

APPENDIX 4

Tonbridge House Retirement Housing Scheme Change of use Rehousing Policy and Procedure

BACKGROUND

1. The Council is committed to recognising and supporting the needs of retirement housing tenants in all aspects of service delivery. Although there is no legal entitlement to a Homeless or disturbance payment, we recognise that retirement housing tenants may have specific support needs as a result of age related physical or mental frailty, health infirmity, disability or other life circumstance and may also be considered as 'vulnerable' under the Government's accepted definition¹. As such, retirement housing tenants may require additional help and assistance with permanent rehousing as a result of the change of use at Tonbridge House retirement housing scheme.
2. The Council will work with retirement housing tenants to ensure that individuals' needs (which will generally be based on needs as recorded in their support plans) are adhered to at every stage of the relocation process.
3. This policy determines the way in which the Council will assist retirement housing tenants who wish to move, in accessing suitable alternative accommodation as a result of the changing the use of Tonbridge House. It explains how all accommodation is allocated under the Council's allocations system, and outlines how the housing needs of retirement housing tenants will be prioritised within this system.
4. The document also explains the circumstances in which compensation in the form of 'ex gratia payments' (disturbance payments), to cover the costs of moving, may be made to retirement housing tenants who choose to move as a result of the change of use at Tonbridge House.

LEGAL ASPECTS

In order to qualify for 'ex gratia payments' (disturbance payments):

- The tenant must be resident at Tonbridge House retirement housing scheme and
- The displacement must have been in consequence of, the change of use
- The displacement must be permanent; and
- The person displaced must:
 - i. have been a tenant of the Council; and

¹ Those in receipt of at least one of the principal means tested or disability related benefits.

- ii. have occupied the premises as his or her only or main residence for a period of at least 1 year, ending with the date of relocation.

EX GRATIA PAYMENTS

5. Payments will be, made to tenants who move from Tonbridge House within the first 12 months of its use being changed from retirement housing to general needs temporary accommodation being implemented.

The value of payments will vary according to the circumstances of each household relocating. However, the costs covered by the Council may include:

- a. Cost of removals company to transport home contents/ furniture:
The Council will choose a selected removal contractor and pay them directly for the move upon receipt of the invoice. The contractor will have valid insurance. Elderly and vulnerable tenants will be offered assistance with packing, unpacking and resettling into their new address.

In the case of a temporary move, it may be possible to arrange storage facilities with the Council's removals contractor until the tenant returns to their permanent home. The Council's removal company shall have the appropriate insurance for this purpose, the details of which are available from the removal company. This will be decided on a case-by-case basis depending on the circumstances of the redevelopment or improvement programme.

- b. Disconnection and reconnection of electric or gas cooker:

Generally the Council will both engage and pay the contractor directly for this work and this will be carried out by either an approved electrician or a Corgi registered gas fitter. Where this is not possible, disturbance payment claims will only be reimbursed to the tenant once the Council has received satisfactory receipts/invoices for the work.

- c. Disconnection and reconnection of washing machine and dishwasher:

Generally the Council will both engage and pay a plumber approved by us, directly. Where this is not possible, disturbance payment claims will only be reimbursed to the tenant once the Council has received satisfactory receipts/invoices for the work.

- d. Landline telephone disconnection and reconnection.

Where the retirement housing tenant is moving permanently, the Council will reimburse the cost of transferring an existing landline telephone connection to the new property, including the cost of transferring the existing telephone number, (where this is possible).

In the event that the number cannot be transferred, the Council will reimburse the cost of utilising the caller redirect service for a period of 3 months, (where this service is available).

NB: The Council cannot guarantee the re-connection of cable TV/Internet where it forms part of a telephone package.

e. Mail Redirection:

The Council will reimburse the cost of three months mail redirection where a tenant is moving permanently. Claims for mail redirection costs will only be reimbursed to the tenant once the Council has received satisfactory receipts/invoices for the mail redirection.

f. Carpets

The Council will make direct payment to the carpet fitter/firm approved by the Council for the supply and fit of carpet or flooring to the new property from a specific range. The Council will request a quote from the carpet fitter/firm for the carpet required, and the tenant will be able to select one colour from a specified range.

Where residents wish to use a different floor covering, the Council will pay an allowance that is no more than the value of the carpet quotation for those rooms which would have been carpeted using a carpet from one from the specified range.

If preferred, tenant's make use of their existing carpets if they wish to do so. The cost of taking up, refitting and where necessary adapting carpets will be met by the Council which will use a carpet fitter/firm approved by the Council and pay them directly. If there is a question over whether or not a carpet can be reused the Council will rely on the advice and experience of the carpet fitter/firm. Where the use of existing carpets is not financially viable, or the carpet cannot be refitted, the Council will make direct payment to the carpet fitter/firm approved by the Council for the supply and fit of carpet to the new property. The Council will request a quote from the carpet fitter/firm for the carpet required, and the tenant will be able to select one colour from a specified range. Where residents wish to use a different floor covering, the Council will pay an allowance that is no more than the value of the carpet quotation for those rooms which

would have been carpeted using a carpet from one from the specified range.

g. Curtains.

The expectation is for retirement housing tenants to make use of existing curtains by refitting of existing curtains. retirement housing tenants will be asked to complete a claim form indicating which rooms require replacement curtains and the approximate size of the window; however this will be verified by the curtain fitter/firm approved by the Council. If there is a question over whether or not curtains can be reused, the Council will rely on the advice and experience of the approved curtain fitter/firm. Where the use of existing curtains is not financially viable, or the curtain cannot be refitted, the Council will make direct payment to the curtain fitter/firm for the supply and fit of curtains to the new property. The Council will request a quote from the curtain fitter/firm for the curtains required, and the tenant will be able to select one colour from a specified range.

The Council's removal firm will be contracted to refit any curtain rails for both permanent and temporary rehousing.

Retirement housing tenants should be aware that reasonable access will be required for measuring and surveying of both carpets and curtains, which may need to be during normal office hours for some contractors.

h. Special expenses for removal day.

If certified by an employer that an adult in the household lost earnings due to taking time off to move, the Council will refund this money. This is limited to one employed person, where there was no other adult available to help on moving day.

i. Decorations

It is recognised that retirement housing tenants may have difficulty undertaking decorations.

Where Council Tenants are not moving to a new property, the Council will arrange for a Council repairs contractor to undertake the necessary decoration on their behalf as deemed necessary and in agreement with the tenant. However the choice of finish will be limited. Where a retirement housing tenant expresses a wish to undertake the decorations themselves, they will

j. Adaptations

Where the Tenant's existing premises has an adaptation such as chairlift or bath/shower adaptation, AND the Tenant is the person assessed as needing the adaptation then the following will apply:

- a. The Council will attempt to find accommodation that already has the adapted facility required, however where there is no accommodation available with the necessary facility the Council will install such adaptation/relocate the adaptation from the Tenant's existing premises

OR

- b. the Council will provide accommodation that already has the adaptation or replicate the one that the Tenant currently has in their home.

Where the retirement housing tenant is not the person who was assessed as needing the adaptation and where a dispute arises about the retirement housing tenants needs, the Tenant will not be provided with premises with such adaptation nor will the new/temporary premises be adapted unless the Occupational Therapy team have carried out an assessment of the retirement housing tenants current needs and have confirmed that such an adaptation is required.

- k. Other reasonable expenses

Other reimbursement may be considered where exceptional expenses have necessarily been incurred as a direct result of the move and could not have been avoided. Payment will only be made where these expenses has been agreed in advance in writing with a representative from the Council prior to being incurred and satisfactory receipts/invoices have been received.

PROCEDURE FOR CLAIMING DISTURBANCE PAYMENTS

20. Applications for the Home Loss payment must be made in writing, and the Council will issue a claim form for this purpose. Once the tenant has accepted and signed the tenancy for their new or temporary home, the Council will assist the tenant to complete a home loss payment claim form.
21. Accepted claims will be paid on or before the date of displacement or within three months after the written application for Home Loss payment has been received, whichever is the later date.

The Council will also assist the tenant to complete a "decant progress sheet", indicating carpet and curtain choices. It is at this stage that the tenant should agree any additional disturbance payment costs that may be incurred as a result of the move. To avoid unnecessary expense to

the tenant, the Council will endeavour to pay disturbance costs directly to approved suppliers and/or contractors. Where this is not possible, claims for disturbance costs will only be reimbursed to the tenant once the Council has received satisfactory receipts/invoices. Accepted claims will be paid within 21 days of receipt.

22. Tenants must ensure that the keys to the original property have been returned to the Council before any Home Loss Payment is made. The property will be inspected to ensure that the Tenant has provided vacant possession as per the tenancy agreement, and that all personal belongings, have been removed. The Council reserves the right to dispose of any items left at the property once the keys have been returned, for which the tenant will be recharged and the monies recovered by deducting the sum from the Home Loss payment.
23. Subject to paragraphs 21 and 22 Disturbance Payments will be made by cheque, payable to the tenant, where they have a bank, building society or post office account into which they can pay the cheque. If the tenant does not have a suitable account, they must state on the home loss claim form who they would like the cheque to be made payable to, and the relationship that the payee has with the tenant. Home loss payments cannot be raised in cash for audit reasons. Disturbance payments will normally be paid by cheque for the reasons outlined above, unless there are extenuating circumstances. This will need to be agreed with a representative of the Council, prior to submitting the receipt/invoice.

VARIATION

28. Minor amendments/variations may be made to this policy by the Executive Director of Adult Services, Health and Housing.

CONTACT

If you are dissatisfied any decision about Disturbance Payments made under this Policy you may put your concerns in writing, with such supporting documentation as is necessary to substantiate any claim you are making. Your concerns should be addressed to: Housing Allocations Team, Housing Needs and Solutions Section, 3rd Floor, Bernard Weatherill House, Park Lane, Croydon, CR9 1DH