Alternatively the Council can issue a grant approval but specify a date before which no grant payment will be made. This longer period time may also be applied to other forms of assistance if the budget becomes over committed or during periods of high demand.

Approvals will not normally be granted unless the applicant agrees to carry out all works listed in the Grant Surveyor's schedule of work. Most forms of assistance require the property to be brought up to the decent homes standard.

The Council will not pay grant and/or loan assistance for works carried out by the applicant and/or a member of his/her family. Any relationship between the applicant and the contractor must be declared at the time of the application. In such cases, the Council may use its discretion to approve the cost of materials only, provided the applicant can demonstrate that they are sufficiently competent to carry out the work.

Applicants should not carry out any work prior to receiving written confirmation that the grant and/or loan have been approved. Otherwise, the applicant may be responsible for all costs incurred.

Where the cost of eligible works, less an applicant's contribution, exceeds the maximum available grant and/or loan, the applicant will be responsible for paying all extra costs. If this situation arises at the time of application, the grant and/or loan will not be approved until the applicant satisfies the Council that they are able to fund the extra cost.

Obtaining grant or loan approval does not imply that the applicant has obtained all necessary approvals to allow the works to proceed. In particular, the applicant is responsible for obtaining any necessary planning and/or building regulation approval, party wall act agreement or any other permission that is required to enable the work to proceed.

Fraudulent Activity

The Council is committed to tackling dishonest and fraudulent activity associated with applications made under the housing assistance policy. The Housing Grants team works closely with the Council's Special Investigations team to identify any such fraudulent activity.

Applicants must ensure that all paperwork is honestly and truthfully completed to the best of their knowledge. Anyone found to have committed or attempted to commit fraudulent activity will lose the right to submit a further application in the future.

Where payments have already been made, the Council will demand immediate and full repayment of the grant and/or loan, plus compound annual interest charged at the Bank of England base rate plus 2%, starting from the Certified Date. The applicant could also be subject to further legal action in the criminal courts.

Supervision of Work

The applicant must inform the Council of the date that works are to start. To help do this, a standard form will be sent out with the approval letter.

The applicant retains full responsibility for supervising the contractor, dealing with any disputes and ensuring the work is properly completed. Visits by council officers or its agents are only for the purpose of administering the housing assistance policy and deciding that a payment can be made. They are not acting as a surveyor overseeing the works and are not responsible for identifying or remedying any poor or defective workmanship carried out by contractors.

Using an Agent

If an applicant lacks the knowledge, ability or confidence to manage the process themselves, they may wish to appoint an agent to carry out this role on their behalf. This will be particularly relevant for large or complex schemes which require specialist technical or architectural skills. The cost of appointing an agency can usually be included within the grant and/or loan. Applicants should therefore decide whether they want to employ the services of an agent (usually an architect or building surveyor) to oversee the work on their behalf. In reaching this decision, applicants should consider the complexity of the work and whether they feel confident to oversee contractors and manage the whole process themselves.

Simple guidance on employing contractors is available from Trading Standards. The guidance includes a standard contract which can be used for jobs costing no more than £5,000. Copies can be downloaded from the Council website

(www.lewisham.gov.uk/Business/TradingStandards/AdvicetoConsumers/BasicStandardContract.htm) or can be obtained by phoning 020 8134 7759. For contracts over £5,000, applicants may wish to consider purchasing and using the relevant Joint Contracts Tribunal (JCT) standard contract (www.jctltd.co.uk).

No agency fee will be paid to members of the applicant's family or building contractors who provide the applicant with an agency service.

Whilst the Council does not have an approved list of agents, Lewisham Staying Put is run by the Council and can provide an agency service to older, vulnerable or disabled residents. Applicants that do not fall into these groups would need to find their own private agent.

Fees will vary according to the nature of the agency service being provided. Agents offering a full agency service can claim an agency fee of up to 15% of the net cost of the building work. No additional amount will be paid for expenses or other disbursements. Agents offering only a partial service will be eligible for a lesser amount, at the discretion of the Council. Agents will be expected to provide full details of their charges as part of the application process.

A full agency service will include:

- helping the applicant complete all necessary forms and certificates;
- acting as the main point of contact with the Council;
- preparing a detailed specification and any necessary plans;
- obtaining any necessary planning and building regulation approval;
- overseeing the work on site;
- liaising with the Council over any unforeseen work;
- dealing with payments and resolving any disputes or snagging items on completion

Where an agent requires a report regarding a subject outside his area of expertise e.g. a structural engineer's report, or incurs extra costs as a result of a Party Wall Act dispute, this may be allowed as an extra cost, but only if this is deemed necessary by the Grants Surveyor.

Lewisham Staying Put

Lewisham Staying Put is a home improvement agency which has been established to help older, vulnerable and disabled residents through the grant and/or loan application process. They have a wealth of experience in planning and organising disabled adaptations and can also sometimes assist with repair works.

The agency service includes help with completing application forms, drawing up plans and specifications, obtaining quotes from contractors, supervising work on site and liaising with Building Control and Planning.

The agency is run by the Council and has established a close working relationship with both the Housing Grants Team and the Occupational Therapists.

When choosing an agent, applicants may wish to use Lewisham Staying Put. Before making a decision, it is a good idea for applicants to contact them, discuss the situation and find out what help they can offer.

Lewisham Staying Put does charge an agency fee for assisting with the application process. The fee will normally be included within any grant or loan that is approved. However, this may be required to be repaid at a later date (see conditions of specific

grant or loan). For details of the latest charges, please contact the Staying Put team direct.

One advantage of using Lewisham Staying Put is that if for any reason the work does not go ahead, they will not charge a fee. Many private agents might expect the applicant to pay their fee even if the work does not go ahead. When using a private agent, it is important for applicants to clarify this issue at the start, as the Council cannot pay for agency fees unless a grant and/or loan is subsequently approved.

Payments

No payments can be made until after the grant and/or loan has been approved in writing by the Council.

Applicants should check that all works have been completed to their satisfaction before requesting a payment. The applicant will be responsible for resolving any dispute about the nature and/or quality of the work in conjunction with their agent (if any) and the contractor.

Following receipt of a request for payment, a Grant Surveyor will visit the property to carry out an inspection. Payments will only be released if the work:

- has been completed to the Council's satisfaction;
- has been carried out within the time allowed; and
- has been carried out in accordance with any agreed plans and specifications.

If Lewisham Staying Put is acting as agent, it will not always be necessary for the Grant Surveyor to visit the property. If Lewisham Staying Put confirms that the work has been completed, the Grant Surveyor may agree to release a payment.

The applicant must provide original invoices or receipts. Invoices from contractors whose estimates did not form part of the grant and/or loan application will be rejected unless the applicant can satisfy the Council why the changed contractors without obtaining prior written consent.

If the applicant has to make a financial contribution (as set out in the grant and/or loan approval), this must be paid in full to the contractor and/or agent before any payments are released by the Council.

Where appropriate, the Council can make interim payments for completed items of work. Payments will not be made for materials kept on site or for any part completed items. Payments will be based on work that has been invoiced and completed to the satisfaction of the Council. Prior to final payment, interim payments cannot exceed 90% of the total grant and/or loan approved.

In relation to agents fees, these will normally be paid in full on completion of all grant and/or loan eligible works. However, the Housing Grants Manager does have discretion to pay up to 50% of the agents fee once the grant and/or loan has been approved. In such circumstances, the balance of fees would not be paid until all work had been completed to the satisfaction of the Council.

Once all work has been completed to the Council's satisfaction, the balance of the grant will be paid. Prior to releasing the final payment, the applicant must submit the following original documentation (depending of the nature of work carried out):

- An acceptable 20-year guarantee for wood rot, woodworm treatment and damp proofing works.

- A GAS SAFE certificate and the completed benchmark booklet for all new gas boilers.
- An NICEIC or other equivalent electrical certificate from an organisation approved in accordance with Building Regulations Approved Document P.

Unless otherwise stated in this policy, payments will normally be paid direct to the applicant by direct credit transfer into a suitable bank account. The applicant may elect to have the grant and/or loan paid directly to the contractor and some contractors may refuse to carry out work unless this method of payment has been agreed. In all cases, the applicant must complete the appropriate payment mandate (authority to pay) form and submit either their own or the contractor's bank account details prior to any payment being made.

The Housing Grants Manager retains complete discretion to overrule the wishes of the applicant and make grant payments direct to the contractor who carried out the work, particularly if he has reason to believe that the contractor would not otherwise be paid. If the manager decides to exercise his discretion and pay the contractor direct, the applicant will be advised of the decision in writing.

Exclusions and Variations

A grant and/or loan application will not be approved if the work has already been completed at the time the application is submitted. The only exception will be repairs to defective stair and through floor lifts provided the applicant has followed the procedure in the 'Emergency Home Repairs' section.

If the applicant believes there are urgent reasons which justify starting the work prior to receiving grant and/or loan approval, they should contact the Housing Grants Team for further advice. However, no help will be given for work that is carried out before the Grant Surveyor has visited to assess eligibility under the terms of this policy.

Even if the Council accepts there is a valid reason for starting the work early, this does not guarantee that the application will be subsequently approved. If approval is not obtained, the applicant will be responsible for all costs incurred.

Where work has been started prior to approval, the Council will normally treat the application as amended so as to exclude the cost of the completed work. However, the Council has discretion to approve the full cost of the scheme if it is satisfied the applicant had good reason for starting the work before the application was approved and that the applicant notified the Council of the start date at the earliest possible opportunity.

If, owing to circumstances beyond the applicant's control, there are unforeseen works that cannot be completed within the approved sum, or if there has been an unexpected increase in labour or material costs, the applicant can ask the Council to consider varying the approval.

The Council will consider any such requests and notify the applicant of their decision in writing. The applicant is strongly advised not to proceed with such work until they have received the Council's written approval. If approval is not granted, the applicant will be responsible for any extra costs incurred.

Time Limits

Once an application has been approved, it is a condition of the grant and/or loan that work must be completed to the satisfaction of the Council within the following time limits from the date of approval:

Home Repairs	12 months
Empty Homes	12 months
Private Landlords	12 months
Using Renewable Energy	12 months
Discretionary Disabled Adaptations	12 months
Help with Moving	12 months
Emergency Home Repairs	3 months

Applicants must notify the Council in writing if they cannot complete the work within this time. Applicants must explain the reasons why and give a clear indication of how much extra time they require. The Housing Grants Manager may use his discretion to extend the time period.

Failure to complete the work on time period will normally result in the grant and/or loan being cancelled and the applicant having to repay any interim payments with immediate effect.

No allowance will be made for any increase in material and/or labour costs caused by the applicant's delay in carrying out the work.

Planning Permission

Some works may require planning permission especially if they involve extending a property or changing its use. If the applicant lives in a flat, a conservation area or if the property is subject to an Article 4 Direction there are likely to be restrictions on making external alterations or restrictions on the type of materials that can be used, such as when changing windows or roof coverings.

It is the applicant's responsibility to contact the Council's Planning Service at Laurence House, 1 Catford Road, London SE6 Tel 020 8314 7400 to ensure their proposals meet with planning requirements and have the necessary approval. These checks should be undertaken at an early stage and should not be delayed until a grant and/or loan has been approved. The Housing Grants Team are not responsible for checking this information.

If planning permission is required or the applicant wishes to apply for a Certificate of Lawful Development, an agent (usually an architect or architectural technician) should be employed to prepare plans. The cost of employing an agent can normally be included within the cost of any grant or loan that is subsequently approved. For further information, refer to the section on 'professional and ancillary fees' or contact the Housing Grants Team.

The cost of any extra works which result from enforcement action after grant approval will have to be met by the applicant.

Building Regulation Approval

Some works will need to be approved by the Council's Building Control section to make sure that they meet the standards required by the Building Regulations (e.g. works to the roof or structural walls). For more major works or works involving drainage, plans may also be required. In all cases where Disabled Facilities Grants are funding loft conversions, and where Empty Homes Grants are funding conversions into flats, all schemes must obtain full plans building regulation approval from the London Borough of Lewisham's Building Control section prior to grant approval.

It is the applicant's responsibility to ensure that they, their agent or their contractor contact Building Control, send in all the forms and gain all necessary approvals.

Building Control are based at Laurence House, 1 Catford Road, London SE6 4RU Tel 020 8314 8233. The Housing Grants Team are not responsible for checking this information.

The cost of extra works which result from enforcement action after grant approval will have to be met by the applicant.

Party Wall Act

There are special rules that apply when carrying out works on a party wall or along the boundary line which separates two properties. Applicants may need to consult their neighbours and obtain consent before carrying out any work. In the event of a dispute, it may be necessary to appoint a party wall act surveyor. If in doubt, applicants are advised to obtain independent legal advice.

Budget

Each year, the Council will decide what level of funding it makes available to support grants and/or loans as described in this policy. Funding will be subject to change without prior notice according to budgetary issues and the needs of the service. No guarantee of funding is provided under the terms of this policy.

With the exception of DFGs, all other forms of assistance are discretionary and can be withdrawn by the Council at any time. Once the budget has been committed, residents will be invited to re-apply the following year, subject to further funding becoming available.

Other ways we can help

Disabled Adaptations

For advice on disabled adaptations or to arrange an assessment by an Occupational Therapist, contact the Community Occupational Therapy team on tel: 020 8314 7777. E-mail: info.OTS@lewisham.gov.uk

Empty Homes

To investigate other options for bringing empty homes back into use, including leasing to a Housing Association or the Council, contact the Property Initiatives Manager on tel: 020 8314 8381.

Energy Efficiency

To find out about other ways you can improve the energy efficiency of your home, contact Sustainable resources on tel: 020 8314 6339. E-mail: energy@lewisham.gov.uk

Home Maintenance

The Lewisham Handyperson service assists older, disabled and vulnerable people with small jobs around the home. For further information, telephone 020 8314 6309, email: handyperson@lewisham.gov.uk, or visit www.lewisham.gov.uk/handyperson.

Guidance for appointing contractors can be obtained from Trading Standards tel: 020 8314 7759. Contractors can also be found by using 'Trustmark' – a scheme which is backed by Government, the building trade and consumer groups. For more information, visit www.trustmark.org.uk.

Age Concern Lewisham run a Handyperson service for residents aged over 60. The service is operated by volunteers who have been security checked by Age Concern. For further information, contact Age Concern Lewisham on telephone 020 8690 9060 or visit them at 10 Catford Broadway, London, SE6 4SP

For general home security advice, contact the Crime Prevention Team at Lewisham Police Station on telephone 020 8284 5005.

Private Rented Accommodation

If your property is in poor repair or lacks adequate central heating and insulation, the Council may be able to serve a legal notice on your landlord requiring them to carry out the work. For further information, contact the Environmental Health Residential Team on Tel 020 8314 2170.

The Environmental Health Residential Team can also provide advice to landlords on housing standards in the private rented sector, including HMO Licensing and the Housing health and safety rating system. For further information, Tel 020 8314 2170.

Appeals

The purpose of the appeals procedure is to determine:

- Whether the housing assistance policy has been correctly interpreted and applied; and/or
- Whether there are any exceptional circumstances which justify a more flexible approach in the interpretation and application of the new policy.

Any person who is aggrieved by a decision made under this policy should first discuss the matter with the appropriate case officer.

If the matter cannot be resolved, the appellant should contact the Manager of the Housing Grants Team at the address in the 'Contact Details' section below.

If the matter remains unresolved, the appellant will be directed to the Council's Corporate Complaints Procedure. To initiate this procedure, the appellant should send their written ground of appeal to:

Head of Private Sector Housing
London Borough of Lewisham
5th Floor
Laurence House
1 Catford Road
London SE6 4RU.

The appeal will be investigated and a response will be sent within 10 working days. If the investigation is likely to take longer, an acknowledgement letter will be sent.

If the appellant remains dissatisfied, stage 2 appeals will be considered by the Head of Housing and stage 3 appeals by the Chief Executive.

If, after using the complaints procedure, the appellant feels the matter is still not resolved, they can complain to the Local Government Ombudsman at the address below:

Local Government Ombudsman
The Oaks
No 2 Westwood Way
Westwood Business Park
Coventry CV4 8JB
Tel: 024 7682 0000

All appeals on the grounds of exceptional circumstances will be considered by the Head of Private Sector Housing or a more senior manager. In considering such appeals, the manager will consider whether the appellant's exceptional circumstances fall within the general intention and purpose of the new policy and whether it would be fair and appropriate to allow the appeal.

Contact Details

Name:	Housing Grants Team
Address:	London Borough of Lewisham 5th floor Laurence House 1 Catford Road London SE6 4RU
Telephone:	020 8314 6622
Fax:	020 8314 3332
Email:	housingassistance@lewisham.gov.uk
Opening hours:	Monday to Friday, 9am to 5pm.

Name:	Lewisham Staying Put
Address:	London Borough of Lewisham 5th floor Laurence House 1 Catford Road London SE6 4RU
Telephone:	020 8314 6344
Fax:	020 8314 3242
Email:	stayingput@lewisham.gov.uk
Opening hours:	Monday to Friday, 9 am to 5 pm.

Glossary

Certificate of Intended Letting
A certificate which certifies the applicant has a qualifying owner's interest in the property and that they will rent out the property to tenants who are not members of their family for five years after the Certified Date.

Certificate of Title
A certificate which is completed by the applicant's solicitor or mortgage lender and which certifies the applicant is the freeholder or leaseholder of the property.

Certified Date
The date grant or loan eligible works are completed to the satisfaction of the Council.

Decent Home Standard
A property which has no category 1 hazards under the housing health and safety rating system, is in reasonable repair, has reasonably modern facilities, central heating and adequate thermal insulation.

Disabled Person
In relation to Home Repairs grants and/or loans, a disabled person is someone who receives a disability benefit or a disability premium as part of their claim for a means tested benefit. See also 'Long term serious illness'.

Fit and Proper Person
To help determine whether a landlord is a fit and proper person, they must complete and return a prescribed form giving details of any previous convictions for criminal activity or any history of non compliance relating to housing standards enforcement, harassment or illegal eviction. The Council will use this information to determine whether a landlord is 'fit and proper'.

Landlords that are not deemed fit and proper will not be eligible for assistance under this policy.

Fuel Poverty
A household which needs to spend at least 10% of its income to keep the home warm. This is likely to be the case with low-income households where the home is poorly insulated.

Home Improvement Agency (HIA)
An HIA assists older, disabled and vulnerable people with home repairs and disabled adaptations to help them continue living independently within their own home. This can include advice and assistance with home repairs or how to get access to welfare benefits, support services, voluntary organisations, etc. HIAs are normally funded by local and central government and the fee income they generate from offering a grant/loan agency service.

House in Multiple Occupation (HMO)
HMOs are generally properties which are occupied by people who are not all members of the same family and where there is some sharing of facilities. The definition is quite complex. Further details can be found in the Housing Act 2004, or advice can be sought from the Environmental Health Residential team on Tel 020 8314 6420.

Housing Health and Safety Rating System (HHSRS)

A new system introduced under the Housing Act 2004 to replace the old fitness standard. It now forms part 1 of the decent homes standard. The system assesses the health impact associated with poor housing conditions.

Imminent risk of Harm
In assessing imminent risk of harm, Council officers will consider all relevant factors including the severity of the problem, age and vulnerability of the applicant, time of year, other funding options available, and any other issues felt to be relevant.

Lewisham Staying Put
Lewisham Staying Put is the local Home Improvement Agency.

London Landlord Accreditation Scheme
A pan-London scheme which encourages landlords to adopt a high standard of management and professionalism, thereby improving accommodation within the private rented sector.

Long term serious illness
In assessing whether an applicant has a long term serious illness, Council officers will have regard to any medical report provided by the applicant's doctor or consultant. Factors to be taken into account include the severity and likely duration of the illness, whether the applicant's health restricts their ability to leave the home and the extent to which the condition of the home will aggravate their illness.

Members of the Landlord's Family
Members of the family include the applicant(s) spouse or a person living together with them as husband or wife, parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece (whether or not) of the wife or husband, or whether the relationship is by blood or marriage. Child includes any step child or any illegitimate child by blood or marriage.

Owner Occupation Certificate
A certificate which certifies the applicant has a qualifying owner's interest in the property and that they will live in the dwelling as their main residence for five years after the Certified Date.

Person from Abroad
A 'person from abroad' is a person who has limited leave to enter or remain in the UK in accordance with any provision of the Home Office immigration rules relating to the rights to public funds. For further information, contact the Housing Grants Team.

Qualifying Benefits
For the purpose of this housing assistance policy, qualifying benefits are defined as:

- Income support
- Income based job seekers allowance
- Guaranteed Pension credit
- Council tax benefit (excluding the single person allowance)
- Housing benefit
- Working tax credit (with an income of less than £16,040*)
- Child Tax Credit (with an income of less than £16,040*)

* or the current level at the time.

Recognised Landlord Association
Recognised landlord associations are associations where members sign up to a code of practice which has been approved by the Council e.g. the Southern Private

Landlords Association Tel 0845 456 9313 or email info@spla.co.uk. Other associations may be added in the future.

Registered Social Landlord (RSL), previously known as Housing Associations
Registered Social Landlord is the technical name for social landlords that are registered with the Housing Corporation. They are providers of social housing, and although run as businesses do not trade for profit. Any surplus is put back into the organisation to maintain existing homes and help finance new ones.

Regulatory Reform Housing Assistance (England and Wales) Order 2002
This is the legislation which enables the Council to adopt a housing assistance policy which best meets the needs of local residents, including the power to establish new loan schemes.

Tenants Certificate
A certificate which certifies the applicant is a tenant of the property and that they will live in the dwelling as their main residence for five years after the completion of the grant-aided works.

Valid Application
An applicant is considered to have made a valid application when:

- they submit all the information referred to under 'Method of Application' in the relevant part of the policy; and
- the Council are satisfied that they have all necessary information on which to base a decision.

Warm Front Grants
This is a Government funded scheme which provides central heating, home insulation, draught proofing and energy advice for older and disabled people and households with children under the age of 16. Applicants must be in receipt of a means tested or disability benefit.