



PRIVATE SECTOR HOUSING

HOUSING ASSISTANCE POLICY 2006 (as amended March 2012)

REFRESH FINAL – January 2019

(changes proposed have been highlighted throughout)

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1. Principles of housing assistance

Lewisham Council values the private housing stock as a resource for the people of the borough and like any asset it needs to be maintained and preserved for future generations of residents. The Council's view is that the primary responsibility for maintaining the private sector stock lies with owners. However, the Council recognises that there are many households who are unable to maintain their homes because of age, disability, lack of resources or lack of knowledge. The Council's policy therefore seeks to help these households through providing targeted financial assistance, practical support and advice.

1.2 The legal framework

The Regulatory Reform (Housing Assistance) Order 2002 ("The RRO"), which came into force on 18th July 2002, introduced a general power enabling councils to provide assistance to residents and landlords in order to repair, improve or adapt living accommodation. This policy document sets out how Lewisham Council uses the general powers to target financial and other forms of assistance to the private housing sector in support of its overall Housing Strategy. With the exception of Disabled Facilities Grants, which are mandatory, the amount of assistance provided in each year will depend on the level of resources available.

Disabled facilities funded by the Better Care ¹Fund

All local authority areas are required to set out in their plans 2017-19 how the Disabled Facilities Grant (DFG) funding will be used over the two years. Since 2008-09, the scope for how DFG funding can be used has been widened to support any LA expenditure incurred under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO).

This discretionary use of the funding can help improve delivery and reduce the bureaucracy involved in the DFG application process, helping to speed up the process. For example, local authorities can use an alternative means test, increase the maximum grant amount, or offer a service which rapidly deals with inaccessible housing and the need for quick discharge of people from hospital.

2. Priorities for action

2.1 Aims of the policy

It is vital to ensure that the Housing Assistance Policy fits into the wider national and local perspective. The policy is underpinned by the Council's vision "to make Lewisham the best place in London to live, work and learn", and also supports key objectives contained within the Council's Housing, Wellbeing and Sustainable Community strategies. The key aims of the policy are to:

- improve health outcomes and promote independent living
- delay and reduce the need for long term care and support
- improve the sustainability of private sector dwellings within Lewisham
- bring empty properties back into residential use.
- work collaboratively to support the Council's mandatory and additional licensing scheme and improve poor housing conditions within the private rented sector.

¹ Source – Sections 33 and 34 of the Integration and Better Care Fund planning requirement for 2017-19

These principles help ensure residents stay in their homes for as long as they wish to and preserves a fully maintained housing stock. In turn, this increases housing choice, helps maximise supply and promotes the development of a minimum set of standards for residential letting within the private sector.

2.2 Improving health outcomes

The link between poor health and poor housing conditions is well known. Poor housing conditions have a detrimental effect on resident's health outcomes. Addressing housing conditions can have a direct impact on morbidity and mortality outlooks. This in turn helps people improve their economic conditions, and the resulting impact on health budgets and allows residents to play a more active part in the community.

2.3 Improving housing stock sustainability

The private sector stock condition survey 2010, estimated that 47% of the private sector stock was constructed before 1919, with 22% built before 1945. This is significant as older housing stock tends to have more problems as it ages, especially where routine or urgent maintenance has not taken place. Potential hazards can occur and can result in a run-down appearance, leading to disinvestment and substantial repair costs. The Council seeks to transform and revitalise local neighbourhoods and this policy aims to help deliver this key objective in a number of ways, by;

- repairing homes in poor condition and improving local neighbourhoods, ensuring good quality private sector stock for current and future generations,
- bringing long term empty homes back into use, with an emphasis on creating additional good quality housing for homeless households, removing eyesores and the associated anti-social behaviour they attract, supporting community safety and encouraging re-investment, and by
- helping to deliver a “clean, green and liveable” borough through housing repair and maintenance and the use of energy efficient and sustainable technologies.

2.4 Helping improve the Private Rented Sector

With the increasing cost of home ownership and the demand outstripping supply for affordable homes, especially within the social housing sector, many residents and the Council itself have to rely on private sector rented accommodation to meet housing needs. It is important to note that this sector grew by 10% between the census undertaken in 2001 and 2011, presenting the most dramatic change across all tenure types within the borough.

The private rented sector within Lewisham has a large number of Houses in Multiple Occupation (HMO), in addition to self-contained accommodation. A HMO is defined as a building occupied by more than one household where there is a degree of sharing of facilities. Many of the borough's residents live in this type of accommodation. The Council administers its mandatory licensing scheme, and in 2017, introduced an additional licensing scheme to ensure the poorest properties in the private rental market are safe, meet the legal standards and are properly managed.

This work is undertaken by the Council's Private Sector Housing Agency (PSHA) and this policy will provide collaborative support and partnership, by encouraging accredited operators, who work hard to provide and let good standards of accommodation, license in a timely manner and manage in a professional way. This will help ensure and maintain a supply of safe, good quality, well managed and free of hazards, private rented homes.

Private Sector Housing Assistance Policy 171218

2.5 Bringing properties back into use

As at October 2016, there were approximately 1,692 privately owned properties which had been empty for 6 months or more. Many of these are derelict or problematic eyesore empty properties that cause concern, blight local communities and neighbourhoods. They also attract anti-social behaviour, crime, vandalism and arson. The Council has a dedicated team, who look to provide tailored solutions to help empty property owners bring their property back into residential use. This policy will shore up the work of the team and support those owners who want to work with the Council and take positive action to bring their properties back into use.

3 The Housing Assistance Policy in context

3.1 Housing Strategy

The policy supports Lewisham's Housing Strategy to 2020. Four key principles and the work of specialised teams within the Private Sector Housing Agency (PSHA) will deliver the Council's aims;

- **Building the homes our resident's need** - By bringing long term empty property back into residential use wherever practical to ensure an on-going supply and by the creation of new additional homes, through the conversion of empty commercial use properties.
- **Promoting health and wellbeing by improving our residents' homes** - Vulnerable residents will have access to advice, assistance and support to receive a tailored solution to adapt, repair and improve their home environments and safeguard their improved health outcomes.
- **Greater security and quality for private renters** – We will work collaboratively to support good landlords to manage to high standards and help to provide a good supply of safer, healthier and more energy efficient private accommodation. By offering various incentives such as accreditation, loans and grants and advice.

Although responsibility for maintaining private sector housing stock will continue to lay with owners, through this policy the Council will provide a borough wide comprehensive package of assistance initiatives for private sector residents in the greatest need.

3.2 National policy

A key aim of the policy is to support the national emphasis on making homes free from potential risks and hazards, especially category one hazards that affect vulnerable households. The policy also supports other national agendas, such as bringing long term empty homes back into residential use. Both of these areas are further supported by yearly targets agreed by the Council that ensures this work remains a priority. Another key feature is more integrated working, especially through the introduction of the Better Care Fund. This will cement integrated working practices between health, social care and housing to best serve disabled and vulnerable residents.

4. Policy implementation plan

4.1 Policy review, Consultation and emerging issues

The original policy agreed by Mayor and Cabinet in April 2006 had been the subject of a significant amount of consultation. The policy was amended in March 2012 and refreshed in October 2017. The policy document will be reviewed every 2 years. An earlier review will be considered, if there is a change in primary legislation or as a result of a change in anticipated resources. The Council may from time to time introduce new forms of assistance or withdraw existing forms of assistance. If this happens, details will be provided in a document that will supplement this one.

5. Delivery of the policy

This policy relates to the work undertaken by the teams within Private Sector Housing Agency (PSHA) being:

- The Housing Assistance Team
- The Empty Property Team
- Housing Licensing and Enforcement Teams

5.1 The Housing Assistance team

The Housing Assistance Team is a service that administers, manages and approves all applications for mandatory disabled facilities grants (DFG) and discretionary repair assistance (grants and loans).

The service also helps eligible home owners, private tenants with repairing obligations and accredited landlords who want to manage the works themselves, apply for assistance to carry out adaptations, repairs and improvements. In addition, the team can provide project management services for a fee to older and vulnerable applicants who may not be able to manage the repairs or disabled facilities grants process themselves.

5.2 The Empty Property Team

The Empty Property Team provides a specialist service to owners of private sector empty property to enable these properties to be brought back into residential use. The team targets long term empty and eyesore properties that can attract all forms of anti-social behaviour and work on projects to increase the amount of housing available for Lewisham's residents.

5.3 The Housing Licensing Team and Enforcement Team

The Housing Licensing and Enforcement teams' functions are aimed at improving and maintaining basic standards in private rented housing within the borough's boundaries. The teams provide support and advice to landlords, inspect rented single family homes and houses in multiple occupation and manage and administer the Council's mandatory and additional licensing schemes. The teams undertake enforcement action against landlords and rogue operators that flout the law who put residents within their homes at risk.

All teams work collaboratively to provide dedicated services to residents and help undertake the adaptation, repair, improvement and maintenance of private sector housing stock and to ensure the best possible outcomes for tenants and homeowners living in private sector housing.

6. Property standard to be achieved

Repair and maintenance remains the responsibility of the homeowner. The Council wishes to assist those in greatest need to help fund improvements so that homes in poor condition occupied by vulnerable households be hazard free and suitable for their individual needs. The Housing Act 2004 introduced the Housing Health and Safety Rating System (HHSRS). This is the national housing standard evaluation tool the Council uses to achieve improved conditions for private sector housing stock. This is done by assessing the risk to the health & safety of occupiers posed by certain specified housing related hazards. Assessed hazards are banded Category 1 or Category 2 depending on the seriousness of the risk. Where Category 1 hazards are found the Council has a duty to require the owners to remedy the defect. If Category 2 hazards are found, the Council has discretionary power to require action.

For owner occupied properties, the Council uses the HHSRS purely as an assessment tool. All properties requiring assistance are surveyed and assessed, using these standards to identify defects and formulate methods of repair to remedy or remove the hazards found.

Properties need to meet a minimum standard for housing and the Council will help those in greatest need to fund improvements to maintain the standard over the longer term.

A decent home meets the following criteria if:

- a) It meets the current statutory minimum for housing: There should be no Category 1 hazards
- b) It is in a reasonable state of repair
- c) It has reasonably modern facilities
- d) It provides a reasonable degree of thermal comfort.

However, for disabled households and empty homes there is an additional focus. Adaptation works for disabled households seek to improve the quality of life for the disabled resident and their home environment. For empty homes, the focus is to bring all types of long term empty properties back into residential use wherever practical, and to also provide new additional homes through the conversion of commercial and other types of empty properties.

7. A Discretionary Policy

The provision of assistance under Lewisham Council's Housing assistance policy is, with one exception, discretionary. The exception is the Disabled Facilities Grant which the law says must be made in certain circumstances and is therefore a mandatory grant.

When considering applications and the administration of loans and grants under its discretionary scheme, the Council will apply the provisions applicable to the various forms of assistance as set out in this policy document. However, in exceptional circumstances and where the law allows, the Council may decide to exercise discretion by not strictly applying a provision(s) relating to the particular assistance under consideration. Any decision to depart from the framework in this policy document will be made in accordance with the Council's constitutional scheme for decision making.

Private Sector Housing Assistance Policy 171218

8. The Range of Housing Repair Assistance

The budgets for assistance are limited and applications to those meeting the eligibility criteria will be awarded on a first come first served basis. The Council reserves the right to either withdraw or change the level of grant or loan assistance to take into account available funding.

To protect the Council's interest in all housing assistance approved, a repayment condition and associated charge where applicable will be placed on the recipient's property. The repayment terms, type of charge and duration is further explained under each type of assistance. The range of assistance has been grouped under eight headings as follows:

1. Disabled Facilities Grant
2. Discretionary Fast Track Disabled Facilities Grant
3. Discretionary Disabled Adaptations Loan (DDAL)
4. Housing Repair Grant
5. Housing Repair Loan
6. Emergency Home Repair Grant
7. Empty Property Funding
8. Accredited Landlord Assistance
9. Help with Moving Grant

8.1 Disabled Facilities Grant (DFG)

This is a mandatory grant which the Council has a duty to provide under the Housing Grants, Construction and Regeneration Act 1996 as amended. The provisions of this assistance, set out in statute, are summarised below.

Amount Available

- Up to a maximum of £30,000

The grant is subject to a means test which will look at the income, capital and savings of the disabled person and their spouse or partner. The applicant's assessed financial contribution (if any) will be deducted from the approved grant.

Eligible Applicants

To qualify for assistance an applicant should be the:

- property owner or tenant or
- a disabled member of the household who needs the home to be adapted to meet their needs and enable them to continue living there.

Where the application is for a disabled child or young person under the age of 19 there is no financial means test, however the young person aged 16-19 must be in full time education. A landlord may apply on behalf of a disabled tenant.

Eligible Works

The law sets out the purposes for which a grant must be approved and covers works to remove or help overcome any obstacles which prevent the disabled person from moving freely into or around their home, or enjoying the use of the property and the facilities or amenities within it. Eligible works include:

- widening doors and installing ramps, providing or improving access to rooms and facilities; for example, by installing a stair lift or providing a downstairs bathroom,
- improving or providing a heating system suitable to the needs of the disabled person, adapting heating or lighting controls to make them easier to use,
- improving access to and movement around the home, to enable the disabled person to care for another person who lives in the property, such as a spouse, child or other person for whom the disabled person cares and improving access to and from the garden where feasible.
- facilitating the preparation and cooking of food by the disabled person,

Where major work is proposed, the applicant may wish to employ a qualified architect or surveyor to plan and oversee the work. If a grant is approved the cost of their fees can be included in the cost of the works.

Social services will be asked to consider what is necessary and appropriate to meet the disabled person's needs. This will usually take the form of a recommendation from an Occupational Therapist.

The proposed works must be necessary and appropriate to meet the disabled person's needs and be reasonable and practicable depending on the age and condition of the property. The Council needs to be satisfied about each of these matters. A DFG may be refused if the Council believes that the proposed works are not reasonable and practicable. Where the cost of eligible works are more than the grant limit, other assistance may be available to bridge some or all of the gap between what the applicant receives by way of DFG and the full cost of the works.

How to Apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's 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 service direct on telephone 020 8314 7777.

A valid application must be made in all cases before any assistance can be approved. The following information outlines how to apply for each type of housing assistance available.

A valid DFG application will consist of completing and submitting the following documents:

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

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Fees and Charges

Clients have the option of managing the works themselves, employing a qualified architect or agent or choose to use the Housing Assistance Team project management services.

Where the client wishes to have the Housing Assistance Team manage the works on their behalf, an administration fee of 15% of the total scheme costs will be charged up to a maximum of £4250 (inc. VAT) for adaptation works other than lifts and hoists. Where the adaptation consists of lifts or hoists, an administration fee of 10% (plus VAT) of the total scheme costs will be charged.

For applicants who manage the adaptation works themselves, a survey and production of a schedule of works fee of £250 will be charged. In all cases the fee will be deducted from the approved grant.

In cases where a client employs a qualified architect or agent and interim payments inspections are requested and the Council agrees to make interim payments on the grant, the first interim payment inspections will be free of charge and a fee of £150 will be charged for subsequent interim payment inspections. The fee will be paid from the grant in these cases.

Grant Conditions

Once a grant has been approved, the applicant will be expected to pay their contribution to the builder before the grant (together with any Discretionary Disabled Adaptations top up loan) is released.

Eligible works must be completed within 12 months of the approval date.

For approved grants of £5,000 and under there is no grant condition period.

For approved grants over £5,000, there is a 10 year grant condition period attached to the DFG, which is effective from the certified date. The certified date is the date the Council inspects the property and confirms all the specified works are complete. The following conditions also apply throughout the duration of the 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 the Council in that connection.

The grant will only be paid when the Council is satisfied that the work has been completed to its satisfaction and in accordance with the grant approval. The Council may pay the grant in full on completion of works or by instalments as the works progress.

For grants over £5000, the Council will register the approved grant as a local land charge against the adapted property.

Repayment of the Disabled Facilities Grant

Where the owner disposes of the property after any instalment of grant has been paid but before the certified date, the recipient must immediately repay this amount in full to the Council and the grant will be cancelled.

Disabled facilities grants below £5,000 – the applicant does not need to repay the grant.

Disabled facilities grant between £5,000 and £15,000 – the amount the applicant needs to repay is the grant value minus £5,000. For example, if the grant was £8,000, the applicant would need to repay £3,000

Disabled facilities grant between £15,000 and 30,000 – the applicant would repay a maximum of £10,000.

Disabled facilities grants more than £30,000 – the maximum grant the Council can award is £30,000. If eligible works and fees cost more than this amount, the applicant will need to make up the difference or apply for the DFG loan (DDAL) from the Council. For example, if a total of £60,000 is awarded, made up of a £30,000 grant and a DFG top up loan of £30,000, the applicant would need to repay £10,000 of the grant and repay the remaining amount of the loan.

If the property is sold more than 10 years after the Certified Date, the grant would not need to be repaid. If the applicant was awarded the DFG top up loan (DDAL), then the remaining amount would need to be repaid.

These conditions are binding on the recipient and on any other person who is for the time being an owner of the property.

However, exceptions may be made and will depend on the circumstances for the Council to use its 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 it is considered there are extenuating circumstances, for example where it would cause severe hardship, or where the disabled occupant is a tenant or the disabled occupant dies leaving a family member/partner in occupation. The Council may request that applicants provide suitable supporting information to reach a decision.

Where it is determined that an approved grant application was fraudulent, 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.

General conditions relating to grants can be found at appendix 1.

8.2 Discretionary Fast Track Disabled Facilities Grant 2018

This discretionary grant provides applicants with a fast track to getting certain adaptations carried out in their home and is funded from the Better Care Fund for Disabled Facilities Grant.

Eligible work:

A fast track DFG can be considered to:

- replace a defective or obsolete stairlift / hoist which is outside of the 5 year warranty;
- fund the installation of a stairlift / hoist
- assist a hospital discharge in cases where the return from hospital would be delayed due to a lack of suitable aids and adaptations or because the facilities at home are not suitable to meet their needs.

The trigger for this grant will be where a health professional has identified work to assist in their discharge from hospital or where the Occupational Therapist (OT) has recommended a stairlift for the disabled person. Where the OT has recommended additional work such as a ramp, half steps and galvanised rails to the property or a bathroom conversion to a wet room (level access shower room), this work will not be eligible for this grant

- Up to £15,000

Eligible applicants

To obtain assistance, the applicant must be:

- living at the property as their main residence, or
- disabled, or have a member of the family living with them who is disabled.

Where the application is for a disabled child or young person under the age of 19 who is in full time education, the parents will make the application.

An application will require consultation with the Council's Social Services department or hospital, which will usually be a referral from an Occupational Therapist.

No financial means test will be carried out.

How to Apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's 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 service direct on telephone 020 8314 7777.

A valid application must be made in all cases before any assistance can be approved. The following information outlines how to apply for each type of housing assistance available.

A valid Fast Track DFG application will consist of completing and submitting the following documents:

- A prescribed application form;

- An owner-occupation certificate or tenants certificate;
- Proof of ownership from the owner or landlord;
- If the applicant is a tenant, written confirmation from the owner that they agree to the work being carried out;
- Two quotations from legitimate building contractors;
- Details of any professional fees and/or other ancillary charges.

Professional and ancillary fees

~~There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.~~

Fees and charges

Clients have the option of managing the works themselves or choose to use the Housing Assistance Team's project management services.

Where the client wishes to have the Housing Assistance Team manage the works on their behalf, an administration fee of 15% of the total scheme costs will be charged up to a maximum of £4250 (inc VAT) for adaptation works other than lifts and hoists. Where the adaptation consists of a stairlift, an administration fee of 10% (plus VAT) of the total scheme costs will be charged.

~~For applicants who manage the adaptation works themselves, a survey and production of a schedule of works fee of £250 will be charged. In all cases the fee will be deducted from the approved grant.~~

Grant Conditions

Eligible works must be completed within 3 months of the approval date.

For approved grants of £5,000 and under there is no grant condition period.

For approved grants over £5,000, there is a 10 year grant condition period attached to this grant, which is effective from the certified date. The certified date is the date the Council inspects the property and confirms all the specified works are complete. The following conditions also apply throughout the duration of the 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 the Council in that connection.

The grant will only be paid when the Council is satisfied that the work has been completed to its satisfaction and in accordance with the grant approval. The Council may pay the grant in full on completion of works or by instalments as the works progress.

The Council will register the approved grant as a local land charge against the adapted property for grants of more than £5,000.

Repayment of the Fast Track Disabled Facilities Grant

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

There are no grant conditions on the first £5,000 of the grant. The first £10,000 of any grant given (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 recipient and on any other person who is for the time being an owner of the property.

However, exceptions may be made and will depend on the circumstances for the Council to use its 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 it is considered there are extenuating circumstances, for example where it would cause severe hardship, or where the disabled occupant is a tenant or the disabled occupant dies leaving a family member/partner in occupation. The Council may request that applicants provide suitable supporting information to reach a decision.

Where it is determined that an approved grant application was fraudulent, 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.

General conditions relating to grants can be found at appendix 1.

8.3 Discretionary Disabled Adaptations Loan v. 2018

Provides assistance for disabled adaptations which fall outside the mandatory Disabled Facilities Grant (DFG) regime. Mandatory DFGs provide up to £30,000 of grant assistance for adaptations that are necessary, appropriate, reasonable and practical to meet the needs of a disabled person. This can often involve major alterations such as designing and building extensions to provide the most reasonable layout but which often cost more than the statutory grant limit. The loans will be funded by the Better Care Fund for Disabled Facilities Grants and that the funding recycled from these will be ring-fenced for disabled facilities.

In addition, 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 the applicant has access to other finance, the maximum grant limit may prevent the scheme from going ahead.

Amount Available

- Up to £30,000

The amount available is by way of an interest free loan to cover the full cost of eligible work. 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.

Eligible Applicants

To obtain assistance, the applicant must be the freehold or leasehold owner of the property and be:

- over 18 years old and living at the property as their main residence or
- disabled, or have a member of the family living with them who is disabled.

Where the application is for a disabled child or young person under the age of 19 who is in full time education, the parent's income and savings will be assessed.

In relation to cases involving the welfare, needs and employment opportunities of a disabled person, the applicant must also be on low income. A means test will be undertaken to confirm that the applicant is on a low income by assessing their income and savings. Applicants will only be eligible, if their assessed financial contribution is no more than £3,000.

Non Eligible Applicants

- Private tenants and housing association tenants are not eligible for this type of assistance.

Eligible Costs

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
- help provide the assessed contribution in cases of serious hardship where the applicant is unable to fund their contribution or
- help provide satisfactory care arrangements.

In each case, the Council must be satisfied that the work is necessary, appropriate, reasonable and practicable and that this is the most 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. For schemes over the grant limit the property owner will be expected to contribute to the cost.

How to Apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's 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 service direct on telephone 020 8314 7777.

A valid application must be made in all cases before any assistance can be approved. The following information outlines how to apply for each type of housing assistance available.

A valid application will consist of completing and submitting the following documents:

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

No separate application is needed to apply for a top up to a Mandatory Disabled Facilities Grant.

In other cases a valid DFG application will consist of completing and submitting the following documents:

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

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Interest free loan

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

The interest free 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 terms 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 of 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 documents 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 witnesses) 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, the condition will not be enforced whilst the disabled people 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 not recover a sum greater than the value of the property under any circumstances listed above. This avoids the risk of putting applicants in negative equity. This guarantee does not apply to applicants who defaults 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 adequate buildings insurance policy.
- 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

Once a loan has been approved, the applicant will be expected to pay their contribution to the builder before the loan is released.

Eligible works must be completed within 12 months of the approval date.

Loans will be registered as a restriction on the property title at HM Land Registry and as a local land charge. The loan remains on the title until repaid, either by early settlement of the loan or through a relevant disposal or an event of default.

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.

Repayment

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.

8.4 Home Repairs Grant v.2018

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

Background

62% ²of all properties in the borough were built before 1945 and require significant investment to keep them in good repair. In a study ³carried out in 2009, it was estimated that about 33,000 private sector property failed the decent homes standard, of which 9,143 were occupied by vulnerable households.

Amount available

- For eligible works up to a maximum of £5,000

² South East London Strategic Housing Market Assessment 2014

³ Housing stock model update for the SE London Housing Partnership (Building Research Establishment 2009)
Private Sector Housing Assistance Policy 171218

This is subject to a means test which will look at the income and capital of the applicant and their spouse or partner. The applicant's assessed financial contribution (if any) will then be deducted from the approved grant.

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

The applicant's assessed financial contribution (if any), will be deducted from the grant, up to a maximum of £3,000. Where eligible works and/or the applicants assessed contribution are evaluated to be more than £3,000, the applicant will also be assessed for a housing repair loan top up to a maximum of £25,000. More information on the housing repair loan can be found at section 8.5.

Eligible applicants

Applicants must be over 18 years old and live at the property as their main residence and be on a low income. Applicants will be subject to a means test or be in receipt of a passporing benefit. Applicants must also satisfy one of the following criteria:

- be aged 60 years or older;
- be disabled;
- have a member of their household who is 60 years or older, children who are under 16, or someone who is disabled or has a long term serious illness.

Additional eligibility criteria

- must be an owner occupier freeholder or leaseholder or private tenant with a duty to undertake repairs.
- the property must be more than 10 years old.
- applicants must have owned and resided in the property as their main home for 3 years immediately preceding the application.
- applicants must live in the property as their main home at the time of application.

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

Eligible Works

Grant 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 boilers that are over 20 years old and in poor condition;
- Install 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.

Non-eligible works

Assistance is not available in the following circumstances:

- where leaseholder applicants have a duty to contribute to the cost of work under the terms of their lease.
- ongoing regular cleaning, maintenance and redecoration of the property.
- ongoing regular cleaning, maintenance and redecoration of the common parts of the building containing flats,
- repair or replacement of lifts, or any works to the grounds around a building containing flats.
- Where the property of a leaseholder of right-to-buy housing stock is undergoing improvement or are being maintained by the Council.
- Internal or external redecoration and other general maintenance items.

How to apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk , via the Council's website or in writing.

A valid Home Repairs Grant application will consist of completing and submitting the following documents:

- A prescribed application form;
- An owner-occupation certificate or tenants certificate (where tenants have a duty to undertake repairs.
- Proof of ownership from the owner or landlord;
- Proof of prior occupation;
- Proof of earnings or benefits;
- Two quotations from legitimate building contractors;
- 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 responsibilities but the cost can be included within the grant or loan if it is subsequently approved.

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Fees and Charges

Clients have the option of managing the works themselves or choose to use the Housing Assistance Team's project management services.

Where the client wishes to have the Council manage the works on their behalf, a project management fee of 10% of the total scheme costs will be charged to manage the repair works.

For applicants who manage the adaptation works themselves, a survey and production of a schedule of works fee of £250 will be charged. In all cases the fee will be deducted from the approved grant.

Grant conditions

Once a grant has been approved, the grant recipient must carry out all the identified eligible work to ensure the property is free from serious repair hazards on completion of the work.

The recipient will be expected to pay their contribution (where applicable) to the builder or agent before any grant monies are released.

Eligible works must be completed within 12 months of the approval date.

A 5 year grant condition period applies to this grant. Throughout the 5 year grant condition period the following conditions apply:

- 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 us in that connection.

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

Repayment of Grant

The grant must be repaid in full where a relevant disposal takes place, 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.

However, exceptions may be made and will depend on the circumstances, for the Council to use its 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 it is considered there are extenuating circumstances, for example where it would cause severe hardship. The Council may request that applicants provide suitable supporting information to reach a decision.

Where it is determined that an approved grant application was fraudulent, 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.

Full details of the definitions of relevant and exempt disposals can be found in appendix 1 of this policy or from Private Sector Housing Team.

8.5 Home Repairs Loan v. 2018

This loan product has been designed by the Council and intended to be a simple mechanism to help older and vulnerable home owner's secure additional finance to undertake repairs to remove identified hazards 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.

Amount available

- For eligible works up to a maximum of £25,000 (in combination with the grant up to a maximum of £30,000)

This assistance is provided by means of an interest free loan. The loan is used as a top up to the housing repair grant. The loan and grant will cover the full cost of eligible work up to a maximum of £30,000. This is the maximum level of grant and loan assistance that can be awarded in any 5 year period.

In calculating this amount, any repairs grants or loans awarded under this or previous policies will be included. The applicant's assessed financial contribution (if any), will be deducted from the grant or loan, up to a maximum of £3,000. Where eligible works and or the applicants assessed contribution are evaluated to be more than £3,000, the applicant will be assessed for a housing repair loan only, up to a maximum of £25,000.

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. The applicant can either withdraw their loan application 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.

However, exceptions may be made on a case by case basis and will depend on the circumstances, for the Council to use its discretion to approve assistance above the maximum levels of grant and loan of £30,000.

Where the costs to remedy the hazards found in a property, far exceed £30,000, and other finance is not available, it is expected that the owner should consider selling the property and purchasing a smaller property. In these instances the council may give advice and or signpost the applicant to other agencies who may be able to help.

Eligible Applicants

Applicants must be over 18 years old and live at the property as their main residence and be on a low income. Applicants will be subject to a means test or be in receipt of a qualifying benefit. Applicants must also satisfy one of the following criteria:

- be aged 60 years or over;
- be disabled;
- have a member of their household who is 60 years or older, children who are under 16, or someone who is disabled or has a long term serious illness.

Qualifying Benefits

- Income Support
- Income-based Employment and Support Allowance (**not** contribution-based ESA)
- Income-based Jobseeker's Allowance (**not** contribution-based JSA)
- Guarantee Pension Credit (**not** Savings Pension Credit alone)
- Housing Benefit
- Working Tax Credit and/or Child Tax Credit **provided that** the annual income for the purposes of assessing entitlement to the tax credit is **less than** £15,050
- Universal Credit (this includes **any** amount of Universal Credit - which is being progressively introduced from 2013 onwards as a replacement for working age benefits and tax credits).

The qualifying benefits listed above are those which the Council takes in to account as part of its standard means test calculation. Should there be a change to these benefits, the Council will advise the applicant.

Additional eligibility criteria

- Must be an owner occupier freeholder or leaseholder of a property that is more than 10 years old.
- Applicants must have owned and resided in the property as their main home for 3 years immediately preceding the application.
- Applicants must live in the property as their main home at the time of application.

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, an independent formal valuation may be required to confirm the property's current market value.

Eligible Works

Grant 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 boilers that are over 20 years old and in poor condition;
- Install 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.

Non eligible works

Assistance is not available in the following circumstances:

- where leaseholder applicants have a duty to contribute to the cost of work under the terms of their lease.
- ongoing regular cleaning, maintenance and redecoration of the property.
- ongoing regular cleaning, maintenance and redecoration of the common parts of the building containing flats,
- repair or replacement of lifts, or any works to the grounds around a building containing flats.
- where the property of a leaseholder of right-to-buy housing stock is undergoing improvement or are being maintained by the Council.
- internal or external redecoration and other general maintenance items.

How to apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's website or in writing.

To obtain a loan, the applicant must carry out all the identified eligible work to ensure the property meets the decent homes standard.

A formal application is made by completing and submitting an application form pack and providing supporting documentation which includes, confirming proof of ownership, benefits or other income. A loan offer is then made to the applicant via a legal charge and loan agreement offer document.

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.

A valid Home Repair Loan application will consist of completing and submitting the following documents:

- A prescribed application form;
- An owner-occupation certificate
- Proof of ownership from the owner;
- Proof of earnings or benefits;
- Two quotations from legitimate building contractors;
- 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 responsibilities but the cost can be included within the grant or loan if it is subsequently approved.

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Fees and Charges

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.

Clients have the option of managing the works themselves or choose to use the Housing Assistance team's project management services.

Where the client wishes to have the Council manage the works on their behalf, a project management fee of 10% (plus VAT) of the total scheme costs will be charged to manage the repair works.

For applicants who manage the adaptation works themselves, a survey and production of a schedule of works fee of £250 will be charged. In all cases the fee will be deducted from the approved loan.

Loan conditions

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

Once a loan has been approved, the recipient will be expected to pay their contribution where applicable to the builder or agent before any loan funding is released.

Eligible works must be completed within 12 months of the approval date.

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.

Loans will be registered at the Local Land Charges Section as a local land charge and at HM Land Registry. The loan remains on the title until repaid, either by early settlement of the loan, through a relevant disposal or an event of default.

Repayment of the loan

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

Events of loan agreement default

Where applicants 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. Events of default on the loan are applicable 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.

8.6 Emergency Home Repair Grant v.2018

A quick and simple solution to remove or remedy hazards within the homes of vulnerable and low income homeowners who are at imminent risk of harm due to the condition of their property.

Background

The home repairs grant and loan is the main route by which disrepair and poor housing conditions will normally be addressed. However, there will be circumstances where the 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.

Amount Available

- The grant will cover the full cost of eligible work up to a maximum £3,000
- For home security works only, the maximum amount of grant available 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 awarded under this or previous policies will be disregarded.

Eligible Applicants

Applicants must be over 18 years old and living at the property as their main residence and be in receipt of a qualifying benefit.

Applicants must also satisfy one of the following criteria:

- be aged 60 years or older
- be disabled
- have a member of their household who is 60 years or older, children who are under 16, or someone who is disabled or has a long term serious illness and
- have owned and occupied the property for at least three years immediately preceding the date of application.

Qualifying Benefits

- Income Support
- Income-based Employment and Support Allowance (**not** contribution-based ESA)
- Income-based Jobseeker's Allowance (**not** contribution-based JSA)
- Guarantee Pension Credit (**not** Savings Pension Credit alone)
- Housing Benefit
- Working Tax Credit and/or Child Tax Credit **provided that** the annual income for the purposes of assessing entitlement to the tax credit is **less than** £15,050
- Universal Credit (this includes **any** amount of Universal Credit - which is being progressively introduced from 2013 onwards as a replacement for working age benefits and tax credits).

The qualifying benefits listed above are those which the Council takes in to account as part of its standard means test calculation. Should there be a change to these benefits, the Council will advise the applicant.

Eligible Works

This grant assistance is available to deal with situations that place the applicant at serious or imminent risk of harm. In addressing the problem, the hazard causing the risk will be repaired or removed, whichever is the more appropriate. 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.

Special arrangements for defective stair lifts 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 and managed by the Council's Housing assistance team, 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 safer homes grant. In all other cases the work must not be carried out until the grant has been approved in writing.

Works to improve security to windows and doors

Where the imminent risk of harm works stem from the windows and doors of the property only, a smaller amount of assistance is available to address the hazards. Applicants must be:

- 60 years or older and
- be living at the property as their main residence and
- be in receipt of a qualifying benefit.

Help is also available to eligible applicants aged under 60 if:

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

How to apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's website or in writing.

A valid application is made by completing and submitting:

- A prescribed application form
- Proof of benefit entitlement; and
- One competitive quote for the work from a legitimate building contractor.

Older, disabled or vulnerable residents may wish to use the Housing Assistance Team's service to help organise the work. Please see the Fees and Charge section.

To obtain a grant, the applicant must carry out all eligible work to ensure the property safe from the hazard causing imminent risk of harm.

Fees and Charges

The Council will make a charge of £50 to organise a quote from a contractor and supervise the works to completion. This fee will be deducted from the approved grant.

Conditions

No conditions are attached to this grant.

Eligible works must be completed within 3 months of the approval date.

Where it found that the applicant made a fraudulent application, 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 completion Date.

8.7 Accredited Landlord Assistance

The grant is offered as an incentive to accredited landlords to help ensure supply of good quality private rented accommodation that are free of hazards. It is not expected to cover the total cost of eligible works and the landlord will be expected to fund the majority of the cost of eligible works.

Amount Available

- Up to 50% of the eligible cost of the work up to a maximum of £3,000 for self-contained properties or
- Up to 50% of the eligible cost of work up to a maximum of £6,000 for licensed Houses in Multiple Occupation (HMOs)

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.

Eligible work

Grant assistance is available to:

- Resolve any Category 1 or 2 hazards that the Council have brought to the attention of the property owner
- Provide adequate kitchen, bathroom and/or amenities as required within a licensable HMO
- Provide 270mm loft insulation and cavity wall insulation (where appropriate)
- Works to improve energy efficiency at the property to bring it up to a minimum EPC rating of E

Eligible Applicants

Applicants must be the owner of the property; and

- 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.

Supplementary Grant Criteria

- The privately rented property must be older than 10 years old.
- Landlords who are leaseholders must have at least 7 years left to run on their lease
- Landlords with licensable properties who are without a licence, must also apply for a licence within 3 months of making a grant application.

Non eligible applicants

- Landlords that have been prosecuted by the Council for housing related offences will not be eligible to apply for grant assistance.

- Where a prosecution is pending the application will be deferred until the outcome of the case is known.

How to apply

To obtain a grant, the applicant must carry out all the identified eligible work to ensure the property is free from serious repair hazards.

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's website or in writing.

A valid accredited landlord grant application will consist of completing and submitting the following documents:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;
- LLAS Accreditation membership or proof of membership of another recognised landlord association (Accredited landlord grant only)
- Proof of recourse to public funds
- Proof of contribution;
- Two quotations from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Fees and Charges

A survey and production of a schedule of works fee of £250 will be charged, which will be deducted from the approved grant.

Conditions

Eligible works must be completed within 12 months of the approval date.

There is a five year grant condition period attached to this grant. Throughout the five year grant condition period the following conditions are applicable:

- For self-contained privately rented property - 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 at the Local Land Charges Section as a local land charge. The grant must be repaid in full where a relevant disposal takes place, 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 recipient and on any other person who is for the time being an owner.

However, exceptions may be made and will depend on the circumstances, for the Council to use its 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 it is considered there are extenuating circumstances. The Council may request that recipients provide suitable supporting information to reach a decision.

Where it is determined that an approved grant application was fraudulent, 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.

Repayments

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 withheld.

8.8 Empty Property Assistance

8.8a) Empty Property Grant

Amount available

- Grant will cover 50% of the eligible works up to a maximum of £15,000 per unit and up to a maximum £50,000 per scheme.
- For studio flats the grant will be capped at £7,000 per unit.
- Large scheme applications above the maximum level of assistance will be considered on a case by case basis, at the discretion of the Private Sector Housing Agency Manager
- Subject to funding availability and where appropriate, both an empty property grant and a top up empty property loan maybe available to enable a projects viability that might not otherwise go forward.

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 needs, how it links to other regeneration objectives.

Eligible applicants

Applicants must satisfy the following criteria:

- Be owners of empty property that has been continuously empty for a minimum of 6 months
- Empty property owners who are leaseholders must have a minimum of 7 years left to run on their lease.
- Offer nomination rights to the Council on completion of works for the duration of the 5 year grant condition period.

Non eligible applicants

- Empty property owners convicted by the Council for housing related offences are not eligible for grant or loan assistance.
- Where a prosecution is pending the application will be deferred until the outcome of the case is known.

Eligible grant works

- Repair and improvement works to bring an empty property back into residential use ready for reoccupation.
- Works to improve energy efficiency at the property to bring it up to a minimum EPC rating of E
- Works to convert empty commercial or other premises to residential use and ready for reoccupation.

How to apply

Enquiries can be made by telephone (020 8314 6622), email housingassistance@lewisham.gov.uk, via the Council's website or in writing.

A valid application is made by completing and submitting:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;
- Documented evidence of LLAS membership or membership of another recognised landlord association or evidence of letting properties through the Council's Private Sector Leased Scheme
- Two competitive quotes from legitimate building contractors;
- Details of any professional fees and/or other ancillary charges;
- Details of the management arrangements for the property.

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

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Fees and Charges

A survey and production of a schedule of works fee of £250 will be charged, which will be deducted from the approved grant.

Conditions

Eligible works must be completed within 12 months of the approval date.

For approved grants, a grant condition period of 5 years is attached to this assistance and is effective from the date the Council inspects the property and confirms all the specified works are complete and the property is ready for reoccupation.

Throughout the five year grant condition period, the following conditions are also applicable:

- grant recipients must continue to offer nomination rights to their property to the Council from the initial let and each successive let.
- 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;

Grant approved will be registered as a local land charge against the property for the duration of the grant condition period.

Applications for successive grants from the same recipient for the same property will not generally be approved, within 5 years of a previously approved application. However, the Council will use its discretion to consider re-applicants.

Repayment

The grant must be repaid in full where a relevant disposal takes place, 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 recipient and on any other person who is for the time being an owner.

Full details of the definitions of relevant and exempt disposals can be found in the summary of grant conditions from the Private Sector Housing Team.

8.8b) Empty Property Loan

This incentive loan product has been designed by the Council and intended to be a simple mechanism to help eligible empty property owners undertake repairs, improvements or conversion works to bring long term empty property back into residential use.

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

Amount Available

- For eligible works up to £10,000 per unit and a maximum of £50,000 per scheme.
- Where the property is a studio flat the loan is capped at £5,000 per unit.
- Large scheme applications above the maximum level of assistance will be considered on a case by case basis by the Private Sector Housing Agency Manager or a more senior Manager.

Eligible applicants

Applicants must satisfy the following criteria:

- Be freeholders or leaseholders of empty property that has been empty for a minimum of 6 months.

Supplementary loan eligibility criteria

- Empty property owners convicted by the Council for housing related offences are not eligible for loan assistance.
- Where a prosecution is pending the application will be deferred until the outcome of the case is known.

Eligible loan works

- Repair and improvement works to bring an empty property back into residential use.
- Works to improve energy efficiency at the property to bring it up to a minimum EPC rating of E
- Works to convert empty commercial or other premises to residential use.

How to apply

A formal application is made by completing and submitting an application form pack and providing supporting documentation which includes, confirming proof of ownership, proof of recourse to public funds and contribution income. For more details on how to apply for empty property funding please see appendix 1.

A valid empty homes funding application will consist of completing and submitting the following documents:

- A prescribed application form;
- A certificate of intended letting;
- Proof of ownership;

- LLAS Accreditation membership or proof of membership of another recognised landlord association or evidence of letting properties through the Council's Private Sector Leased Scheme;
- Proof of recourse to public funds
- Proof of contribution;
- Two quotations from legitimate building contractors; and
- Details of any professional fees and/or other ancillary charges.

Professional and ancillary fees

There are various professional and ancillary fees which may be incurred by the applicant during the grant and/or loan application process, which are taken into consideration when processing an application for assistance. For example, professional agents fees such as an architect or building surveyor, planning and application fees, building control fees, or a report from a structural engineer. Details of these and the costs should be included in the completed assistance application pack for submission.

Fees and Charges

There are some fees and other ancillary charges associated with taking out a loan. These could include: Land Registry fees, legal fees, and valuations. Any such costs will be clearly documented in the loan agreement.

A survey and production of a schedule of works fee of £250 will be charged, which will be deducted from the approved grant.

Loan conditions

Eligible works must be completed within 12 months of the approval date.

A loan condition period of 5 years is attached to this assistance. Loan recipients must:

- reoccupy the property as their main residential home or
- offer nomination rights on the first and successive lets to the Council for 5 years during the condition period or
- privately rent the property on completion of works.

The loan approved is registered with the Land Registry as a restriction on the property title, and remains there until repaid, either by early settlement of the loan or through a relevant disposal or an event of default. 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.

Repayment of the loan

The loan recipient retains the right to pay off the loan at any time, without any interest payments being incurred. 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 not recover a sum greater than the value of the property under the circumstances listed above. This avoids the risk of putting recipients in negative equity.

Events of loan agreement default

Where recipients 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. Events of default on the loan are applicable in any of the following circumstances:

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

Other Empty property services

Empty properties that have been empty for more than 2 years and are about to be renovated or converted for residential purposes, may be able to claim a reduced rate of VAT at 5%. In order to prove that the property has been empty for the qualifying time HM Revenue and Customs will accept supporting evidence from the local authority empty property officer. Lewisham Council will carry out an inspection and provide a confirmation letter of how long the property has been suspected of being empty. A VAT inspection provided by Lewisham costs £150. More information can be found at:

<https://www.gov.uk/government/publications/vat-notice-708-buildings-and-construction/vat-notice-708-buildings-and-construction>

8.9 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.

Amount available

For the costs of moving up to a maximum of £6,000

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 £6,000.

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.

10. Other chargeable housing services

Private Sector Housing Agency Project Management Service

9.1 Client self-funded disabled adaptations

The Housing assistance team offer project management services to residents who self-fund disabled adaptations within their homes and where they do not wish to undertake the management of the building process themselves.

Eligibility

Service users must be resident in Lewisham or own a property within the borough with a disabled occupant in residence who needs the adaptation.

9.2 Service Fee Costs

A project management fee of 15% of the total scheme costs up to £60,000 will be charged for adaptation works, other than lifts and hoists, capped to a maximum of £4,250 for any one scheme. For adaptation works over £61,000 a project management fee of 15% of the total scheme cost will be charged. Where the adaptation consists of lifts or hoists, an administration fee of 10% of the total scheme costs will be charged.

Grants Surveyors from the team with specialist adaptations experience, will act as an agent on behalf of the resident, organising contractors and supervising all the necessary works, to complete the adaptation.

9.3 Home maintenance advice service

This is a borough wide service providing advice to private sector home owners and private tenants with repairing responsibilities wishing to maintain or improve their homes.

Eligibility

Service users must be resident in Lewisham or own private sector rented property within the borough and be one of the following:

- an owner-occupier i.e. a freeholder or leaseholder,
- private tenant with repairing responsibilities
- a private rented sector landlord.

Service fee costs

Users of the service will be charged a flat rate fee of £150.

Service users will receive advice, a home inspection survey and written inspection report on current and future home maintenance and energy efficiency as well as advice on locating suitable builders to undertake any works.

No housing assistance is available for this service. However, where serious hazards are identified and the resident meets the eligibility criteria, advice will be given on how to apply for suitable housing assistance.

10 General conditions of assistance

10.1 Making an application for assistance

In all cases (except for Landlord and empty homes assistance), an initial assessment will be carried out to provide an indication of the financial assistance to be offered, before the case proceeds and a final financial assessment is made. Applications for assistance can only be accepted from an applicant who has recourse to public funds and is not a 'person from abroad' within the meaning of the Housing Benefit (General) Regulations.

Following a financial assessment applicants will be advised, based on the information they have provided whether they will need to make a financial contribution towards the cost of the work.

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

The housing assistance 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, and explain the reasons why and give a clear indication how much extra time they require. The Council may use its discretion to extend the time period.

The Council's building surveyor will normally survey the applicants property and provide a schedule of eligible repair, or adaptation works for grant and/loan assistance. Applicants must use this schedule of works to obtain itemised quotations from at least two contractors. The costs will be assessed from the quotations and used as the basis to calculate the approval of assistance.

Applicants should not enter into any agreement with a contractor, nor start the repair, improvements or adaptations work before the Council has approved a grant or loan application in writing and they are certain they can meet the cost of the work. If works have started or have been completed, the Council will be unable to approve any financial assistance.

Where applicants use the project management services of the Housing assistance team, the eligible works cost will be obtained through a competitive tendering process from Council approved contractors invited to tender.

Applications for assistance must be made on the forms provided by the Private Sector Housing Agency based at 3rd Floor, Laurence House, 1 Catford Road London, SE6 1RU, telephone number 020 8314 6622.

10.2 Starting work before assistance is approved

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 “Safer Home Grant” 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 Assistance team for further advice. However, no help will be given for work that is carried out before the Council 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.

10.3 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 agent can usually be included within the assistance. 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.

No agency fee will be paid to members of the applicant's family or building contractors who provide the applicant with a project management service. Where agents offer a full management service, applicants can claim an agency fee of up to 15% of the net cost of the building work. Agents offering only a partial service will be eligible for a lesser amount, at the discretion of the Council. No additional amount will be paid for expenses or other disbursements. If an application does not go ahead the Council will not pay for any agent fees incurred.

The Council can provide a project management service to older, vulnerable or disabled residents, more details of which are provided at appendix 2. Applicants that do not fall into these groups would need to find their own agent or manage the works themselves.

10.4 Planning Permission and Building Control Approval

Some works may require planning permission and or building control in order for the works to go ahead. In planning terms, especially where the building is listed or lies within a conservation area, or involves a change of use, restrictions may be placed on the conversion type, extent of works and the type of materials that can be used to effect the repair. The costs of employing an agent see (section 11.3 using an agent) can normally be included within the cost of any grant or loan that is subsequently approved.

Some works will also need to have building regulations approval especially where they involve major works, for example, extensions, conversions or structural works. For disabled facilities grants and empty homes assistance that involve these types of works and others, full building regulations approval must be obtained before any assistance can be approved.

In both instances, it is the applicant's responsibility to ensure their proposals meet the requirements and have the necessary approvals. These checks should be undertaken as early as possible and not delayed until an approval of assistance is made.

10.5 Party Wall matters

Applicants are responsible for ensuring that all required consents are in place where eligible repairs involve building work near to, or on a shared property boundary. Applicants may therefore need to obtain party wall consent from neighbours and should seek the advice of party wall surveyor.

10.6 Approval of Assistance

Before the Council can decide whether to approve or refuse a housing assistance application, 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 'How to Apply' in each section
- 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 assistance 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 may decide to recalculate the amount of assistance offered, or the client contribution required, or where the information provided, is not complete or inaccurate.

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 the costs 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.

The Council has a statutory duty to provide a decision within six months of receiving a valid application for a mandatory Disabled Facilities Grant (DFG). However, in order to provide a good service to our clients we will aim to provide a decision within three months 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 of 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 the eligible works identified by the council. Depending on the type of housing assistance approved, the property will be required to

- be free of identified hazards and/or
- adapted to suit the needs of the disabled occupant or
- be ready for reoccupation on completion of the work.

10.7 Supervision of Work

Unless the applicant has instructed the Council to provide project management services, the applicant retains full responsibility for supervising the contractor, dealing with any disputes

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and ensuring the work is properly completed. Any visits by Council officers or any of its agents are only for the purpose of administering the housing assistance under this policy and deciding that a payment can be made. The Council will not act as a project manager overseeing the works and are not responsible for identifying or remedying any poor or defective workmanship carried out by contractors.

10.8 Payments of approved assistance

Once a loan has been approved, the applicant will be expected to pay their contribution where applicable to the builder or agent before any grant or loan funding is released.

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.

No payments can be made until after the assistance has been approved in writing by the Council. Unless otherwise stated in this policy, payments will normally be paid direct to the recipient by bank transfer into a suitable bank account. The applicant may choose to have the assistance paid directly to the contractor. 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 recipient 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. Recipients should check that all works have been completed to their satisfaction before requesting a payment. Where appropriate, the Council can make interim payments for completed items of work. Prior to final payment, interim payments cannot exceed of the total grant and/or loan approved.

Following receipt of a request for payment, the Council will visit and inspect 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.

Where the Council project manages the works on behalf of the client, inspection visits will be arranged to certify the work as complete and will agree to the release of a payment.

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

10.9 Agents Fees

Agent's fees will normally be paid in full on completion of all eligible works. However, the Council have the discretion to pay up to 50% of the agent's fee once the assistance 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.

10.10 Variations to approved assistance

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

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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 recipient's control, there are unforeseen works that cannot be completed within the approved time limit, or 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.

10.11 Time Limits

Once an application has been approved, it is a condition of housing assistance that all eligible work must be completed to the satisfaction of the Council within 12 months from date of approval. The exception to these are the Emergency Home Repairs Grant which has a 3 months' time limit and the Discretionary Fast Track Disabled Facilities Grant which has a 6 months' time limited for completion of works.

10.12 Extensions of time

Recipients must notify the Council in writing if they cannot complete the work within the time limit mentioned above. Applicants must explain the reasons why and give a clear indication of how much extra time they require. The Council may use its discretion to extend the time period.

Failure to complete the work within the specified time period will normally result in the approved assistance being withheld and the recipient 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 recipient's delay in carrying out the work.

10.13 Certification documentation

The recipient must submit the required certification documentation relating to the nature of the repairs improvements or adaptations (depending on the type of work that has been carried out) such as the following:

- guarantees for wood rot, woodworm treatment and damp proofing works
- Gas Safe register certificates
- Electrical certificate from registered competent person scheme

Once all work has been completed to the Council's satisfaction, the balance of the grant will be paid.

The Council retains complete discretion to overrule the wishes of the recipient and make grant payments direct to the contractor who carried out the work, particularly where there is reason to believe that the contractor would not otherwise be paid. Where this discretion is used and payment is made direct to the contractor, the recipient will be advised of the decision in writing.

10.14 Prevention and Detection of Fraud

The Council is committed to tackling dishonest and fraudulent activity associated with applications made under the housing assistance policy. All teams within the Private Sector

Housing team work 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 fraud 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.

There are several other general conditions relating to housing assistance and these are set out in Appendix 1.

11. Appeals, Complaints and Feedback

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 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 Private Sector Housing Agency Manager 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 make an appeal, the appellant should send their written grounds of appeal to the:

Private Sector Housing Agency Manager
London Borough of Lewisham
3rd 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 Strategic 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:

The Local Government Ombudsman

<http://www.lgo.org.uk/>

Tel: 0300 061 0614 for help making a complaint

All appeals on the grounds of exceptional circumstances will be considered by the Private Sector Housing Manager 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 policy and whether it would be fair and appropriate to allow the appeal.

12 Applying for Housing assistance

Contact Details

Housing Assistance Enquiries

Enquiries regarding all forms of assistance can be made by telephoning the Private Sector Housing Agency on 020 8314 6622 or by

Email: housingassistance@lewisham.gov.uk,

or in person at Reception at Laurence House 1 Catford Road SE6 1RU.

Empty Homes Team

Help for private sector empty homes owners to bring their properties back into residential use:
By telephone 0208 314 8381 or

<http://www.lewisham.gov.uk/myservices/planning/landandpremises/Pages/empty-properties.aspx>

or in person at Reception at Laurence House 1 Catford Road SE6 1RU.

Housing Licensing and Enforcement Teams

Enquiries regarding mandatory and additional HMO licensing, help with disrepair within private rented properties and advice and support to landlords.

By telephone 0208 314 6420 or

Email: pshe@lewisham.gov.uk

<http://www.lewisham.gov.uk/myservices/housing/landlords/hmo/Pages/default.aspx>

or in person at Reception at Laurence House 1 Catford Road SE6 1RU

Appendix 1 General conditions

1. General assistance conditions

- 1.1 The repair and maintenance of the property remain the responsibility of the owner of the property.
- 1.2 Repairs that are covered by a property building insurance will not be covered by a grant or loan awarded by the Council and the property owner will be expected to make a claim through their insurance company.
- 1.3 The budgets for assistance are limited and applications will be awarded on a first come first served basis, to those meeting the eligibility criteria. The Council reserves the right to either withdraw or change the level of grant or loan assistance to take into account available funding.
- 1.4 An application for assistance cannot be approved where the eligible work has already started, or has completed before the application is approved. However, the Council may decide to approve an application if satisfied that there were good reasons for beginning the works before the application was approved.
- 1.5 Eligible works are to be carried out within twelve months from the date of the approval of application for all types of assistance. This period may be extended by the Council where satisfied that the eligible works cannot be carried out within the 12 months. Requests for additional time must be made in writing before the end of the 12 months, otherwise the right to assistance cannot be guaranteed.
- 1.6 The property must be adequately insured, and maintained throughout the condition period or until the loan has been repaid to the Council.
- 1.7 The payment of assistance, or part of the assistance is conditional on the eligible works being carried out to the satisfaction of the Council and the Council's being provided with an acceptable invoice for the works, and preliminary charges such as professional fees.
- 1.8 Assistance can only be paid on provision of an acceptable invoice. An invoice is not acceptable if it is for work or services provided by the applicant or a member of his or her family. Where works are carried out by the applicant or a relative, only invoices for materials or services that are bought in will be acceptable.
- 1.9 It is also a condition of the assistance that, where an owner makes a relevant disposal of the property, other than an exempt disposal and (in the case of grant assistance within the grant condition period), they will be required to repay the grant to the Council on demand. This condition remains in force for the whole of the grant condition period and is binding not only on the person who gives the certificate at the time of application, but also on any subsequent owner, except where an exempt disposal is made where repayment and the conditions cease to have effect.
- 1.10 An owner is required to notify the Council as soon as possible in writing where it is their intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.
- 1.11 The Council may decide not to make any demand for repayment in a case where they are satisfied that the:

- owner is elderly or infirm and is disposing of the property with the intention of going to live in a hospital, hospice, sheltered housing, a residential care home or similar accommodation, or a place where care will be provided; or
- the owner is making the disposal with the intention of going to live with and care for an elderly or infirm member of their family or their partner's family.

If the applicant dies leaving children, whether minor or adult, in occupation of the property, the council may exercise discretion by not seeking repayment in cases where repayment would cause severe hardship.

1.11 The Council will inform an applicant in writing of any additional conditions they are imposing.

2. Relevant and Exempt disposals

A "relevant disposal" means the sale of the freehold or an assignment of the lease, or the grant of a long lease (**one of over 21 years, otherwise than at a rack rent**). Where this occurs the recipient must make a repayment of the approved grant or loan.

An "exempt disposal" means a disposal of the whole or any part of the premises:

- to the owner or one of the joint owners of the dwelling or to a wife or husband or former wife or husband of one of the joint owners, or a member of that person's family, or, in the case of a company, to an associated company;
- under a will or inheritance on a death;
- by Court order in the course of a domestic breakdown;
- compulsorily, or by agreement, to a public body with compulsory purchase powers;
- of land which is "included land" under section 184 of the Housing Act 1985;
- of a defective house under part XVI of the Housing Act 1985 and the owner is exercising their entitlement to assistance by way of repurchase;
- by way of enfranchisement or lease extension under Part I of the Leasehold Reform Act 1967;
- in pursuance of an obligation arising under Chapter I or II of Part I of the Leasehold Reform, Housing and Urban Development Act 1993;
- on the exercise of a right of first refusal under Part I of the Landlord and Tenant Act 1987 or in accordance with an acquisition order under Part III of that Act;
- where the person making the disposal is aged at least 70, the disposal is to provide annuity income and the person concerned is entitled to continue to occupy the premises as his or her only or main residence;
- where the disposal is of any other description specified by order of the Secretary of State.

Where an exempt disposal occurs, the Council may use its discretion to choose not to require a recipient from making a repayment of the approved grant or loan.

3. Passporting Benefits

For some forms of housing assistance requiring the applicant to be in receipt of a passporting benefit, the following welfare benefits apply:

- Income Support
- Income-based Employment and Support Allowance (**not** contribution-based ESA)
- Income-based Jobseeker's Allowance (**not** contribution-based JSA)
- Guarantee Pension Credit (**not** Savings Pension Credit alone)
- Housing Benefit
- Working Tax Credit and/or Child Tax Credit **provided that** the annual income for the purposes of assessing entitlement to the tax credit is **less than** £15,050
- Universal Credit (this includes **any** amount of Universal Credit - which is being progressively introduced from 2013 onwards as a replacement for working age benefits and tax credits).

The qualifying benefits listed above are those which the Council takes in to account as part of its standard means test calculation. Should there be a change to these benefits, the Council will advise the applicant.

More information on general assistance conditions can be obtained from the Private Sector Housing Agency.

Appendix 2 - Private Sector Housing Fees and Charges

The Council charges for some of its private sector housing services which are laid out in the table below and effective from 1 April 2017.

Name of service or funding	Fee charges
Housing assistance Project Management Service Fee charges for applicants needing support to undertake repairs and or adaptations. Building Surveyors from the team with specialist adaptations and repairs experience, will act as an agent on behalf of the client, organising contractors and supervising all the necessary works, to complete the adaptation or hazard repair.	
Adaptations and or repairs for owner occupiers and tenants with repairing obligations	15% of the total scheme costs Capped at £4250
Housing Association occupants (adaptations only)	15% of the total scheme costs Capped at £4250
Lifts and hoists and other prescribed equipment	10% of the total scheme costs
Emergency Home Repairs Grant (EHRG)	£50 plus VAT
Privately funded adaptations Project management services for adaptations which are wholly funded by the client.	15% of the total scheme costs up to £60,000 and capped at £4250 or 15% of total scheme costs over £60,000
Self-managing housing assistance applications Fee charges for applicants who want to manage repairs and/or adaptations themselves.	

Survey preparation fee for disabled facilities grant and discretionary grant and loan applicants (owner occupiers and tenants with repairing obligations)	£250 plus VAT
Survey preparation fee for Accredited Landlord assistance applicants	£250 plus VAT
Where more than one interim payment inspection will be requested, these will be agreed with the Private Sector Housing Agency before the grant is approved. The first one will be free of charge. A fee will be charged for subsequent interim inspections and will be paid from the grant.	£150 plus VAT
The Empty Property Team Helping bring private sector empty property back into residential use	
Survey preparation fee for empty property funding applicants (freeholders and leaseholders)	£250 plus VAT
Property inspection and production of a VAT exemption letter	£150
Home Maintenance and advice service	
Property survey and production of home maintenance advice report	£150

Appendix 3 - More information

Disabled Adaptations

Occupational therapy for physically disabled people. Dealing with independence, therapy and rehabilitation. Contact the Community Occupational Therapy team. For help and information please call

Tel: 020 8314 7777

Email: info.OTS@lewisham.gov.uk or SCAIT@lewisham.gov.uk

In person: Reception at Laurence House, 1 Catford Road SE6 4RU

Help with appointing contractors

For guidance on appointing building contractors contact TrustMark. TrustMark is the only Government endorsed scheme for trades in and around the home.

Tel for general enquiries: 0333 555 1234

Website: <https://www.trustmark.org.uk> or <https://www.trustmark.org.uk/find-a-tradesman>

London Landlord Accreditation Scheme (LLAS)

The London Landlord Accreditation Scheme (LLAS) is a partnership of London boroughs, landlord organisations and educational organisations set up to recognise good practice and improve conditions in the private rented sector.

UK Landlord Accreditation Partnership (UKLAP)

An umbrella organisation, UKLAP exists to promote the LLAS model outside of London. Regions across the UK are now affiliated with LLAS. You do not need to own and rent a property in London to become accredited by LLAS.

LLAS or UKLAP can be contacted on

Tel: 0207 974 2834

E-mail llas@camden.gov.uk

Website: <http://www.londonlandlords.org.uk/>

Age UK

Age UK Lewisham & Southwark:

Age UK Lewisham and Southwark, Stones End Centre, 11 Scovell Road London SE1 1QQ

Tel: 020 7701 9700

Citizens Advice – Lewisham

Leemore Community Hub, Bonfield Road, Lewisham SE13 5EU

Tel: Freephone 0800 231 54 53.

<https://www.citizensadvice.org.uk/>