

CABINET

5 JULY 2011

REVISIONS TO THE PRIVATE SECTOR HOUSING ASSISTANCE POLICY

Portfolio Holder: Councillor Howard Doe, Housing and Community Services

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Summary

This report is to bring forward a revised Private Sector Housing Assistance Policy (HAP) for approval to take account of the reduced funding available for housing assistance. As in the previous policy support will be focused on vulnerable and elderly persons in order to address substandard and energy inefficiency homes in the private sector.

1. Budget and Policy Framework

1.1 The financial assistance outlined in this policy will be met from within the existing budgets and is within the existing policy framework. Therefore, this is a matter for Cabinet.

2. Background

2.1 The Cabinet approved a new Private Sector Housing Assistance Policy for Medway Council in August 2008 (decision no. 161/2008 refers). The policy detailed the assistance that could be provided to homeowners, landlords, tenants etc to deal with substandard housing in the area.

2.2 This policy has been the basis for loans and grants made since that time. However, the funding that supported the previous policy ceased as of March 2011 and though capital funding is being made available in the 2011/2012 budget, this is a much lower amount (£390,000). Consequently it has been identified that revisions are needed to ensure that the operation of the policy is effective and assists as many people in need as possible. The revisions include a number of decreases in the level of loan or grant being made available and the deletion of empty property improvement loans. Irrespective of these reductions the aim of the policy is still to support vulnerable and elderly to residents to live in homes that are healthy, safe and warm.

- 2.3 It is a requirement that local authorities publish a Private Sector Housing Assistance Policy detailing how their power of assistance for housing renewal will be implemented. The revised policy is set out in appendix 1 to the report for Members' approval.

3. Proposed Revisions to the Policy

- 3.1 The Decent Homes Loan is to be renamed as Homeowner Improvement Loans. The purpose of the loan will be to remove category one hazards so that on completion of works the home is healthy, safe and warm. Typically category one hazards are defects e.g. non-functioning boilers, dangerous wiring or missing amenities e.g. handrails, hot water, that can have a detrimental effect on an occupier's health and/or safety. Whilst desirable to support properties being brought up to the Decent Homes Standard the statutory obligation on the Council is to ensure that properties are free of category one hazards under the Housing Health and Safety Rating System (HHSRS). The loan will initially remain interest free, but the maximum amount will be reduced to £10,000. The eligibility criteria will remain the same except that under the means test the assessed contribution must be £1,000 or less.
- 3.2 Renovation loans are to be made available for accredited landlords. Loans will be to a maximum of £5,000 and must be repaid after a five year fixed term. Landlords must also be prepared to accept tenants being supported through the Council's Homebond scheme.
- 3.3 The eligibility criteria for a Crisis Grant is to be altered so that the applicant must either be in receipt of an income related benefit or have an assessed contribution under the means test of £1,000 or less.
- 3.4 Energy Efficiency Top Up grants are to be deleted.
- 3.5 The other most significant proposed change is the deletion of empty property improvement loans. In response to the comprehensive spending review a decision was taken that proactive work would no longer be pursued to tackle empty properties and therefore the loan scheme has been deleted.

4. Options

- 4.1 Option A – Members agree the complete revisions to the HAP. Medway Council will still be providing realistic amounts of funding to allow all members of the community, particularly the most vulnerable, to access to funding which will help assist in bringing their properties up to a decent standard and remove category one hazards.
- 4.2 Option B – Members can vary the Housing Assistance Policy for one or more of the proposed revisions.
- 4.3 Option C – Members do not agree the revisions to the HAP. This would then mean that the limited funding available is spent on a much smaller client group and other vulnerable and elderly persons will not be assisted.

5. Risk Management

Risk	Description	Action to avoid or mitigate risk
<p>The revised loan limit for homeowner improvement loans is too low.</p>	<p>The maximum limit for Decent Homes Loans was £20,000, but is being reduced to £10,000 for the proposed Homeowner Improvement Loans. This reflects the revised standard for Homeowner Improvement Loans that will see properties made free of category one hazards as opposed to bringing properties up to the Decent Homes Standard.</p>	<ul style="list-style-type: none"> • A review of all paid Decent Homes Loans has been undertaken and from this it has been calculated that the average amount awarded for removing Category one hazards was £6,626. • The new policy will be revised on an annual basis to ensure that it is achieving its stated objectives to ensure that residents are helped to live in homes that are healthy, safe and warm. • The policy includes a procedure to review individual cases in exceptional circumstances, which potentially would allow a higher limit to be approved.
<p>The revised contribution level for the means test has been set too low.</p>	<p>Under the current policy a means test is applied where the applicant is not on an income related benefit. Currently, if the contribution is assessed as below £5,000 then a grant/loan can be awarded. Under the new policy it is proposed that the contribution is reduced to £1,000. The purpose of this is to ensure that assistance is targeted at residents least able to fund work themselves. However, the vast majority of applicants qualify through being on an income related benefit</p>	<ul style="list-style-type: none"> • The new policy will be revised on an annual basis to ensure that it is achieving its stated objectives to ensure that residents are helped to live in homes that are healthy, safe and warm. • The policy includes a procedure to review individual cases in exceptional circumstances, which potentially would allow a higher limit to be approved.

6. Advice and analysis

- 6.1 The Government's view is that the primary responsibility to maintain a property must lie with the owner but recognises that some homeowners, including older persons, disabled persons and the most vulnerable, do not have the necessary resources to repair and improve their home.
- 6.2 A target has been set by Government under PSA7¹ to reduce the number of households living in non-decent, (i.e. does not meet the Decent Homes Standard) homes. This is: -
- By 2010 70% of all vulnerable households in the private sector live in decent housing.
 - By 2020, 75% of all vulnerable households in the private sector live in decent housing.
- 6.3 The Housing Stock Condition Survey highlighted a number of issues within the private housing stock in the Medway area, in particular:
- nearly 20% of homes fail the Decent Homes Standard.
 - Approximately 75% of all homes that fail the Decent Homes Standard do so due to excess cold.
 - Non-decency due to disrepair was found in 50% of homes that failed the Decent Homes Standard.
 - Fifteen percent of all homes in Medway (equating to 15,000 homes) contained a category one hazard.
 - As with Decent Homes the majority of properties (approx 75%) failed the HHSRS standard due to excess cold. The next identified hazard, at a much lower level was falls by occupants, either on stairs or on the level.

7. Financial and legal implications

- 7.1 The policy contains provisions to ensure the efficient use of the Housing Capital Programme. All loans will be secured as a financial charge on the property and registered with the local Land Registry at Northampton. A fee will be required to register the financial charge, but this will be incorporated into the loan offer, with the exception of the Landlord Improvement loans, when the fee will need to be paid by the landlord with the application. When the property is sold the Council will recover the monies, which will be recycled to provide further assistance.
- 7.2 Under the Housing Act 2004 section 5 the local authority has a statutory duty to take enforcement action where it becomes aware of category one hazards in residential accommodation. The local authority also has a power under the The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, to offer assistance for repairs and improvement to the housing stock. By offering financial assistance the local authority can offer a more appropriate response for vulnerable and elderly persons living in substandard housing and who do not have the financial resources to under take appropriate remedial works.

¹ Public Service Agreement 7

8. Diversity Impact Statement

- 8.1 A diversity impact screening assessment was been undertaken and a copy attached as Appendix Two. Access to the service will be monitored and reviewed a year following the introduction of the policy.

9. Recommendation

- 9.1 Cabinet is asked to approve the revisions to the Private Sector Housing Assistance Policy as set out in Appendix One to the report.

10. Suggested reasons for decision(s)

- 10.1 To ensure that the Authority operates a fit for purpose housing assistance policy in accordance with guidance and best practice.

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Background papers

Medway Housing Assistance Policy adopted August 2008
Housing Act 2004.
The Regulatory Reform (Housing Assistance) Order 2002.
Private Sector Housing Renewal Strategy

**Medway Council - Serving You
Private Sector Housing Assistance Policy 2011**

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Introduction

The vision for Medway's Housing Strategy states that it will: -

- Maximize the supply of suitable and affordable housing and meet housing need
- Enable vulnerable people to live independent lives
- Improve the quality and energy efficiency of housing
- Develop Sustainable communities and promote neighbourhood renewal
- Promote better and fair access to housing services

Medway Council first published its Private Sector Housing Assistance Policy in 2008 based on a successful bid to the Regional Housing Board for funding, which ran from 2008 to March 2011.

The purpose of this revised Housing Assistance Policy is to detail how Medway will continue to provide and develop financial and other assistance to support the above priorities in the private sector housing stock. In particular it promotes an ethos of enabling home-owners to maintain and repair their homes and provide support for professional landlords to upgrade their properties.

In the provision of this assistance the authority will seek to develop effective and appropriate partnerships, promote the take up of government assistance, in particular to improve energy efficiency, and continue the development of its loan scheme for housing repair that will also improve the future sustainability of funding.

Local housing authorities have the power, under The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002, to offer assistance for repairs and improvement to the housing stock to enable residents to live in a decent home. However, before any assistance can be made available it is a requirement for local authorities to have a published policy for offering assistance for housing improvements and repair. The Regulatory Reform Order states that this assistance may take the form of advice, financial loans as well as grants and other means of helping residents in the private sector. The Council, in exercising its powers under the Regulatory Reform Order is also required to have regard to its enforcement duties and powers under Part 1 Housing Act 2004.

Using the results from the 2006 House Condition Survey and other local data this policy has been developed to address the substandard housing identified and to enable the vulnerable and elderly to live in decent, quality homes. Homes that are deemed to be sub-standard are those affected by one or more hazards identified through the Housing Health and Safety Rating System. This policy has also been developed in the context of Government guidance on providing housing assistance and in particular the move away from a grants based policy to loans. This Government guidance is underpinned by research¹, which suggests that providing grants fosters reliance on grant monies as an alternative to investment in a property and the undertaking of home maintenance. Additionally providing loans rather than grants will support the development of a more sustainable finance regime for local authority housing assistance.

The primary responsibility for the repair and maintenance of a dwelling lies with the property owner. This was a key issue raised by the Government in its Housing Green Paper (DETR, 2000)² and ODPM Circular 05/2003³, and the subsequent Regulatory Reform (Housing Assistance) Order 2002. In particular this latter document states that there needs to be "less

¹ Personal Responsibility in funding private sector housing renewal: Lessons from Edinburgh's good practice. Journal of Environmental Health Research, Vol 4, Issue 2. 2005.

² DETR Quality and Choice: A Decent Home for All (Housing Green Paper) HMSO London 2000

³ ODPM Circular 05/2003 Housing Renewal, London, June 2003.

dependency on grants and a reinforcement of homeowners' responsibilities towards their properties."

Loans were introduced under the original Private Sector Housing Assistance Policy in 2008 following a successful bid to the Regional Housing Board. By March 2011 over 120 loans had been approved and the principle of offering loans, as opposed to grants, for major works is now well established. The replacement of a grants based policy to one providing loans is maximising the limited resources available to Medway Council to provide financial assistance in that loans are repaid into a revolving pot of money which is then re-utilised to improve further properties.

The loans offered through this policy will be guided by best practice. To ease the introduction of loans they have been offered interest free. For case of owner-occupiers loans are only repayable when a property is sold, and for landlords loans are given for a maximum term of five years. However, the Council will undertake research to identify whether it would be appropriate to charge interest e.g. to maintain adequate financial resources to maintain the loans schemes. This research will involve extensive consultation and an assessment on any possible impact on equalities and diversity. Information on the eligibility for the current loans, how to apply and the conditions attached is detailed in appendices 1 and 2.

There may be instances where it may not be appropriate to offer loans. This is most likely where the cost of works is low, and establishment of a loan would be disproportionate to the actual value of the works e.g. crisis grants, which will be made available to remedy emergency works in homes occupied by vulnerable persons.

Housing Standards

The principle measure for assessing housing standards is the Housing Health and Safety Rating System (HHSRS).

The HHSRS is a form of risk assessment, which uses the following steps to provide a means of evaluating and representing the severity of any dangers present in a dwelling.

1. Identification of defects and or deficiencies, which are a hazard.
2. A judgement on the likelihood of an occurrence, which could cause harm. An occurrence is defined as "an event or period of time exposing an individual to a hazard."
3. A judgement on the probable severity of outcome of such an occurrence.

From the above, a numerical score is derived which will allow all hazards identified to be compared. Hazards with a higher score are considered to be more of a risk than those with lower scores.

Through research undertaken for development of the HHSRS, it was determined that those hazards with a score of 1,000 are the most serious risk. Hazards scored at 1,000 or more are designated "Category One Hazards", and trigger mandatory enforcement action by the local housing authority.

There are 29 hazards that can be considered through the HHSRS, which are listed under the glossary at page 15.

Objectives for Assistance

The House Condition Survey 2006 has identified that within Medway there is a significant variation across the area in the number of homes that do not meet the Government's Decent Homes Standard. The same survey found many of these non-decent homes to be occupied by elderly or vulnerable persons and located in the urban areas within Gillingham and Chatham.

Overall, nearly 20% of homes fail the Decent Homes Standard. However in Gillingham, Chatham and Rochester this rises to 32%, 24% and 22% respectively.

Approximately 75% of all homes that fail the Decent Homes Standard do so due to excess cold.

Non-decency due to disrepair was found in 50% of homes that failed the Decent Homes Standard. The highest proportion of dwellings failing the disrepair criteria within the Decent Homes Standard were found in Gillingham.

Fifteen percent of all homes in Medway (equating to 15,000 homes) contained a category one hazard. In Gillingham this rises to almost 20%.

As with Decent Homes the majority of properties (approx 75%) failed the HHSRS standard due to excess cold. This was followed at a much lower level by falls, either on stairs or on the level.

The highest proportion of non-decent homes that were also occupied vulnerable persons were found in Rochester and Gillingham at 57% and 56% respectively.

Non-decency within the private sector stock varies according to tenure. In the owner occupied stock 17% were found to be non-decent. In the private rented stock this rises significantly to 53%.

To reduce the number of households living in substandard and non-decent housing, and improve areas of significant poor quality housing, a range of assistance will be available including advice, information, and financial support and specifically will be offered to achieve the following aims: -

- To repair and improve substandard homes occupied by vulnerable households so that they are free of category one hazards under the HHSRS
- To encourage landlords to invest in their homes to achieve compliance with the HHSRS
- To improve energy efficiency in homes occupied by vulnerable households to a level that achieves the Decent Homes Standard.
- To reduce the number of households living in fuel poverty.
- Undertake emergency works to enable vulnerable persons to remain in their homes.

The highest levels of poor quality housing are to be found in Gillingham and Chatham. The Private Sector Housing Team will look to develop, in partnership external agencies and the local community, a specific area based strategy to reduce the significant number of sub-standard homes within Gillingham and Chatham. Specifically it will be focusing resources at the priority areas in North Gillingham and the All Saints Neighbourhood Renewal Area as set out agreed in the Private Sector Housing Strategy.

Advice and Information

To encourage homeowners, tenants and landlords to maintain and invest in their homes and provide financial assistance to vulnerable households living in non-decent homes the Private Sector Housing Team will aim to provide appropriate, good quality advice and information on the range of assistance available through this policy. This will be available directly from the Council or through partnership working with a variety of external agencies. In particular the Private Sector Housing Team will look to develop partnerships with agencies which also visit clients in their homes e.g. social services and primary care health workers to encourage the take up of assistance, particularly by vulnerable and elderly households.

To ensure that all residents are able to access this service the advice and information will be made available in a variety of formats including: -

- Direct support from the Private Sector Housing Team
- Medway Council Website

- Service leaflets available in a variety of formats.

Additionally the Team will be seeking to work with residents' forums, Registered Social Landlords, faith and community groups and charitable organisations to ensure that it reaches all sectors of Medway's communities.

Timely and appropriate maintenance can prevent a property falling into disrepair, will be cost effective and will contribute to sustainability. However the ability to maintain a property will depend on owners having the requisite information and skills. Confidence in building contractors also plays an important role. Either directly, or in partnership, appropriate and suitable advice will be made available to help residents maintain their homes and secure reputable contractors to undertake repairs and improvements. This will also include information on energy efficiency and details of assistance available from the local Council/partner organisations. A home maintenance pack will also be produced for owners receiving a loan through this policy to help maintain their investment in their home.

One partnership already in operation is that with the Medway Home Improvement Agency (HIA), which provides the "In Touch" service. In Touch can assist vulnerable home owners who are over 60, or disabled, and who need help with funding repairs, finding builders and organising repair works. They also provide a handy person service for minor works. The HIA also provides vulnerable homeowners with advice and where necessary advocacy on home improvements.

One area of advice that will not be provided by the Private Sector Housing Team is financial advice for repairs and improvements. However the Team will work with appropriate bodies such as the Citizens Advice Bureau and Help the Aged to help residents secure suitable financial advice for homes maintenance and improvements.

The Financial Schemes

The following types of assistance will be made available through this policy: -

- Homeowner Improvement Loan– to fund essential improvement works to remove serious hazards as assessed under the HHSRS in homes occupied by vulnerable home owners.
- Coldbusters Initiative – to improve the energy efficiency of homes occupied by elderly and low income households and reduce the incidence of fuel poverty.
- Landlord Improvement Loans – to encourage landlords to improve the energy efficiency of their properties and ameliorate any category one hazards under the HHSRS. They will only be available for landlords accredited under the Private Sector Housing team's landlord accreditation scheme and who are willing to accept tenants through the Council's Homebond scheme.
- Crisis Grants – to fund small-scale essential repairs to help elderly persons remain safe and secure in their homes.

In addition to the above Medway will look to work with a number of other Kent local authorities to develop a capital repayment loan scheme. These loans would be made available for owner-occupiers who do not qualify for an Improvement loan as they do not come within the definition of vulnerable, but whose homes are assessed as failing the HHSRS. These loans would be secured on an equitable mortgage with a subsidised interest rate below the current market rate. These loans are still under development, and at present there is no expected date for their introduction.

Full details on eligibility for the above assistance and the specific conditions attached are detailed below. Information will be provided for each type of assistance and will be made available to all persons making enquiries about assistance under this policy. For all types of assistance the following general conditions apply.

General terms and conditions

Financial assistance will generally be targeted at improving homes that do not meet the HHSRS. This will be determined by a survey through the Private Sector Housing Team or a third party managing agent procured by Medway Council. However where assistance is available through government schemes e.g. Warm Front all eligible households will be encouraged to take advantage of these schemes.

All loans will be secured as a financial charge on the property and registered with the Land Registry. A fee will be required to register the financial charge, but this will be incorporated into the loan offer, except in the case of landlord improvement loans where the fee must be paid with the application.

The Council will not normally provide assistance for works, which have already been carried out before an application is approved.

Generally financial assistance will not be available for the following types of works;

- Construction or repair of outbuildings and conservatories, but may include their demolition to remove a category one hazard under the HHSRS
- Internal or external decorations
- Replacement of windows and doors unless these are contributing to a category one hazard under the HHSRS.
- Renovation of kitchens and bathrooms unless they fail the HHSRS and are in disrepair.
- General maintenance items
- Works which would be covered by buildings insurance policies

All applications must include the following items: -

- An application form completed and signed
- The appropriate certificate of future occupation
- Two competitive estimates for the work
- A recent utility bill (for owner occupiers)
- Satisfactory proof of ownership of the property subject to the application.
- Where the loan is to be secured by a second charge, the first charge holder's agreement to Medway placing a second charge on the property.
- Where the assistance is being offered as a loan a current certificate for buildings insurance.

In the case of a crisis grant where urgent work is required to remedy a serious category one hazard the Private Sector Housing Manager may accept one estimate only.

Any loan provided will be subject to conditions. Conditions cover the manner in which works are carried out and the future use of the property. All applicants will be aware that any loan must be repaid in accordance with the type of assistance being offered. The Council will however consider waiving or reducing any repayment due in exceptional circumstances (see page 12).

Owners whose homes need very extensive works will be encouraged to think about moving to more manageable accommodation and/or will be offered, where available, information on other possible sources of financial assistance. However the Council recognises that many elderly and vulnerable people benefit from the support of their local community and will generally wish to remain in their own homes.

Home Owner Improvement Loans

Qualifying criteria

The applicant must be: -

- Either a freeholder or leaseholder with at least five years on the lease unexpired, and
- Be defined as vulnerable or satisfy the means test (see below), and
- Occupy a property that is assessed as containing a category one hazard under the HHSRS

Medway will use the statutory Government means testing scheme for disabled facilities grants to assess if applicants qualify for an Improvement Loan. People in receipt of an income related benefit will have a nil contribution towards under the Housing Assistance Policy. In addition where an applicant's contribution is assessed as less than £1,000 full assistance will be offered as such persons can be in as great a financial need as those on benefits.

The maximum loan that will be made available is £10,000.

In addition to offering the Improvement Loan the Council will work with its partners to identify other assistance available for the applicant to provide additional resources to bring the property up to the HHSRS Standard.

All loans must be repaid on sale of the property, unless determined to be an exempt sale. More details on exempt sales can be found at Appendix Two.

On completion of the works the property must be free of category one hazards as assessed under the HHSRS. Additionally whenever an Improvement Loan is approved the loft insulation, should be increased to a level to comply with current building regulations.

Improvement Loans will not be available for mobile homes or houseboats as mobile homes and houseboat owners do not own the land on which their home is situated any so loans cannot be secured as a financial charge. However crisis grants may be available – see page 9.

Coldbusters Initiative

Assistance is currently available through the following Government's Warm Front and C.E.R.T¹ schemes to help improve energy efficiency and reduce fuel poverty. All eligible persons will be encouraged to take advantage of these two schemes. The Coldbusters scheme will provide additional assistance where the Government schemes will not cover the full cost of the required works. It will also assist further low income households not currently eligible for the Government schemes e.g. persons in receipt of an income related benefit, but who are not over 60 and nor have dependant children under the age of five. The Housing Assistance Policy will continue to support the Government's Warm Front and CERT schemes through its Coldbusters grants

Warm Front

This is a government scheme that provides 100% grants up to £3,500 for insulation and heating improvements. This scheme is available for some vulnerable people that are claiming benefits and persons over 60 on an income related benefit. Additionally the eligible person's home must

¹ Carbon Emissions Reduction Target

have a SAP² rating of 55 or less The Warm Front scheme is expected to end by March 2013 when it will be replaced by the Green Deal.

C.E.R.T.

Energy suppliers with a certain number of customers operating in Great Britain are obliged to achieve targets for improving home energy efficiency. The suppliers therefore provide a range of offers which significantly reduce the cost of installing energy efficiency measures. Details of schemes offered under CERT are available from the Energy Savings Trust Advice Centre (ESTAC).

The provision of the Coldbusters Initiative will ensure that an increased number of homes are made more energy efficient. Homes affected by a category one hazard for excess cold under the Housing Health and Safety Rating System comprise the largest group of homes failing the HHSRS in Medway.

This assistance will be available to owners, tenants or licensees who receive an income related benefit and will be available for measures listed below: -

- Cavity wall insulation
- Loft insulation
- Draught-proofing
- Hot water tank insulation
- Gas, oil or electric central heating
- Conversion of open solid fuel fires to glass fronted fires

Assistance under the Coldbusters Initiative will be provided as a grant to a maximum of £5,000. The £5,000 maximum limit includes any sum awarded through a Warm Front grant. Where the applicant is a tenant the landlord must agree to the Warm Front grant. The scheme is currently managed by the Energy Saving Trust Advice Centre (see glossary).

In March 2013 the Government intends to replace the Warmfront scheme with its Green Deal. The full details of the scheme have not been completed, but if there is provision to support residents who cannot qualify for the Green Deal, and subject to available capital budgets, the Coldbusters scheme will likely be revised to offer appropriate assistance.

Landlord Improvement Loans

Improvement loans will only be offered to landlords accredited through the Kent Landlords Accreditation Scheme and who are willing to accept tenants through the Council's Homebond Scheme.

All landlords, on letting a property are under an implied covenant under Section 11 of the Landlord and Tenant Act 1985 to: -

- a) to keep in repair the structure and exterior of the dwelling-house (including drains, gutters and external pipes),
- (b) to keep in repair and proper working order the installations in the dwelling-house for the supply of water, gas and electricity and for sanitation (including basins, sinks, baths and sanitary conveniences, but not other fixtures, fittings and appliances for making use of the supply of water, gas or electricity), and
- (c) to keep in repair and proper working order the installations in the dwelling-house for space heating and heating water.

² Standard Assessment Procedure - a method system for measuring the energy rating of residential dwellings

This covenant however does not apply to improvements e.g. energy efficiency or fire safety. This loan will therefore provide assistance for improvements

Additionally a loan will also be subject to the following criteria: -

- The applicant will agree to the property being advertised to tenants eligible for the Council's Homebond scheme.
- Agreement from the applicant that rent charged will not exceed the Local Housing Allowance plus 10% determined for prospective tenants
- All loans approved will be repayable five years from the date of approval of the loan, or on sale of the property, whichever is the sooner.
- On completion of the works the property is free from any category one hazards as assessed under the HHSRS

The applicant must be either a freeholder or leaseholder with at least five years on the lease unexpired.

The maximum loan available is £5,000 per property, or if the property consists of, or is to be converted into a number of units, consideration will be given to awarding a higher level of assistance based on £5,000 per unit to a maximum of £20,000.

A fee of £150 will be charged by Medway Council as a contribution towards its legal and administrative costs in processing an application for a landlord improvement loan. The applicant(s) will also be required to permit a credit check to be undertaken with a credit reference agency.

Loan assistance will not be made available to applicants who intend to reside in the property on completion of the works. All loans approved will be repayable on or before five years from the date of completion of the loan or on sale of the property, whichever is the sooner. Additionally loans will be repayable should the property no longer be made available for let within five years from the date of approval of the loan or if the applicant is expelled from the Kent Landlord Accreditation Scheme.

If the applicant fails to repay the loan the Council will take steps to recover the loan from the owner.

Crisis Grants

Crisis grants will be provided to help elderly/vulnerable owner-occupiers within the following categories remain in their home –

- At least one member of the household is 60 or older, on an income related benefit or qualifies under the policy's means test.
- Families with children under 16 years of age, on an income related benefit or qualifies under the policy's means test.
- Households where a person is eligible for a disability benefit and qualifies under the policy's means test.

As with Homeowner Improvement Loans Medway Council will use the statutory Government means testing scheme for disabled facilities grants to assess if applicants qualify for a crisis grant. To qualify the applicant must be in receipt of means tested benefits or where an applicant's contribution is assessed as less than £1,000 a crisis grant will be offered.

- The grant will not be available in those situations where the necessary works are considered to be so significant as to render the property eligible for a Homeowner Improvement Loan

- A grant is available to fund 100% of the cost of eligible work, including appropriate fees, up to a maximum of £3,000 over any five-year period.
- Further applications may be made subject to the total grant aid not exceeding the £3,000 limit within any 5-year period.
- The grant is not designed to “top up” the Homeowners Improvement Loan and the applicant cannot apply simultaneously for both.
- No grant aid can be offered on items covered by a building insurance policy.

Eligible Works

General housing repairs including but not exclusively: -

- Roofing – (repair)
- Electrical rewire
- Plumbing / heating repairs.
- Window/Door replacement or repair
- Safety measures including smoke and carbon monoxide detectors
- Gutters, rainwater down pipes and soil and ventilation stack replacement or repair
- Works to remedy a Category 1 Hazard under the HHSRS.

Making an Application for Assistance

A preliminary enquiry about assistance should be made to the Private Sector Housing Team who are located at Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR

An enquiry can be made in the following ways: -

- by telephone to Private Sector Housing 01634 333333
- in writing to Private Sector Housing Team, address as above
- by e-mail to housing@medway.gov.uk
- by personal visit to the office during office hours which are 9:00am – 5:00pm Monday to Friday

If an enquiry is being made for an Homeowners Improvement Loan or a Crisis Grant, the applicant will be asked to provide details of their financial resources, income and savings.

Following receipt of this information the applicant will be informed within 28 working days of the approximate amount of any assistance that will be available.

The applicant will then be placed on a waiting list for a survey. We will endeavour to carry out the survey within eight and a schedule of the works will be provided and an application form will be issued.

The completed application form should be submitted within 3 months of receipt of the schedule of works. At the end of this period, if the Council receives no application, unless there are good reasons for the delay, the application will be cancelled.

The application must include the following items

- An application form completed and signed
- A certificate of future occupation (either owner occupation or availability for letting)
- A minimum of 2 competitive estimates for the work
- Recent utility bill (for owner/occupiers)
- A Homebond and rent statement for landlord improvement loans.
- Where notified to the applicant – agreement from any bank or building society to a second charge being placed on the property by Medway Council

When the application is received the applicant will be asked to verify details of their financial status by providing bank account statements, pay slips etc. If further information on other matters is required following receipt of the application the Council will request this in writing. The amount of the assistance and the time frame within which the works must be completed will be confirmed in writing. The amount of the assistance will normally be based on the lowest estimate. The Council will, however, review any estimate it considers to be unreasonable and can award the assistance on the basis of reasonable building costs.

Where the cost of the works is above the maximum assistance available, the applicant will be required to fund the additional costs as a condition of receiving assistance. Where possible the Council will work with its partners to advise on other sources of assistance available to complete the schedule of works e.g. the Coldbusters scheme

Verifying information

The Council will take all reasonable steps to verify the information and documents provided as part of the application. This may include checks with/of;

- Electoral roll and telephone books
- Experian or other credit reference agencies
- Companies House
- Land Registry
- VAT
- Builders – those on the Medway Fair Trader list will not be subject to any further checks
- Gas safe, NICEIC or other Professional body

The Council will also require proof that additional funding is available where the project exceeds the maximum available loan

Fees and other charges

Fees and other charges incurred in making the application and carrying out the works may be included for example:

- Technical and structural surveys
- Building regulation and planning approvals
- Preparation of plans and drawings
- On site technical supervision of the work
- Fees in relation to Party Wall Agreements
- Land Registry fees

Applicants should be aware that they will be responsible for any charges made by an agent in the preparation of a grant application and if the application is not successful they will have to meet those charges out of their own funds

Choosing a builder

The Council does not produce a list of approved contractors under this policy. Medway Council has however set up the “Medway Fair Traders Scheme” to help residents find suitable contractors. Details on how to find contractors belonging the Fair Traders scheme will be provided to all applicants.

The Government have introduced the Trustmark scheme to assist homeowners to find reliable and trustworthy trades-people in their area. Trustmark operates through a website at www.trustmark.org.uk. Trustmark does not operate a telephone enquiry service. Applicants can, however, contact Consumer Direct, the government’s phone and consumer advice service that can offer practical advice on choosing a tradesperson and provide contact telephone numbers for contractors who have suitable Trustmark registered trades-people able to carry out the work.

Assistance may also be available from “In Touch”, run by Hyde Housing Association, who can assist vulnerable residents to get works carried out. They operate a full agency service and will complete application forms, obtain estimates from builders on an approved list, submit the application and then supervise the works on site. The fee for this service can be included as part of the eligible costs for which assistance is claimed. Details on how to contact In Touch will be provided to all persons making an enquiry for assistance under this policy.

When a contractor has been chosen the contract will be between the applicant and the contractor and not the Council. Although Council staff may check the work to ensure that monies are being correctly allocated the Council is not responsible for ensuring that the works are completed to an acceptable standard. The Council strongly advises applicants to appoint an agent to safeguard their interests.

Payment of grant and loans

Payment of any grant or loan will normally be made upon completion of the works. Interim payments are discretionary. The case officer will advise applicants if they are able to receive interim payments.

Exceptional cases

Medway Council does not operate a blanket policy and all residents are entitled to request that their particular circumstances are considered even if their application does not fall within the types of assistance detailed in this policy

A request for consideration outside this policy should generally be made in writing to the Private Sector Housing Manager at Gun Wharf, Dock Road, Chatham, Kent, ME4 4TR. The request will be acknowledged within 10 working days and a response with the decision will be provided within a further 10 working days.

Any person who does not agree with the decision of the Private Sector Housing Manager can request that the Housing Assistance Appeals Panel considers their case.

Waiving or reducing repayments where loan conditions are breached

A request for waiving or reducing repayment should be made in writing to the Private Sector Housing Manager, if possible prior to the circumstances which may result in the breach of conditions occurring.

The request should set out any exceptional circumstances that may exist.

The request will be considered by the Private Sector Housing Manager who will require supporting evidence. The applicant will normally be informed of the decision within 10 working days of receipt of any supporting evidence requested.

An applicant who is unhappy with the decision may use the Council's formal complaints procedure (see page 15 below)

In making the decision the Private Sector Housing Manager will consider the following matters;

- The financial circumstances of the applicant
- Whether the move required because of a sudden change to the applicants family financial circumstances, for example redundancy
- Whether the move is being made in order to enable the person to remain in full time employment, for example where the applicants employer is relocating
- Whether the move is connected to the physical or mental health of a member of the family for example a move to supported or specially adapted accommodation
- Whether the move is necessitated by overcrowding of the existing accommodation
- The value of the property, for example to protect families from hardship caused by negative equity

Where properties are sold subsequent to probate the Council will normally require full repayment of the assistance given.

Complaints

If an applicant feels that their application is not being dealt with in accordance with Council they should initially contact the Private Sector Housing Manager, in writing or by telephone, outlining their concerns. The case will then be reviewed by the Assistant Director and the complaint responded to within 10 working days.

This is stage one of the Council's formal complaints procedure. If the complaint is not resolved at this stage a complaint can be made to the Chief Executive's Complaints Officer (ceco@medway.gov.uk), telephone no 01634 332456 or by letter to;

Customer services, Gun Wharf Dock Road, Chatham, Kent, ME4 4TR.

Review and Feedback

This policy is for the period 2011 to 2013 but the Council will review the content of the policy annually and the policy will be updated as necessary.

Any feedback and comments on this policy are welcome and should be made in writing to the Private Sector Housing Manager.

Glossary of Terms Used

ESTAC

Energy Saving Trust Advice Centre. The Energy Saving Trust is a non-profit organisation funded by central government and private finance whose aim is to cut emissions of carbon dioxide by promoting the sustainable and efficient use of energy

Fuel Poverty

A household is considered to be in fuel poverty if they need to spend more than 10% of their income to provide adequate heating to their home

Housing Health and Safety Rating System

A system of assessment of housing standards where hazards in the home are classified in accordance with their severity, the worst hazard being category 1 and lesser hazard being category 2

Hazards

In assessing the health and safety of a home 29 different hazards are considered. These are;

- Damp and mould growth
- Excess cold
- Excess heat
- Asbestos
- Biocides
- Carbon monoxide and fuel combustion products
- Lead
- Radiation
- Uncombusted fuel gas
- Volatile Organic Compounds
- Crowding and space
- Entry by intruders
- Lighting
- Noise
- Domestic hygiene, pests and refuse
- Food safety
- Personal hygiene, sanitation and drainage
- Water supply
- Falls associated with baths
- Falls on level surfaces
- Falls on stairs
- Falls between levels
- Electrical hazards
- Fire
- Flames and hot surfaces
- Collision and entrapment
- Explosions
- Position and operability of amenities etc
- Structural collapse and falling elements

KLAS

A landlord accreditation scheme run on behalf of Medway and other Kent local authorities by the London Landlord Accreditation Scheme.

Vulnerable household

Households comprising children, the elderly or those suffering long term illness and disability who are in receipt of one or more of the principal income related or disability benefits as follows: -

Income support

Housing benefit

Council tax benefit

Income based job seekers allowance

Working tax credit including a disability element and income of less than £15,460

Child tax credit if income less than £15,460

Attendance allowance

Disability living allowance

Industrial injuries disablement benefit (which must include a mobility supplement or constant attendance allowance)

War disablement benefit (which must include a mobility supplement or constant attendance allowance)

Pension credit

Warm Front

A government funded grant scheme to carry out works to improve the heating and insulation of the homes of vulnerable households

Summary of Housing Assistance Conditions for owner occupiers

Carrying out and completion of Works

1. The eligible works must be carried out in accordance with the specification required by the Council.
2. The eligible works must be carried out within a period specified in the approval. This period may, however, be extended by the Council, particularly where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made. If an applicant requires additional time a request must be made in writing before the expiry of the approved period otherwise the right to assistance cannot be guaranteed.
3. The payment of assistance, or part of assistance, is conditional on the eligible works being carried out to the satisfaction of the Council and the Council being provided with an acceptable invoice, demand or receipt for payment for the works and any preliminary or ancillary services or charges. An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family.
4. An applicant must take reasonable steps to pursue any relevant insurance or legal claim and to repay the assistance, so far as is appropriate, out of the proceeds of such a claim. If, after assistance has been approved, an applicant is successful in (a) an insurance claim or legal claim against another person in respect of damage to the premises to which the assistance relates, or (b) a legal claim for damages in which the costs of the works to the premises is part of the claim, the applicant should notify the Council of that fact and will be required to repay the assistance, so far as is appropriate, out of the proceeds of the claim.
5. Unless the Council direct otherwise the eligible works must be carried out by the contractor whose estimate accompanied the application, or where two or more estimates were submitted, by one of those contractors.
6. The Council must be provided with all relevant gas and electrical certificates and appropriate specialist guarantees before payment will be made.
7. The Council may require repayment of assistance or withhold further payment in the following circumstances
 - The applicant has given inaccurate or incomplete information on their application
 - The eligible works were started before the assistance was approved without the knowledge and consent of the Council.
8. Throughout the assistance condition period the dwelling must be occupied in accordance with the intention stated in the certificate of owner-occupation. If this condition is breached, the Council may demand the repayment of the assistance in full. The current owner must notify the Council if the property is not his only or main residence.
9. The Council may by written notice require the owner to provide within 21 days details of the occupation of the dwelling.

11. In the event of a breach of the assistance conditions, the Council may demand the repayment of the assistance, but it has the discretion either not to demand repayment, or to require payment of less than the full amount.
12. If an owner disposes of the dwelling, other than as an exempt disposal, within the assistance condition period, he will be required to repay the assistance to the Council. This condition remains in force for the whole of the assistance condition period and is binding not only on the person who gives the certificate, but also on any subsequent owner, except where an exempt disposal is made. An owner must notify the Council in writing of his intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.

An exempt disposal normally occurs when a property is reassigned during a marital breakdown, or inherited under a will. Any subsequent sale of the property will, however, require repayment of the loan.

13. The applicant must arrange and maintain in effect adequate insurance of the property throughout the assistance condition period

Summary of Housing Assistance Conditions for landlords

Carrying Out and Completion of Works

1. The eligible works must be carried out in accordance with the specification required by the Council. If whilst undertaking the specification of works, additional works are identified as being required to complete the original specification, these additional works must also be completed as a condition of receiving assistance. Additional assistance may be available to complete these works.
2. The eligible works must be carried out within a period specified in the approval. This period may, however, be extended by the Council, particularly where they are satisfied that the eligible works cannot be, or could not have been, carried out without carrying out other works which could not have been reasonably foreseen when the application was made. If an applicant requires additional time a request must be made in writing before the expiry of the approved period otherwise the right to assistance cannot be guaranteed.
3. The payment of assistance, or part of assistance, is conditional on the eligible works being carried out to the satisfaction of the Council and the Council being provided with an acceptable invoice, demand or receipt for payment for the works and any preliminary or ancillary services or charges. An invoice, demand or receipt will not be acceptable if it is given by the applicant or a member of the applicant's family.
4. Unless the Council directs otherwise the eligible works must be carried out by the contractor whose estimate accompanied the application, or where two or more estimates were submitted, by one of those contractors.
5. The Council must be provided with all relevant gas and electrical certificates and appropriate specialist guarantees detailed in the schedule of works before payment will be made.
6. The Council will request a copy of the tenancy agreement one month from the completion of the loan
7. The Council may require repayment of assistance or withhold further payment in the following circumstances
 - The applicant has given inaccurate or incomplete information on their application
 - The eligible works were started before the assistance was approved without the knowledge and consent of the Council
8. Throughout the assistance condition period (that is five years beginning with the date on which the Council certifies the eligible works to have been completed to their satisfaction) the dwelling must be let as a residence, and not for a holiday, on a tenancy which is not a long tenancy, by the owner, to a person who is not connected with him (generally speaking, this means not a member of his family).
9. The Council may by written notice require the owner to provide within 21 days details of the occupation of the dwelling.

10. The assistance conditions remain in force throughout the initial period and are binding not only on the person who provides the certificate but also on any subsequent owner of the dwelling.
11. In the event of a breach of the assistance conditions, the Council may demand the repayment of the assistance with interest, but they have the discretion either not to demand repayment, or to require payment of less than the full amount.
12. If an owner sells the dwelling, other than an exempt disposal, within the assistance condition period or is expelled from the Kent Landlord Accreditation Scheme, he / she will be required to repay the assistance to the Council. This condition remains in force for the whole of the assistance condition period and is binding not only on the person who gives the certificate, but also on any subsequent owner, except where an exempt disposal is made. An owner must notify the Council in writing of his / her intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.
13. An exempt disposal normally occurs when a property is reassigned during a marital breakdown, or inherited under a will, however any subsequent sale of the property will require repayment of the grant.
14. The applicant must arrange and maintain in effect adequate insurance of the property throughout the assistance condition period
15. Where the applicant has a duty or power to carry out works of repair to the assistance aided property, the applicant shall ensure that, to the extent that such duty or power allows, the property remains in a suitable condition throughout the assistance period.

Diversity Impact Assessment: Screening Form

Directorate Business Support	Revision of the Medway Policy for the Provision of Financial Assistance for Housing Improvement	
Officer responsible for assessment Susan Pledger	Date of assessment 12 th May 2011	New or existing? Existing
Defining what is being assessed		
1. Briefly describe the purpose and objectives	<p>In August 2008 Cabinet approved a policy to provide financial assistance for private sector housing improvement. This policy included the criteria for eligibility, housing standards to be achieved and maximum financial amounts for the grants and loans being made available. The funding to support the policy has been significantly reduced and in consequence the main assistance, Decent Homes Loans have been revised, so that they will now fund removing serious hazards to occupiers' health and safety as opposed to achieving the Decent Homes Standard. Additionally the revised policy alters the eligibility criteria for homeowner grants and loans and reduces the maximum amount available for homeowner improvement loans</p>	
2. Who is intended to benefit, and in what way?	<p>The purpose of both the original and revised housing assistance policy is to provide financial support for homeowners and tenants least able to fund essential home improvements themselves. This purpose has not altered. Although homes will be improved by removing serious hazards, as opposed to meeting the Decent Homes Standard, the grants and loans will ensure that vulnerable and elderly residents are supported to live in homes that are healthy, safe and warm.</p>	
3. What outcomes are wanted?	<p>That the reduced funding available is targeted at vulnerable and elderly residents least able to fund improvements themselves. The Private Sector Housing Team will be continuing to monitor the diversity statistics to monitor how resources continue to be allocated to those most in need.</p> <p>The grants and loans being made available will support vulnerable and elderly residents to live in homes that are healthy, safe and warm.</p>	
4. What factors/forces could contribute/detract from the outcomes?	<p>Contribute The private sector housing team has already been advising residents seeking assistance that there are likely to be changes on the help available. The majority of enquirers are receiving income related benefits</p>	<p>Detract Lack of awareness by residents that assistance is still available from the Council and therefore not accessing this service. Partner organisations who may receive requests for information by residents not being aware of the</p>

	and therefore likely to qualify for assistance.	assistance available from the Council and therefore not advising on the availability of this service
5. Who are the main stakeholders?	The Council's Housing Services Team, Council services supporting vulnerable and elderly residents in their homes, residents in private sector housing, welfare organisations e.g. Citizens Advice Bureau and Age UK and the In Touch Home Improvement Agency.	
6. Who implements this and who is responsible?	The Council's Private Sector Housing Team	


Assessing impact		
7. Are there concerns that there <u>could</u> be a differential impact due to <i>racial groups</i>?		Newly arrived Eastern European groups may not speak English and are likely to be unaware of the assistance available for housing improvement.
	NO	
What evidence exists for this?	<p>The Housing Services Team has recruited two team members with the requisite language skills to communicate with the newly arrived Eastern European groups. They undertake regular surgeries to provide migrant households with housing advice and have extensive links with other community groups to provide housing advice.</p> <p>Diversity monitoring undertaken indicates that all racial groups are able to access the financial assistance provided through the Housing Assistance Policy.</p>	
8. Are there concerns that there <u>could</u> be a differential impact due to <i>disability</i>?		Disabled, elderly and vulnerable homeowners are more likely to live in homes that are substandard due to insufficient income to maintain their homes.
	NO	
What evidence exists for this?	<p>The Private Sector Housing Team regularly attends events and forums to promote its assistance. It also works closely with the home improvement agency In Touch, which supports disabled persons to access funding and services to maintain their homes. Enquiries have been made with adjacent Kent authorities regarding their levels of funding. These authorities have confirmed that their £10,000 limit has been sufficient to bring properties up to a safe and healthy standard.</p> <p>Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy.</p>	

9. Are there concerns that there <u>could</u> be a differential impact due to <i>gender</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy.	
10. Are there concerns there <u>could</u> be a differential impact due to <i>sexual orientation</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy.	
11. Are there concerns there <u>could</u> be a have a differential impact due to <i>religion or belief</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy.	
12. Are there concerns there <u>could</u> be a differential impact due to people's <i>age</i>?		Disabled, elderly and vulnerable homeowners are more likely to live in homes that are substandard due to insufficient income to maintain their homes.
	NO	
What evidence exists for this?	<p>The Private Sector Housing Team regularly attends events and forums to promote its assistance. It also works closely with the home improvement agency In Touch, which supports elderly persons to access funding and services to maintain their homes. Enquiries have been made with adjacent Kent authorities regarding their levels of funding. These authorities have confirmed that their £10,000 limit has been sufficient to bring properties up to a safe and healthy standard.</p> <p>Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy.</p>	
13. Are there concerns that there <u>could</u> be a differential impact due to <i>being trans-gendered or transsexual</i>?		Brief statement of main issue
	NO	
What evidence exists for this?	Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy	

14. Are there any <i>other</i> groups that would find it difficult to access/make use of the function (e.g. young parents, commuters, people with caring responsibilities or dependants, young carers, or people living in rural areas)?		We do though pay attention to homeowners with mental health problems and learning disabilities to try to ensure they are aware of the service.
	NO	
What evidence exists for this?	The Private Sector Housing Team regularly attends events and forums to promote its assistance. It also works closely with the home improvement agency In Touch, which vulnerable persons, including persons with learning and mental health issues, to access funding and services to maintain their homes.	
15. Are there concerns there could have a differential impact due to <i>multiple discriminations</i> (e.g. disability and age)?		Brief statement of main issue
	NO	
What evidence exists for this?	Diversity monitoring undertaken indicates that all diversity groups are able to access the financial assistance provided through the Housing Assistance Policy	

Conclusions & recommendation

16. Could the differential impacts identified in questions 7-15 amount to there being the potential for adverse impact?		Brief statement of main issue
	NO	
17. Can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or another reason?		N/A
	NO	
Recommendation to proceed to a full impact assessment?		
NO	This policy change complies with the requirements of the legislation and there is evidence to show this is the case.	

Planning ahead: Reminders for the next review		
Date of next review	July 2012	
Areas to check at next review (e.g. new census information, new legislation due)	None identified at present, but this will be reassessed when the above review is undertaken and if new relevant legislation is enacted before the expected review date.	
Is there <i>another</i> group (e.g. new communities) that is relevant and ought to be considered next time?	None identified at present.	
Signed (completing officer/service manager)	Date 16 th May 2011	
Signed (service manager/Assistant Director)	Date	