

## **Sandwell Metropolitan Borough Council**

### **Private Sector Housing Assistance Policy 2022**

### **The Regulatory Reform Order (Housing Assistance) (England and Wales) Order 2002**

**Draft – March 2023**

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## **Introduction and Vision**

### **1. Introduction**

This policy sets out how Sandwell Metropolitan Borough Council (SMBC) will offer financial help for improving and adapting homes in the Borough, together with the conditions and eligibility criteria associated with each type of assistance. The aim of the policy is to support residents to improve their health and wellbeing by addressing problems with unsuitable homes that do not meet their needs.

It aims to ensure that SMBC continues to provide housing support services to its most vulnerable residents. In a period of increasing pressures on resources it will offer the most cost effective and best value solutions, targeted at those with the greatest need and who meet the eligibility criteria defined by this policy.

The policy sets out how SMBC intends to use its powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) to improve the quality of housing occupied by those most in need. The RRO gives SMBC the power to adopt a Housing Assistance Policy to improve living conditions in Sandwell and to provide financial and other assistance in a way that best suits local circumstances and within the financial resources available. This activity is integral to supporting and maintaining sustainable and healthy communities and supports ambitions in SMBC's Vision 2030 and our Corporate Plan strategic objectives.

Ensuring that homes are decent, accessible, safe and secure is not only important for the health and wellbeing of the occupants but is vital for the sustainability of communities. Many residents have the necessary resources to maintain, adapt and repair their own homes; however, some may need assistance to do this, especially those who have disabilities or are elderly.

Decisions regarding an individual's needs will be made in accordance with the council's Guidance for the Provision of Adaptations. All other assistance types are discretionary and subject to resources being available.

The policy is designed to be fair, consistent, and transparent and operate in accordance with all relevant legislation and statutory guidance.

This policy and its provisions apply to any residents living in owner-occupied homes, housing association and private rented tenants (referred to as tenants in this policy). Assistance for tenants of Sandwell Council is defined within a separate policy.

## 2. Statutory Context

- 2.1 Council powers to provide financial assistance for home repairs and adaptations are governed by:
- 2.2 Housing Grants, Construction and Regeneration Act 1996 – the relevant parts of this Act provide the basis for the provision of Disabled Facilities Grants (DFG), which are financial grants to help with the cost of adapting a property to meet the needs of a disabled occupant.
- 2.3 It is mandatory for assistance to be provided to those that are eligible.
- 2.4 Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO) – provides local authorities with the discretion to provide assistance for the purpose of improving living conditions so homes are safe to live in. This includes the use of DFG funding and other available resources to support strategic priorities which integrate health, wellbeing, and housing, for the benefit of local people.
- 2.5 To use the powers provided in the RRO the Council must adopt a policy for the provision of the assistance. The Policy complies with that requirement.
- 2.6 The award of any financial assistance under the Policy through the powers provided by the RRO are subject to the availability of funding, with financial assistance provided at the discretion of the Council. Schemes may be withdrawn or amended at any time and without notice.
- 2.7 Housing Act 2004 - The Housing Act 2004 sets out that a Council shall take action where it finds serious hazards to remove or reduce the risk of harm as identified by the Housing, Health and Safety Rating System.
- 2.8 Armed Forces Act 2006, the Armed Forces Covenant Duty - Due regard will be made when supporting Armed Forces personnel or their families living in their own accommodation, and veterans.
- 2.9 It is the Council's expectation that homeowners will maintain their own property so that it remains safe, but accepts that some homeowners, particularly older people and the most vulnerable, may not have the necessary resources to do so. In certain circumstances the Council may offer advice and/or assist homeowners to do so.
- 2.10 Better Care Fund – The Better Care Fund Planning Requirements sets out the detailed requirements to local areas on developing and implementing Better Care Fund plans. It encourages the use of DFG funding in addition to the provision of the mandatory DFG, to support assistance that improves integration of housing, social care and health services, with the aims of achieving a preventative approach to care, reducing hospital admissions, improving hospital discharge and reducing inequalities. This should have the effect of improving the health and wellbeing of assisted householders and achieving savings overall.

- 2.11 These objectives have been translated into the local Sandwell Better Care Fund Narrative Plan, which recognises the role that housing plays in people's health and wellbeing, and the contribution that can be made by helping people to maintain and adapt their homes, in reducing hospital discharge times, preventing admission/re-admission (particularly from falls), and helping to reduce/delay expensive care packages. The principles of prevent, reduce, delay, wellbeing, assessing and meeting eligibility needs as per the Care Act 2014 are particularly relevant.
- 2.12 The policy recognises the need to support children and young people to live independently in their homes and to contribute towards the Better Start In Life strategic outcome.

### **3. Capital Resources**

- 3.1 The DFG is a capital grant paid from the Department for Levelling up Housing and Communities (DLUHC) to local authorities in England to adapt older and disabled people's homes to help them to live independently and safely. Adaptations can include ramps, stair lifts and suitable heating systems. The DFG, which has run for more than 30 years, became part of the Better Care Fund (BCF) in April 2015.
- 3.2 Therefore, the DFG is one of the funding streams within the Better Care Fund (BCF), which is a programme spanning both the NHS and local government which seeks to join-up health and care services, so that people can manage their own health and wellbeing and live independently in their communities for as long as possible.
- 3.3 The requirements regarding delivery of the Better Care Fund (BCF) are set out in the BCF Framework. As the DFG forms part of the funding within the BCF arrangement, it must be spent in accordance with the locally agreed BCF plan.
- 3.4 The following capital financial resources are available to apply and deliver through this policy:
- Capital grants from central government distributed through the Better Care Fund (BCF) or otherwise.
  - Where capital monies are provided through the BCF they will be allocated for spending in line with decisions regarding capital expenditure agreed with the Health and Wellbeing Board.
  - Local capital from the Council which may be provided for any specified purpose.
  - Monies from national schemes such as energy company obligations.
  - Money provided from partners or other public-sector organisations to address specified problems.
  - Money obtained from charitable or other sources on behalf of customers.
- 3.5 Local Housing Authorities are obliged first and foremost to deliver mandatory DFGs either via the Housing Grants, Construction & Regeneration Act 1996 route or an equally effective parallel pathway. Alternative discretionary assistance should not normally be promoted at the expense of delays to the statutory grant.

## 4. Monitoring and Review

- 4.1 The contents of the policy will be reviewed regularly to ensure the assistance provided remains relevant and keeps abreast of any national legislative changes or best practice. The Director of Housing in agreement with the relevant cabinet member has delegated authority to make minor amendments to this policy.
- 4.2 A full review of the policy should be undertaken periodically.

## 5. Corporate Strategic Outcomes

- 5.1 Our Corporate Plan details how we will create a fairer Sandwell through our strategic outcomes. This policy works toward achieving the following strategic outcomes:
- 5.2 **People live well and age well**  
Supporting individuals and families to live well and age well independently in their own homes. Assistance detailed in this policy works towards preventing hospital admissions and making sure that people don't stay in hospital for longer than they need to. We aim to enable people to return home quickly and help to reduce demand on residential care placements.
- 5.3 **Quality homes in thriving neighbourhoods**  
We will aim to keep people independent in their own homes as long as possible which includes incorporating Lifetime Homes Adaptable Standards in to as many new homes as possible.
- 5.4 **The best start in life for children and young people**  
Supporting children and young people live independently in their own homes and improving quality of life

## 6. Local Context

- 6.1 Sandwell is a deprived area and according to the 2019 Indices of Multiple Deprivation was the 12<sup>th</sup> most deprived local authority out of 317. On most measures Sandwell is the most deprived borough in the Black Country. These measures include, income, employment, health deprivation and disability and living environment. Sandwell's deprivation is spread across the borough rather than being concentrated in certain hotspots.
- 6.2 There is significant research from the Black Country Housing Market Assessment 2021 that evidences the benefits of housing interventions, including major and minor adaptations to homes of older and disabled people to help them remain living safely and independently at home. This policy will support the Council's Health and Wellbeing Strategy through clear and measurable actions.
- 6.3 The 2021 census records show that Sandwell has 130,246 households. 54.2% of households (70,635) own their homes, 18.6% rent privately.

6.4 Local prevalent issues include:

- High rates of pre-1919 construction
- High rates of fuel poverty – 21% of Households are in fuel poverty
- High rates of disabilities
- High rates of disrepair

6.5 The 2021 census shows that 20% of residents are disabled under the Equality Act 2010 definition (compared to 17.8% nationally) and 9% of residents stated that disability seriously impacts their quality of life.

6.6 The 2022 Sandwell Housing Needs Assessment identifies that the population growth among adults with disabilities is projected to grow significantly over the next two decades. Sandwell will see increasing numbers of physically disabled adults, adults with learning difficulties, autistic people and people with long term mental ill health who require specialist accommodation to support them to live as independently as possible. This includes general, extra care and supported housing schemes.

6.7 Sandwell has high levels of deprivation, including a high proportion of residents living in fuel poverty and is likely to include residents who would qualify for assistance under the policy. Information on fuel poverty can be found at <https://www.endfuelpoverty.org.uk/fuel-poverty-risk-index-reveals-areas-under-greatest-energy-bills-threat/>

## 7. Policy Priorities

7.1 In addition to mandatory DFGs, Sandwell Council has determined our local priorities to offer a range of discretionary grants to assist residents.

## 8. Equality, Diversity and Inclusion

8.1 Sandwell Council is committed to fulfilling its roles as an employer, service provider, purchaser of goods and services and community leader without discrimination. We will apply this policy fairly and give equality of opportunity and experience regardless of age, disability, gender, sexual orientation, transgender status/gender reassignment, race and religion/belief. All members, employees and agents of the Council must seek to eliminate discrimination and promote equality and good relations between all groups. The Council's equality information can be found on the council's website at the following location [https://intranet.sandwell.gov.uk/downloads/download/258/equality\\_policy](https://intranet.sandwell.gov.uk/downloads/download/258/equality_policy)

8.2 We want to improve the lives and well-being of everyone in the Borough. This policy is particularly relevant for anyone who has a disability or long -term condition. Our aim is to ensure that people

have a home and surrounding area which is safe and suitable so that they can live independently for as long as is possible.

- 8.3 Sandwell Council and contractors will actively support applicants and treat them fairly throughout the customer journey. Examples of practical help include removing barriers for those with alternative communication needs as well as support with understanding technical issues and using equipment in a safe manner. The Council may record and monitor data to gain insight on the impact of this policy on customers and help improve operational processes.

## 9. Principles of Assistance

- 9.1 The Council recognises that the primary responsibility for repairing and maintaining a property rests with the owner. However, the Council has certain statutory responsibilities to fulfil and must also take steps to protect and assist vulnerable members of the community whilst providing advice to all residents to help them maintain their own homes and utilise government funding where appropriate.
- 9.2 The Council provides support to older and disabled individuals, and their carers, to help them to remain living independently, confidently, safely and with dignity in their own homes. Housing assistance can help to reduce the impact of a disabling environment and therefore maximise independence. It can also help to prevent or delay the need for care and support, both of which are central themes of the Care Act 2014.
- 9.3 In addition, housing assistance provides support to carers in their caring role and underpins a wide range of customer and carer outcomes including improved safety, greater independence, personal resilience, and well-being.

## 10. How Assistance is Delivered (Major Adaptations only)

### 10.1 Option 1 Managed Application Process

The Council will fully manage the application with the applicant. The Council will handle everything on behalf of the applicant through an agreement between the applicant and the service. This is the easiest and most effective option, particularly for more extensive adaptations, as the service will organise and manage both the funding application and the work.

#### **The Council will:**

- Where applicable, assess the applicant's financial circumstances by a statutory **means test** which will identify any contribution to be paid towards the cost of the works
- Arrange for a technical officer to visit to discuss how the adaptations can be provided in the home and what building works or alterations are required to provide them
- Draw up a schedule of works and plans (and planning permission or building regulations approval if required)



- Assist in the completion of the formal DFG application forms
- Supervise the contractor on site on behalf of the applicant
- Deal with any unforeseen works and interim payments
- Arrange final payment to the contractor and collect any certificates and guarantees from them and pass them on the applicant.

## 10.2 Option 2 – Customer Contractor Process

This option is where an applicant may wish to use the services of the Council to prepare their application for DFG, including the preparation of drawings but wishes to use their own choice of contractor to carry out the works.

A comprehensive information pack will be provided to any applicants who wish to pursue this option including the role of the Aids and Adaptations Team and the responsibilities regarding the works which will transfer to the applicant (this option is in development).

## 10.3 Option 3 – Customer Managed Process

This option is where an applicant may wish to complete all elements of the application, supporting information and building management themselves. An applicant can use their own architect or draftsman and contractors to plan, develop or build a preferred scheme.

A comprehensive information pack will be provided to any applicants who wish to pursue their own application which outlines the information required to make a DFG application and the requirements to receive DFG funding.

- 10.4 Processes to deliver other forms of assistance will be developed and published as supplementary information.

## 11. Fees and Ancillary Charges

- 11.1 The Council will consider reasonable fees for financial assistance. The following fees and ancillary charges will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy;

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest.
- Relevant legal fees.
- Technical and structural surveys.
- Design and preparation of plans and drawings.
- Preparation of schedules of relevant works.
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area

- consent (and similar).
- Obtaining of estimates.
- Consideration of tenders.
- Supervision of the relevant works.
- Disconnection and reconnection of utilities where necessitated by relevant works.
- Payment of contractors.
- In a case where the application is for adaptations support, the reasonable services, and charges of a (private) occupational therapist in relation to the relevant works.

11.2 Fees and Charges will be detailed in a separate document which will be available online at [https://www.sandwell.gov.uk/info/200223/housing/4935/home\\_improvement\\_agency](https://www.sandwell.gov.uk/info/200223/housing/4935/home_improvement_agency).

## **12. Complaints and Appeals**

12.1 Complaints about the handling of an enquiry, application or delivery of any service will be dealt with through the Council's complaints process. The Council's complaints policy can be found on the council's website at the following location

[https://www.sandwell.gov.uk/downloads/file/33189/customer\\_feedback\\_guidance](https://www.sandwell.gov.uk/downloads/file/33189/customer_feedback_guidance)

12.2 Appeals about the refusal of any type of assistance, disputes regarding eligible works, levels of assistance provided or demands to repay a grant will be dealt with by the Director of Housing or to whom the Director of Housing delegates the responsibility; and may be in consultation with the Director for Adult Social Care where relevant. The Director of Housing's decision will be final.

### 13. Summary of Assistance Available

Assistance	Funding Max	Financial Eligibility	Objective
<b>Advice and Information</b>	N/A	<p>Non-means tested.</p> <p>Available to all Sandwell residents. Advice and information will generally be available to all homeowners.</p>	Available for elderly and disabled residents about available assistance to help them live independently at home for longer.
<b>Handyperson Service</b>	Maximum value of £100 plus up to 3 hours labour	<p>Non-means tested</p> <p>The Handyperson Service is available to homeowners aged 60 plus and/or those in receipt of a disability related benefit (Disability Living Allowance, Personal Independent Payment or Attendance Allowance) who live in Sandwell. It is also available to private and council tenants who meet the eligibility criteria but only for jobs which are not the responsibility of their landlord.</p> <p>All residents are eligible for a handyperson practical service to support discharge from hospital.</p>	Covers a wide range of low-cost jobs that can have a positive impact on the quality of life of vulnerable people.
<b>Hospital to Home Assistance</b>	Maximum value of £6,000	<p>Non-means tested.</p> <p>All Sandwell residents – subject to a referral from Adult Social Care or by a trusted assessor.</p> <p>Hospital to Home Assistance is available to Sandwell residents who are in hospital at the time of referral and waiting to be discharged or have recently been discharged to somewhere other than their own home. An assessment and referral from Adult Social Care referral is required.</p>	To assist with hospital discharge enabling people to return home quickly and to help reduce demand to residential care placements.
<b>Mandatory Disabled Facilities Grant (DFG)</b>	Statutory maximum value of £30,000	<p>Means tested- the relevant person is means tested.</p> <p>Adaptation is the most satisfactory course of action subject to an Occupational Therapy assessment and a 'reasonable and practicable' assessment.</p> <p>The applicant or person they are applying for must:</p> <ul style="list-style-type: none"> <li>• Own the property</li> <li>• Intend to live in the property for a period of 5 years.</li> </ul> <p>Available to:</p>	To meet the council's statutory obligation to provide adaptations and/or technology to enable residents to live independently at home.

Assistance	Funding Max	Financial Eligibility	Objective
		<ul style="list-style-type: none"> <li>• Disabled homeowners</li> <li>• Disabled tenants or landlords with disabled tenants (private, housing association).</li> <li>• Disabled people living at home with their family, and</li> <li>• Parents or guardians of a disabled child who are homeowners or tenants.</li> </ul> <p>Landlords with a disabled tenant can also apply for a grant.</p> <p>The council must be satisfied the work is:</p> <ul style="list-style-type: none"> <li>• Necessary and appropriate to meet the disabled person's needs</li> <li>• Reasonable and practicable – depending on the age and condition of the property.</li> </ul> <p>Further information regarding qualifying works can be found in Sandwell Council's Guidance for the Provision of Equipment and Adaptations.</p> <p>Availability is subject to a financial test of resources unless the adaptations are for a disabled child.</p>	
<b>Disabled Facilities Grant- Top Up</b>	<p>Maximum value of £60,000</p> <p><i>*In exceptional circumstances, the council may, at its discretion and subject to available funding, decide to approve top-up assistance in excess of £60,000</i></p>	<p>The council must have confirmed your eligibility for a Disabled Facilities Grant before an application for a Disabled Facilities Grant – Top Up can be considered.</p> <p>In addition, applications must be from owner occupiers. The financial assessment for any DFG top-up will only consider the financial circumstances of the disabled person and /or their partner.</p> <p>Discretionary awards over the £60,000 limit will be considered on a case by case basis and signed off by the Director of Housing in agreement with the Director for Adult Social Care.</p>	<p>To provide top-up funding to meet the reasonable cost of non-standard equipment and adaptations to assist a disabled person to live independently in their own home.</p> <p>To provide additional assistance when the statutory maximum (including fees and charges) has been exceeded.</p>
<b>Minor Adaptations</b>	<p>Maximum value of £1,500</p>	<p>Non-means tested.</p> <p>All Sandwell residents with an assessed need. Where adaptation is the most satisfactory course of action subject to a 'reasonable and practicable' assessment.</p>	<p>Low level adaptations to increase independence, improve quality of life and reduce falls risks and hospital admission.</p>

Assistance	Funding Max	Financial Eligibility	Objective
<b>Relocation Grant</b>	<p>Maximum value of £10,000 for owner occupiers</p> <p>Maximum value of £2,000 for private tenants</p>	<p>Non-means tested– disabled person must be eligible for assistance under a DFG.</p> <p>Available to:</p> <ul style="list-style-type: none"> <li>• Owner occupiers and private rented tenants (not housing association tenants) where it is considered neither reasonable or practicable to proceed with the adaptations due to the character, layout, or condition of their home.</li> <li>• The applicant must meet the qualifying criteria for the mandatory Disabled Facilities Grant.</li> <li>• Any other person with an interest in the property either as owner or lessee that the Director of Housing considers it appropriate to offer assistance to.</li> </ul> <p>The applicant must be satisfied that the property being purchased can be reasonably adapted to meet the needs of the disabled person.</p>	<p>To help with the cost of moving home if a property or is not suitable for adaptation.</p>
<b>Hazard Removal Grant</b>	<p>Maximum value of £30,000</p>	<p>Non-means tested.</p> <p>Grants will be awarded per hazard on a discretionary case by case basis.</p> <p>Available to:</p> <ul style="list-style-type: none"> <li>• Owner occupiers in receipt of state pension and council tax reduction due to low income (not single occupier discount) or income-based employment and support allowance.</li> </ul>	<p>To remove urgent Category 1 hazards as defined by the Housing Act 2004.</p>
<b>External Improvement Schemes</b>	<p>Up to 90% of the eligible expense of the scheme</p> <p><i>*rising to 100% in exceptional circumstances</i></p> <p>The maximum total eligible expense limit per property for each scheme will be determined prior to the scheme commencing.</p>	<p>Means tested.</p> <p>Offered to all owners of buildings or land (including wholly or part commercial properties if appropriate) within targeted streets and blocks in Sandwell which will be defined by specific project goals and ambitions.</p>	<p>To carry out repairs and improvements to the external fabric of a dwelling to make it weather-tight and to significantly improve the visual amenity of an area – for properties in targeted streets or blocks of dwellings.</p>

Assistance	Funding Max	Financial Eligibility	Objective
<b>Empty Property Loan</b>	Maximum value of £20,000 for owner occupiers	Means tested.  Owners of long-term empty properties where there are works required to bring the property back into occupied use again.	To help with the cost of renovating a long-term empty home.  For more information please refer to the Empty Homes Strategy.
<b>Sustainable Warmth Grants</b>	£10,000*  *A limited number of households may be entitled to a higher level of assistance if the property is not heated by gas and the house is very thermally inefficient.	Householder may be eligible if all the following apply:  1) The household's annual income (before tax) is under £31,000. 2) The Energy Performance Certificate (EPC) of the property is E, F or G. 3) You own and occupy your home or rent your property from a private landlord.	Householder in Sandwell who live in energy inefficient properties may be able to benefit from a grant to cover the cost of a range of energy efficiency improvements to their home

## 14. Details of Advice and Information

14.1 SMBC will provide advice and information to all Sandwell residents to tell them about assistance available to help them live independently at home for longer. Contact details for all services will be provided within promotional material and via the website.

### 14.2 Scope of Assistance

The council will seek to provide advice and information on subjects including:

- Grants and assistance for major adaptations.
- Relocation Assistance (where adaptations are not suitable).
- Grant and assistance to tackle defective housing.
- Signposting to other housing-related services.
- Loans for Empty Properties.

### 14.3 Processes to deliver the assistance

Advice and Information is available via the council's webpage, email, or telephone.

### 14.4 Preliminary fees or charges

None.

### 14.5 Conditions attached to the provision of assistance

None.

## 15. Details of Handyperson Service

The Handyperson Service covers a wide range of low-cost jobs that can have a positive impact on the quality of life of vulnerable people.

### 15.1 Scope of Assistance

Handyperson service includes but is not limited to:

- Refix loose floor coverings.
- Repairs to external door locks.
- Replace portable appliance fuses.
- Move small items of furniture.
- Install security light.

## 15.2 Processes to deliver the assistance

An Occupational Therapist or other authorised person will make a referral to the council's service providers on behalf of the person.

## 15.3 Preliminary fees or charges

Jobs may or may not require a contribution for the cost of labour and/or materials.

## 15.4 Conditions attached to the provision of assistance

None.

# 16. Details of Hospital to Home Assistance

16.1 Hospital to Home assistance is available to anyone living in Sandwell to assist with hospital discharge enabling them to return home quickly and to help reduce demand for residential care placements.

## 16.2 Scope of Assistance

Prescribed interventions to make properties clean and safe to ensure timely hospital discharge, such as:

- Deep cleaning.
- Property clearance.
- Urgent home repairs/falls prevention measures.
- Temporary heating.
- Urgent adaptations to prevent hospital readmission.

## 16.3 Processes to deliver the assistance

A referral will be made by Adults Social Care, or a trusted assessor, to the council's service providers on behalf of the disabled person.

## 16.4 Preliminary fees or charges

The following fees or charges may qualify for grant assistance:

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest.
- Relevant legal fees.
- Technical and structural surveys.



- Design and preparation of plans and drawings.
- Preparation of schedules of relevant works.
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar).
- Obtaining of estimates.
- Consideration of tenders.
- Supervision of the relevant works.
- Disconnection and reconnection of utilities where necessitated by relevant works.
- Payment of contractors.

#### 16.5 **Conditions attached to the provision of assistance**

None.

### 17. **Details of Mandatory Disabled Facilities Grants (DFG)**

17.1 The health and well-being of disabled residents is often compromised due to their homes not meeting their specific needs and this can impact on their ability to live with dignity within their homes.

17.2 The council has a statutory obligation to administer mandatory Disabled Facilities Grants (DFGs) to provide adaptations to enable disabled residents to live independently at home.

#### 17.3 **Scope of Assistance**

The Council will award mandatory Disabled Facilities Grants (DFG) according to the governing legislation, principally the 1996 Act and subordinate Regulations and Orders as amended - and guidance issued by central Government. This details, amongst other matters, the types of work that are to be funded, the maximum grant payable (currently £30,000), and the test of financial resources where applicable.

#### 17.4 **Occupation Requirements**

Where an owner occupier has given a signed undertaking to occupy a property as their principal residence after completion of the works for a period of five years, and if they cease to do so during that time, they will repay on demand to the Council the total amount of Assistance paid out.

Where a landlord (or owner) has given a signed undertaking that the property will be available for letting for a period specified after completion of the assisted works, five years, and ceases to make the relevant property available for letting during the specified period. Then the landlord will repay on demand to the Council the total amount of Assistance paid out.

Where the Council has the right to demand repayment, but extenuating circumstances exist, the Council may determine to waive the right to repayment or to demand a sum less than the full amount of Assistance paid out.

As a part of the application process, the Council will require certificates relating to property ownership and future occupation and will request permission from the owner. The Council would reasonably want to ensure the tenant has the right to carry out the works and that the landlord would not object or attempt to reinstate the property and evict the client.

## 17.5 Qualifying Works

Those works eligible for mandatory Disabled Facilities Grant is set out in section 23(1) of the 1996 Act, as amended. These are:

- 1) Facilitating access by the disabled occupant to and from the dwelling, qualifying houseboat, or qualifying park home, (now including the garden) or
- 2) making the dwelling, qualifying houseboat or qualifying park home safe for the disabled occupant and other persons residing with them;
- 3) facilitating access by the disabled occupant to a room used or usable as the principal family room;
- 4) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room used or usable for sleeping;
- 5) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a lavatory, or facilitating the use by the disabled occupant of such a facility;
- 6) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a bath or shower (or both), or facilitating the use by the disabled occupant of such a facility;
- 7) facilitating access by the disabled occupant to, or providing for the disabled occupant, a room in which there is a wash hand basin, or facilitating the use by the disabled occupant of such a facility;
- 8) facilitating the preparation and cooking of food by the disabled occupant;
- 9) improving any heating system in the dwelling, qualifying houseboat or qualifying park home to meet the needs of the disabled occupant or, if there is no existing heating system or any such system is unsuitable for use by the disabled occupant, providing a heating system suitable to meet their needs;
- 10) facilitating the use by the disabled occupant of a source of power, light or heat by altering the position of one or more means of access to or control of that source or by providing additional means of control;
- 11) facilitating access and movement by the disabled occupant around the dwelling, qualifying houseboat or qualifying park home in order to enable them to care for a person who is normally resident and is in need of such care;
- 12) facilitating access to and from a garden by a disabled occupant; or making access to a garden safe for a disabled occupant.

## 17.6 Processes to deliver the assistance

An Occupational Therapist or other authorised person will make a referral to the council's service providers on behalf of the disabled person.

A mandatory Disabled Facilities Grant application will only be made if the works are both 'necessary and appropriate' and 'reasonably practicable'. Where an applicant prefers a different scheme of works to that approved by the Council, the Council may offer to 'offset' the value of the original scheme towards those greater works with appropriate safeguards. This is at the discretion of the Council.

Works which have been started prior to the approval of an application will not be eligible for financial assistance.

Unexpected works which arise during the carrying out of eligible works will be considered for assistance if the works could not have been reasonably foreseen and if they are vital to the completion of a safe and effective adaptation.

Unforeseen works carried out without prior approval of the Council will not be eligible for assistance. Where unforeseen works are necessary these will be added to the grant up to the specified maximum for mandatory Disabled Facilities Grant. Costs above the mandatory grant maximum may be supported as discretionary assistance in accordance with this policy. Care must be taken when agreeing to schemes of works on third-party property such as tenanted accommodation, that the property owner is fully engaged with the decision process. This is also particularly important where an architect or similar is acting on the customer's behalf, and where issues such as planning permission, building control and other regulation are involved.

## 17.7 Preliminary fees or charges

The mandatory DFG regime sets out the specific fees and charges for grant assistance. The following fees will be eligible for financial assistance if they have been properly incurred in making an application or seeking approval for the proposed works, or to ensure the satisfactory completion of works assisted under this policy;

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest.
- Relevant legal fees.
- Technical and structural surveys.
- Design and preparation of plans and drawings.
- Preparation of schedules of relevant works.
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar).

- Obtaining of estimates.
- Consideration of tenders.
- Supervision of the relevant works.
- Disconnection and reconnection of utilities where necessitated by relevant works.
- Payment of contractors.

## 17.8 Conditions attached to the provision of assistance

### Repayment of Grant

Conditions imposed under The Disabled Facilities Grant (Condition relating to approval or payment of grant) General Consent 2008.

A land charge will be registered when the local authority approves an application for a Disabled Facilities Grant from an owner, and the grant is for a sum exceeding £5,000. The charge will be for the amount of the grant that exceeds £5,000 but cannot be for more than £10,000 in total (so, for example, if the grant were for £8,000 the charge would be for £3,000; if the grant were for £15,000 the charge would be for £10,000; if the grant were for £25,000 the charge would still be for £10,000).

The charge will only be recovered if the property is disposed of within 10 years of the “certified date”, that is, the date certified by us as the date on which the works were completed to our satisfaction.

If a dwelling is sold or disposed of within ten years, Sandwell Council will consider whether or not it is reasonable to demand repayment or part repayment of the charge taking into account:

- The financial hardship it would cause;
- Whether the sale is due to an employment related relocation;
- Whether the sale is connected with the physical or mental health or well-being of the grant recipient or of a disabled occupant of the premises; and
- Whether the sale will enable the recipient of the grant to provide care to disabled person.

The Director of Housing’s decision in conjunction with the Director of Adult Social Care will be final in all decisions regarding the repayment of the grant.

Conditions imposed under The Housing Renewal Grants (Additional Conditions) (England) General Consent 1996

### Recovery of specialist equipment

Where specialist equipment such as a lift or hoist is provided through a grant, it will be on condition that it may be recovered where it is no longer required. This condition may be registered as a local land charge.

Where it is clear that the equipment will not be reused because of age or condition, the council may decide to waive the right to recovery.

The council may require grant applicants to use the services of a qualified agent (e.g. the Home Improvement Agency) or a member of the RICS, RIBA or equivalent.

The council will not place local land charges for the repayment of grants in the following circumstances:

- Where the application is being made for a child in a long-term foster placement
- Where the grant is solely to provide equipment including stairlifts, vertical lifts, step lifts, ceiling track hoists or a combination of the above equipment.

### **Notice of Relevant Disposal**

It is a condition of grant that should the dwelling be disposed of within the grant condition period the recipient of the grant should notify SMBC if a relevant disposal occurs. A disposal is relevant if it is a conveyance of the freehold or an assignment of the lease. This grant condition may be registered as a local land charge.

The council will not place local land charges in the following circumstances:

- Where the application is being made for a child in a long-term foster placement.
- Where the grant is solely to provide equipment including stairlifts, vertical lifts, step lifts, ceiling track hoists or a combination of the above equipment.

### **Insurance Claims**

- The pursuance of any insurance claims by the applicant to cover the cost of adaptations and reimbursement to the council where appropriate

## **17.9 Test of Resources and Sandwell Discount**

All applications for Mandatory Disabled Facilities Grant will be subject to a means test in accordance with the regulations made under the 1996 Act, (including any local amendments within this policy). The maximum mandatory Disabled Facilities Grant award at the time of policy publication is £30,000 minus any contribution required by a 'means test' (test of financial resources. If the maximum grant limit is changed by statute, then the maximum available Disabled Facilities Grant award by Sandwell Metropolitan Borough Council will reflect this. When the financial means test determines that a client has a financial contribution to make and that contribution is £15,000 or less, the requirement to make that contribution may be waived. This ensures that vulnerable clients are not deterred from having essential adaptations due to the requirement to make a financial contribution.

The Director of Housing can alter or withdraw this means test discount at any time.

Where successive applications are awarded, the applicants' assessed contribution to the first grant award will be considered if within the period of the contribution originally calculated (10 years if owner, 5 years if tenant).

*NOTE: where an applicant is in receipt of a recognised, qualifying, means tested benefit they will not be further means tested and they will have no calculated contribution to make. Where works are for the benefit of a child or young person up until their 19<sup>th</sup> birthday or younger at the date of application – they too will be exempt from a means test.*

Dependent on the level of demand the council may have to prioritise how it progresses enquiries for Disabled Facilities Grant. Details of how cases are prioritised are detailed in a separate document – SMBC Guidance for the Provision of Equipment & Adaptations.

#### 17.10 Future occupation of the dwelling

It is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention stated in the certificate of owner occupation or availability for letting or intended tenancy.

#### 17.11 Applicant dies

Where the applicant or disabled person for whom the adaptation is required dies prior to grant application then no funding will be available via the Mandatory Disabled Facilities Grant for any costs incurred.

Where the applicant or disabled person dies after the grant has been awarded, then reasonable fees will be paid from the grant where those have been incurred and can be evidenced. If works have been started then they will be completed to a reasonable point which makes the property safe and meets minimum standards, excluding the provision of any specialist equipment. Each case would be decided individually based on circumstances and the stage of works completed, but it would be expected that all electrical and plumbing installation works would be completed and able to be used, although decoration and finishes etc. may not be completed.

#### 17.12 Customer Own Schemes (COS)

Customers who meet the Disabled Facilities Grant eligibility and are therefore entitled to a grant may wish to 'top-up' the Disabled Facilities Grant funding. The Disabled Facilities Grant recommendation by the Occupational Therapist will be for the most cost-effective solution which meets all identified needs and will look to adapt an existing property. Where a customer wishes to pursue a different scheme, they will be responsible for the difference in costs between the Disabled Facilities Grant 'Mandatory Scheme' and the final cost of the works, including unforeseen costs.

## 18 Details of Disabled Facilities – Top Up Grant

To carry out works deemed necessary and appropriate as well as reasonable and practicable when the maximum statutory grant limit (including fees and charges) has been exceeded.

### 18.1 Scope of Assistance

To carry out works recommended by an Occupational Therapist as part of a Disabled Facilities Grant in excess of the maximum amount payable.

Top-up funding is available to homeowners (owner occupiers) only and is subject to the availability of council funding.

### 18.2 Processes to deliver the assistance

An Occupational Therapist or other authorised person will make a referral to the council's service providers on behalf of the disabled person.

### 18.3 Amount of Assistance- Exceptional Circumstances

A grant of up to £60,000 is available to cover the cost of works identified by an Occupational Therapist. In exceptional circumstances, the council may, at its discretion and subject to available funding, decide to approve top-up assistance in excess of £60,000.

Discretionary awards over £60,000 will be considered on a case by case basis and signed off by the Director of Housing.

### 18.4 Preliminary fees or charges

The following fees or charges may qualify for a top-up grant:

- As per the Disabled Facilities Grant. Please refer to paragraph 18.7 above.

### 18.5 Conditions attached to the provision of assistance

#### Repayment of Grant

A land charge will be registered when the local authority approves an application for a disabled facilities grant from an owner, and the grant is for a sum exceeding £5,000. The charge will be for the amount of the grant that exceeds £5,000 but cannot be for more than £10,000 in total (for example, if the grant were for £8,000 the charge would be for £3,000; if the grant were for £15,000 the charge would be for £10,000; if the grant were for £25,000 the charge would still be for £10,000).



The charge will only be recovered if the property is disposed of within 10 years of the “certified date”, that is, the date certified by us as the date on which the works were completed to our satisfaction.

If a dwelling is sold or disposed of within ten years, Sandwell Council will consider whether or not it is reasonable to demand repayment or part repayment of the charge taking into account:

- The financial hardship it would cause;
- Whether the sale is due to an employment related relocation;
- Whether the sale is connected with the physical or mental health or well-being of the grant recipient or of a disabled occupant of the premises; and
- Whether the sale will enable the recipient of the grant to provide care to disabled person.

The Director of Housing’s decision in conjunction with the Director of Adult Social Care will be final in all decisions regarding the repayment of the grant.

### **Recovery of specialist equipment**

Where specialist equipment such as a lift or hoist is provided through a grant, it will be on condition that it may be recovered where it is no longer required. This condition may be registered as a local land charge.

Where it is clear that the equipment will not be reused because of age or condition, the council may decide to waive the right to recovery.

#### **18.6 Future occupation of the dwelling**

It is a condition of the grant that throughout the grant condition period (that is 5 years from the date of certification) the dwelling is occupied in accordance with the intention stated in the certificate of owner occupation.

#### **18.7 Applicant dies**

Where the applicant or disabled person for whom the adaptation is required dies prior to grant application then no funding will be available via the Mandatory Disabled Facilities Grant for any costs incurred.

Where the applicant or disabled person dies after the grant has been awarded, then reasonable fees will be paid from the grant where those have been incurred and can be evidenced. If works have been started then they will be completed to a reasonable point which makes the property safe and meets minimum standards, excluding the provision of any specialist equipment. Each case would be decided individually based on circumstances and the stage of works completed, but it would be expected that all electrical and plumbing installation works would be completed and able to be used, although decoration and finishes etc. may not be completed.



The council may require grant applicants to use the services of a suitably qualified agent (Sandwell's Home Improvement Agency or a member of RICS, RIBA or equivalent).

## **19 Details of Minor Adaptations**

Low level adaptations to increase independence, improve quality of life and reduce risk of falls and hospital admission.

### **19.1 Scope of Assistance**

Types of work include:

- Grab rails
- Handrails
- Ramps
- Door widening (replace with stair rail)
- Over bath showers (replace with half step)
- Assistive technology.

### **19.2 Processes to deliver the assistance**

An Occupational Therapist or other authorised person will make a referral to the council's service providers on behalf of the disabled person.

### **19.3 Preliminary fees or charges**

None.

### **19.4 Conditions attached to the provision of assistance**

None.

## **20 Details of Relocation Grant**

A relocation grant can be made available to help with the cost of moving home if a property is not suitable for adaptation.

### **20.1 Scope of Assistance**

Property is unsuitable for adaptation, or it is more cost effective to move rather than adapt.

The type of costs covered include:

Homeowners:

- buy & sell solicitors fees (homeowners only)
- packaging and removal costs
- cost of valuation survey
- mortgage redemption fees
- Estate Agent's fees
- Stamp Duty fees.

Private Tenants:

- packaging and removal costs.

Grant application must be made prior to moving.

## 20.2 Processes to deliver the assistance

An Occupational Therapist or other authorised person, in agreement with the resident, will make a referral to the council on behalf of the disabled person / applicant. Assistance can only be paid retrospectively following the purchase of a property or in the case of a tenant after removal costs have been incurred.

## 20.3 Preliminary fees or charges

Any preliminary fees or charges will be defined for all individual schemes developed.

## 20.4 Conditions Attached to the Provision of Assistance

These conditions apply to homeowners only and not to private tenants.

- the property must be occupied by the applicant as their main residence, for a period of five years
- the purchased property must have no category 1 hazards
- no further grant assistance will be given for 15 years from the completion date unless there is a change in needs making relocation necessary (except Disabled Facilities Grant and Disabled Facilities – Top Up Grant)
- the assistance is repayable in full if the property is disposed of within 10 years
- the assistance amount is secured as a local land charge against the property.
- Applications must be supported by an OT/suitable appropriate assessor who can confirm that the new property will meet the needs of the disabled person or be suitable for adaptation at a reasonable cost. In some cases, depending on the distance of the potential property an independent OT may be commissioned to do this assessment.

## 21 Details of Hazard Removal Grant

A Hazard Removal Grant can be provided to remove Category 1 hazards identified in the property by the council.

### 21.1 Scope of Assistance

To carry out works to remove category 1 hazards identified in a property under the Housing Health and Safety Rating System in accordance with the council's response to the Housing Act 2004. Grants will be awarded per hazard on a discretionary case by case basis.

### 21.2 Processes to deliver the assistance

An authorised person will make a referral to the council's service providers on behalf of the applicant. The council will determine if there is serious disrepair to the property under the Housing Act 2004. Individual schemes will be defined to tackle specific issues.

### 21.3 Preliminary fees or charges

The following fees or charges may qualify for grant assistance:

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
- Relevant legal fees
- Technical and structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Obtaining of estimates
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of utilities where necessitated by relevant works
- Payment of contractors

### 21.4 Conditions attached to the provision of assistance

The council may require grant applicants to use the services of a suitably qualified agent (Sandwell's Home Improvement Agency or a member of RICS, RIBA or equivalent).

Work must be carried out within 12 months of the date of approval unless otherwise agreed by the Council.

The grant will be paid subject to the works being completed to the satisfaction of the Council and the receipt of an acceptable invoice, demand, or receipt.

The grant will be repayable if applicant does not permanently occupy the property within 6 weeks of the work being certified complete.

The grant will be repayable on disposal of the property or a breach of the relevant future occupation certificate for the relevant grant condition period – ten years after the grant certification date.

A land charge will be registered when the local authority approves an application for a Hazard Removal Grant from an owner, and the grant is for a sum exceeding £5,000. The charge will be for the amount of the grant that exceeds £5,000 but cannot be for more than £10,000 in total (so, for example, if the grant were for £8,000 the charge would be for £3,000; if the grant were for £15,000 the charge would be for £10,000; if the grant were for £25,000 the charge would still be for £10,000).

The charge will only be recovered if the property is disposed of within 10 years of the “certified date”, that is, the date certified by us as the date on which the works were completed to our satisfaction.

If a dwelling is sold or disposed of within ten years, Sandwell Council will consider whether or not it is reasonable to demand repayment or part repayment of the charge taking into account:

- The financial hardship it would cause;
- Whether the sale is due to an employment related relocation;
- Whether the sale is connected with the physical or mental health or well-being of the grant recipient or of a disabled occupant of the premises; and
- Whether the sale will enable the recipient of the grant to provide care to disabled person.

The Director of Housing’s decision will be final in all decisions regarding the repayment of the grant.

Conditions imposed under The Housing Renewal Grants (Additional Conditions) (England) General Consent 1996

### **Notice of Relevant Disposal**

It is a condition of grant that should the dwelling be disposed of within the grant condition period the recipient of the grant should notify SMBC if a relevant disposal occurs. A disposal is relevant if it is a conveyance of the freehold or an assignment of the lease. This grant condition may be registered as a local land charge.

## 22 Details of External Improvement Schemes

External Improvement Schemes may be made available to owners of properties in targeted streets or blocks of dwellings to carry out repairs and improvements to the external fabric of a dwelling to make it weather-tight and significantly improve the visual amenity of an area.

Further works may also be carried out both within and outside the immediate curtilage of the dwelling to improve the visual amenity of the area.

A Grant will only be provided where, in the authority's opinion, to do so represents the most satisfactory course of action.

The owner's contribution to the cost of the works will be fixed.

### 22.1 Scope of Assistance

External Improvement Assistance may be used for any of the purposes described below:

- To carry out any works to the external fabric of properties within a targeted block of dwellings to ensure the dwellings are weather-tight and the visual amenity of the area is improved
- To carry out works to the curtilage of dwellings including boundary walls, yards, pavements etc to improve the visual appearance of an area
- To carry out works immediately outside the curtilage of the dwellings to improve the visual amenity of an area
- To pay for preliminary fees or charges including the production of drawings, Structural Engineers fees, Building Regulation Fees, Planning Fees or Supervising Agents fees properly incurred in carrying out the above
- To pay for storage, removal and rehousing costs properly incurred in carrying out the above
- For any other purpose agreed by the Director of Housing (or equivalent).

### 22.2 Processes to deliver the assistance

The Council will decide which streets or blocks of dwellings it wishes to consider for External Improvement Schemes.

When the Council is in a position to offer grants, it will contact all owners in the block and invite them to make applications.

A sufficient proportion of owners must agree to participate in the scheme to make the scheme financially viable and to achieve value for money before it will be considered further.

The Council will inspect all the buildings, decide on eligible works and prepare costed schedules of work.

The Council will advise all owners of their likely contribution including a fixed figure for contingencies and obtain their consent to proceed.

The Council, in consultation with the owners will agree a single agent and contractor to carry out the works on behalf of the owners.

The agent will be responsible for submitting applications on behalf of the owner.

Applications for grant must be made on a standard form to be provided by the Council and include all information including certification of proposed future occupation required by the Council.

The Council will determine what works it is prepared to pay grant towards.

The Council will determine the amount of grant it feels it is reasonable to pay by reference to its own schedule of rates and an assessment of the costs submitted in relation to fees and disbursements.

No grant will be payable for works which have been started or completed before a grant application is determined.

Grant monies will be paid directly to contractors or agents in all but exceptional cases.

Grant will only be paid once works are completed to the satisfaction of the Council and satisfactory invoices are submitted.

Any variations in the cost of the scheme due to unforeseen works over and above the contingency will be paid for by an increase in the grant and not result in an increase in the owner's contribution.

Any contingencies remaining may be repaid to the owner or put towards the cost of additional works in accordance with the wishes of the owner.

### 22.3 Amount of Assistance Available - Exceptional Circumstances

The Council will pay a proportion of the costs determined on a scheme by scheme basis rising to 100% in exceptional circumstances.

The Director of Housing will agree the terms and conditions for each scheme including the criteria for 100% contributions.

The maximum total eligible expense limit per property for each scheme will be determined prior to the scheme commencing.

A fixed figure for fees and disbursements reasonably incurred in submitting a grant application and supervising works may be included in the grant and will be agreed prior to the scheme commencing.

The Director of Housing (or equivalent) may impose a maximum grant payable or vary the exceptions at any time.

#### 22.4 Preliminary Fees or Charges

The following fees or charges may qualify for grant assistance:

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
- Relevant legal fees
- Technical and structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Obtaining of estimates
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of utilities where necessitated by relevant works
- Payment of contractors

#### 22.5 Conditions Attached to the Provision of Assistance

All grant applicants must use the services of one agent agreed by the Council.

All applicants must provide access at all reasonable times to allow for the completion of the works.

All works must be carried within 12 months of the date of approval or such further period as the Council agree.

Grant will be paid subject to the works being completed to the satisfaction of the Council and the receipt of an acceptable invoice, demand, or receipt.

Applicants must agree not to dispose of the property during the relevant grant condition period and occupy the property in accordance with the relevant Certificate of Future Occupation.

The Certificate of Future Occupation will require:

- Persons applying as owner occupiers to occupy the premise as their only or main residence for the grant condition period
- Persons applying as Landlords to make the property available for letting not to a member of their family during the grant condition period.

The grant will be repayable upon disposal of the property or a breach of the relevant future occupation certificate for the relevant grant condition period after the certified date.

Where a grant is provided to a private landlord, the person providing the Certificate of Availability for Letting must agree to take all reasonable steps to become an accredited landlord and carry out all additional works, at their own expense, to enable the property to be accredited under the Council's Landlord Accreditation Scheme both within 6 months (or other period agreed by the Council) of the Certified Date of the grant.

The relevant grant condition period will be 3 years after the certified date.

If a breach of grant conditions occurs the owner for the time being of the premise will be required to repay on demand the relevant amount plus compound interest decreasing by a third for each complete year that the conditions have been complied with.

The Council may, at its discretion, decide not to reclaim the amount of assistance or to reclaim a lesser amount.

Grant Conditions will be registered as a Legal Charge. This Legal Charge will be registered at HM Land Registry and secured against the property, the Legal Charge will rank in priority after any existing mortgages and after any secured loan provided from one of the Council's partner organisations.

The provisions of Section 45 of the Housing Grants, Construction and Regeneration Act 1996 will be adopted in determining whether a disposal is a relevant or exempt disposal.

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

The Director of Housing (or equivalent) may, at any time, specify additional conditions for the provision of assistance.



## 23 Details of Empty Property Loan

Empty property loans are to help with the cost of renovating a long-term empty home.

Empty property loans are for certain circumstances where financial difficulties are preventing property owners from being able to make their empty property safe to live in again.

Loans are limited and subject to council discretion on a case-by-case basis against the merits of each individual situation. Loans will be subject to a legally binding agreement to bring the property back into use.

Loans will be specifically aimed at properties that are in a reasonable condition but need works to bring them back into a lettable or sellable condition to ensure that they are occupied in the near future.

### 23.1 Scope of Assistance

Where the empty property contains category 1 or 2 hazards as per the Housing Health and Safety Rating System under the Housing Act 2004.

### 23.2 Processes to deliver the assistance

- Application made for loan
- Property inspected to assess viability
- Financial checks carried out
- Owner provides contractor quotes
- Offer in principle made
- Paperwork signed
- Money transferred to owner
- Works carried out
- Property placed on market or occupied as per terms agreed
- Money repaid as per terms agreed.

### 23.3 Preliminary Fees and Charges

There will be a registered charge on the empty property that will be lifted when the money is repaid. The Council may seek to enforce the sale of a property to recover the charge where the terms are not met, and the money is not repaid.

### 23.4 Conditions Attached to the Provision of Assistance

- The loan will be interest free

- Owner must be a person, not a company
- Owner must be a permanent UK citizen
- Person receiving loan must be the owner of the property
- Joint owners must all agree loan agreement and agree where money is paid
- Borrowers will be means tested to ensure they are suitable for a loan
- The loan will be paid directly to the bank account of the applicant only
- Robust proof of identity and permanent UK citizen status will be required
- Loan conditions will be registered as a legal charge. This legal charge will be registered at HM Land Registry and secured against the property, the legal charge will rank in priority after any existing mortgages and after any secured loan provided from one of the Council's partner organisations
- Works must be carried out by a professional qualified contractor with full liability insurance
- Works and timescales will be agreed before a loan is issued
- Works must progress timely and reasonably as agreed or else the loan will be immediately repayable in full
- The loan will be repayable within a month of works being completed
- The loan is repaid immediately and in full at the point of a sale of the property
- The loan will be repaid in instalments if the property is let to a tenant or occupied by the owner or other persons without a sale occurring
- Should the loan not be repaid, the property may be at risk from recovery action of the debt.

## 24 Sustainable Warmth

### 24.1 Scope of Assistance

Where the property has an EPC rating of E, F or G and the household has a combined income of less than £31k.

Measures available to Sandwell residents could include:

- External wall insulation (EWI)
- Cavity insulation
- Loft insulation
- Door improvements
- Smart heating controls
- Solar panels
- Central Heating

### 24.2 Processes to deliver the assistance

The council will work with a suitably qualified and accredited registered provider in line with current industry standards to deliver energy efficiency works.

1. Enquiry made

2. Property survey undertaken to assess viability and proposed package of measures
3. Financial checks carried out
4. Offer in principle made
5. Paperwork signed
6. Works carried out.

Please note not all households who receive an energy survey will necessarily receive a grant

### 24.3 Preliminary Fees and Charges

The following fees or charges may qualify for grant assistance:

- Confirmation, if sought by the Council, that the applicant has a relevant owner interest
- Relevant legal fees
- Technical and structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of relevant works
- Assistance in completing forms.
- Applications for building regulations approval (including application fee and preparation of related documents), planning permission, listed building consent and conservation area consent (and similar)
- Obtaining of estimates
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of utilities where necessitated by relevant works
- Payment of contractors

### 24.4 Conditions attached to the provision of assistance

- Owner must be a person, not a company
- Owner must be a permanent UK citizen
- Must be their principal abode
- If the property is sold within 5 years of the work being carried out the cost of works could be repayable.

## Appendix 1: Summary of Grant Repayment Conditions

Grant Type	Conditions
<p><b>Disabled Facilities Grant</b></p>	<ul style="list-style-type: none"> <li>• Full amount of the grant over £5,000 up to a maximum of £10,000 may need to be repaid on sale or transfer of the adapted property within ten years of the grant being certified as complete</li> <li>• The grant will be registered as a local land charge against the property for any grants over the value of £5,000</li> <li>• Any specialist equipment provided may be reclaimed</li> <li>• The pursuance of any insurance claims by the applicant to cover the cost of adaptations and reimbursement to the council where appropriate</li> <li>• The council may require grant applicants to use the services of a suitably qualified agent (Sandwell's Home Improvement Agency or a member of RICS, RIBA or equivalent)</li> <li>• The council may, at its discretion, decide not to reclaim the amount of grant or to reclaim a lesser amount.</li> <li>• Repayment conditions only apply to grants awarded to owner occupiers.</li> </ul>
<p><b>Disabled Facilities – Top Up Grant</b></p>	<ul style="list-style-type: none"> <li>• Full amount of the grant to be paid upon relevant disposal of the property for a period of 10 years following the certified date- same as above</li> <li>• The grant will be registered as a local land charge against the property</li> <li>• The council may require grant applicants to use the services of a suitably qualified agent (Sandwell's Home Improvement Agency or a member of RICS, RIBA or equivalent)</li> <li>• The council may, at its discretion, decide not to reclaim the amount of grant or to reclaim a lesser amount.</li> <li>• Repayment conditions only apply to grants awarded to owner occupiers.</li> </ul>
<p><b>Relocation Grant</b></p>	<p>These conditions apply to homeowners only and not to private tenants.</p> <ul style="list-style-type: none"> <li>• the property must be occupied by the applicant as their main residence, for a period of five years</li> <li>• the purchased property must have no category 1 hazards</li> <li>• no further grant assistance will be given for 15 years from the completion date unless there is a change in needs making relocation necessary (except DFG)</li> <li>• the assistance is repayable in full if the property is disposed of within 10 years</li> </ul>

	<ul style="list-style-type: none"> <li>• the assistance amount is secured as a local land charge against the property.</li> <li>• Maximum of one grant in a five-year period</li> </ul>
<b>Hazard Removal Grant</b>	<ul style="list-style-type: none"> <li>• Full amount of the grant over £5,000 up to a maximum of £10,000 may need to be repaid on sale or transfer of the property within ten years of the grant being certified</li> <li>• The grant will be registered as a local land charge against the property for any grants over the value of £5,000</li> <li>• The council may require grant applicants to use the services of a suitably qualified agent (Sandwell's Home Improvement Agency or a member of RICS, RIBA or equivalent)</li> <li>• The council may, at its discretion, decide not to reclaim the amount of grant or to reclaim a lesser amount.</li> <li>• Repayment conditions only apply to grants awarded to owner occupiers.</li> </ul>
<b>External Improvement Schemes</b>	<ul style="list-style-type: none"> <li>• All grant applicants must use the services of one agent agreed by the Council</li> <li>• All applicants must provide access at all reasonable times to allow for the completion of the works</li> <li>• All works must be carried out within 12 months of the date of approval or such further period as the Council agree</li> <li>• Grant will be paid subject to the works being completed to the satisfaction of the Council and the receipt of an acceptable invoice, demand or receipt</li> <li>• Applicants must agree not to dispose of the property during the relevant grant condition period and occupy the property in accordance with the relevant Certificate of Future Occupation.</li> </ul> <p>The Certificate of Future Occupation will require:</p> <ul style="list-style-type: none"> <li>• Persons applying as owner occupiers to occupy the premise as their only or main residence for the grant condition period</li> <li>• Persons applying as Landlords to make the property available for letting not to a member of their family during the grant condition period</li> </ul> <ul style="list-style-type: none"> <li>• The grant will be repayable upon disposal of the property or a breach of the relevant future occupation certificate for the relevant grant condition period after the certified date</li> <li>• Where a grant is provided to a private landlord, the person providing the Certificate of Availability for Letting must agree to take all reasonable steps to become an accredited landlord and carry out all additional works, at their own expense, to enable the property to be accredited under the Council's Landlord Accreditation Scheme both within 6 months (or other period agreed by the Council) of the Certified Date of the grant</li> <li>• The relevant grant condition period will be 3 years after the certified date</li> </ul>

	<ul style="list-style-type: none"> <li>• If a breach of grant conditions occurs the owner for the time being of the premise will be required to repay on demand the relevant amount plus compound interest decreasing by a third for each complete year that the conditions have been complied with</li> <li>• The Council may, at its discretion, decide not to reclaim the amount of assistance or to reclaim a lesser amount</li> <li>• Grant Conditions will be registered as a Legal Charge. This Legal Charge will be registered at HM Land Registry and secured against the property, the Legal Charge will rank in priority after any existing mortgages and after any secured loan provided from one of the Council's partner organisations</li> <li>• The provisions of Section 45 of the Housing Grants, Construction and Regeneration Act 1996 will be adopted in determining whether a disposal is a relevant or exempt disposal</li> <li>• The provisions of the Housing Grants, Construction and Regeneration Act 1996 (Grant Repayment) General Consent 2000 will be adopted in determining the circumstances in which the Council may determine not to demand repayment.</li> </ul> <p>The Director of Housing (or equivalent) may, at any time, specify additional conditions for the provision of assistance.</p>
<b>Empty Property Loan</b>	<ul style="list-style-type: none"> <li>• The loan will be interest free</li> <li>• Owner must be a person, not a company</li> <li>• Owner must be a permanent UK citizen</li> <li>• Person receiving loan must owner of property</li> <li>• Joint owners must all agree loan agreement and agree where money is paid</li> <li>• Borrowers will be means tested to ensure they are suitable for a loan</li> <li>• The loan will be paid directly to the bank account of the applicant only</li> <li>• Robust proof of identity and permanent UK citizen status will be required</li> <li>• Loan conditions will be registered as a legal charge. This legal charge will be registered at HM Land Registry and secured against the property, the legal charge will rank in priority after any existing mortgages and after any secured loan provided from one of the Council's partner organisations</li> <li>• Works must be carried out by a professional qualified contractor with full liability insurance</li> <li>• Works and timescales will be agreed before a loan is issued</li> <li>• Works must progress timely and reasonably as agreed else the loan will be immediately repayable in full</li> <li>• The loan will be repayable within a month of works being completed</li> <li>• The loan is repaid immediately and in full at the point of a sale of the property</li> <li>• The loan will be repaid in instalments if the property is let to a tenant or occupied by the owner or other persons without a sale occurring</li> </ul>

	<ul style="list-style-type: none"> <li>• Should the loan not be repaid, the property may be at risk from recovery action of the debt.</li> </ul>
<b>Sustainable Warmth</b>	<ul style="list-style-type: none"> <li>• The council may require grant applicants to use the services of a suitably qualified agent / surveyor</li> <li>• The council may require that all measures are installed by an accredited installer</li> <li>• Work must be carried within 12 months of the date of approval unless otherwise agreed by the Council</li> <li>• The grant will be paid subject to the works being completed to the satisfaction of the Council and the receipt of an acceptable invoice, demand or receipt</li> <li>• The grant will be repayable if applicant does not permanently occupy the property within 6 weeks of the work being certified complete</li> <li>• The grant will be repayable on disposal of the property or a breach of the relevant future occupation certificate for the relevant grant condition period, five years after the grant certification date</li> <li>• If grant conditions are breached, the owner must repay, on demand, the relevant amount plus compound interest.</li> <li>• Maximum of one grant in any five-year period</li> </ul> <p>Grant conditions will be registered as a local land charge against the property.</p>