

# **CROYDON COUNCIL**

## **PRIVATE SECTOR HOUSING ASSISTANCE POLICY**

**July 2021**

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**CROYDON COUNCIL****PRIVATE SECTOR HOUSING ASSISTANCE POLICY****1. INTRODUCTION**

- 1.1 Poor quality housing can have an impact on the health of the occupants and on the quality of life in an area. Though agreeing with the Government's view that it is primarily the responsibility of homeowners to maintain their own properties, the Council is committed to improving housing quality across all tenures. It is accepted that some homeowners, particularly the elderly and the most vulnerable, do not have the necessary resources to keep their homes in good repair or to provide adaptations to assist with daily living. The provision of assistance by the Council benefits the health of the residents, protects and maintains the property and allows the residents to remain living independently.
- 1.2 The Regulatory Reform (Housing Assistance) Order 2002 repealed much of the historic legislation governing the provision of renewal grants to homeowners and replaced it with a wide-ranging power to provide assistance for housing renewal in the private sector.
- 1.3 This Policy sets out how Croydon will use the various powers available, including the provision of financial assistance.

**2. KEY PRIORITIES****2.1 Croydon Renewal Improvement Plan**

The improvement proposals framed around the different strands of work that will form the Croydon Renewal Plan:

- The new Priorities and Ways of Working;
- Improvements to governance and leadership practice
- Improvements to management practice
- Service improvements to manage demand and cost
- A new system of internal control – Finance, Performance and Risk
- A new approach to involving residents and partners
- A new engagement and involvement programme with staff to create a working environment that values all our staff.
- A new approach to ensuring respect for all and equity of opportunity for our staff.
- A review of the member and officer code of conduct to fully embed the Nolan Principles in all work.

These priorities will be the focus for the organisation and our work with partners, the voluntary sector, our communities and residents and have been incorporated in to our work with the private housing sector.

This policy specifically supports the Croydon Renewal Plan with the priorities for Service improvements to manage demand and cost, and a new approach to involving residents and partners, and in particular aims to:

- Enable older residents and residents with a disability to remain in their own property by the provision of adaptations to meet their individual needs
- Enable residents to move to alternative accommodation if their existing home is unsuitable for adaptation to meet their disability needs
- Enable owner-occupiers whose homes do not meet the Decent Homes standard to carry out works to alleviate serious risks to health and safety of residents or visitors and bring them up to the standard
- Enable vulnerable and low income household owner occupiers and private tenants to carry out repairs and improvements to their homes
- Increase the supply of available accommodation by enabling owners of empty properties to bring them back into residential use
- Enable owner-occupiers and private tenants to make their homes more energy efficient and to reduce fuel poverty

The assistance available is outcome focused and aims to deliver long term, sustainable solutions for individuals and families to secure their independence.

The range of assistance provided under this policy is designed to provide early intervention and prevention activity in this housing sector to improve housing conditions, prevent ill health or accidents arising from poor conditions, to prevent homelessness and increase housing supply. It will:

- concentrate on housing in the poorest condition and on improvements giving the greatest health impact
- be tailored to individual need
- be delivered in the clients own home
- be built around the customer need
- be based on a clear evidence base for Croydon

### 3.0 **BACKGROUND**

#### **Vision for Croydon**

3.1 In 2040 Croydon will be London's most enterprising borough - a city that fosters ideas, innovation and learning, and provides skills, opportunity and a sense of belonging for all. **The Council's Vision for Croydon** is:

- **ENTERPRISING** - a place renowned for enterprise and innovation with a highly qualified and skilled workforce, and a diverse and thriving local economy
- **CONNECTED** - a place that is well connected, easy to get to and around, and supported by infrastructure that enables people to easily come together; with one of the best digital, communications and transport networks in the country

- **CREATIVE** - a place that draws people to its culture and creativity, an inspiration and enabler of new artistic and sporting talent
- **SUSTAINABLE** - a place that sets the pace amongst London boroughs on promoting environmental sustainability and where the natural environment forms the arteries and veins of the borough
- **LEARNING** - a place that unleashes and nurtures local talent and is recognised for its support and opportunity for lifelong learning and ambitions for children and young people
- **CARING** - a place noted for its safety, openness and community spirit where all people are welcome to live and work and where individuals and communities are supported to fulfil their potential and deliver solutions for themselves.

Croydon's Strategic Partnership will achieve this vision by focusing on these six key themes that reflect the priorities expressed by local people.

Our vision statement sets out the quality and scope of change that is sought over the coming years. This is now the point of reference for all other strategies and plans in the borough - ensuring that the same vision and priorities are met and that we are consistent and act together to create a better place in which to live and work.

This policy will contribute towards the fulfillment of these themes.

### **National and Regional picture**

3.2 The Council's Housing Renewal Policy has been influenced by the **National and Regional picture and the Government's key housing-related aims**, which are to:

- Ensure every individual in the country has a decent home which they can afford
- Create attractive, sustainable communities where people want to work and live

The vision for housing in Britain includes:

- A major emphasis on the need to increase home ownership, with help for those whose chances of ownership are limited by the current high house price levels
- an improvement in the quality and image of private rented accommodation which is seen as a particularly important option for young or geographically mobile people
- an increase in the amount of social rented housing
- help for vulnerable people in all tenures to stay in their own homes, for example through adaptations, assistance with renovations and housing related support
- improved quality of housing in all tenures with specific targets for both social and private stock
- a reduction in homelessness together with less reliance on temporary accommodation

## Decent Homes Standard

- 3.3 The Ministry of Housing, Communities & Local Government has an objective to:

“Improve the supply, environmental performance and quality of housing so that it is more responsive to the needs of individuals, communities and the economy”.

In line with this, Local Authorities are expected to address non-decent homes in the private sector occupied by vulnerable households in their housing renewal policies.

A decent home must:

- not contain a category 1 hazard
- be in a reasonable state of repair
- have reasonably modern facilities and services
- provide a reasonable degree of thermal comfort.

This Policy sets out a number of tools that the Council will employ to help bring non-decent homes in the private sector occupied by vulnerable households up to standard.

## London picture

- 3.4 In addition, the Policy reflects the following key aims set out in the **London Housing Strategy 2018**.

The Mayor’s London Housing Strategy sets out his vision for housing, and his policies and proposals to make it happen. It is a framework for what the Mayor will do over several years, including over £4.8bn of affordable housing investment through to 2022.

The Mayor wants to make the capital ‘A City for all Londoners’. That means meeting London’s housing needs in full, particularly the need for genuinely affordable homes. It means creating a city where businesses can thrive and the environment is protected. It also means that people from all walks of life should be able to share in the city’s success and fulfil their potential.

This vision underpins the five priorities of the Mayor’s London Housing Strategy:

- building homes for Londoners;
- delivering genuinely affordable homes;
- high quality homes and inclusive neighbourhoods;
- a fairer deal for private renters and leaseholders; and
- tackling homelessness and helping rough sleepers.

- 3.5 The Private Sector Housing Assistance Policy has also been influenced by the priorities identified in the **Housing Strategy Cabinet Report 2019 (The full Housing Strategy is currently under revision, and is due in late 2021)**.

The priorities under these three aims will form the basis of a housing strategy.

- create **New Homes in Great Places** that local people can afford to rent or buy
- ensure existing social and private homes become **Good Quality Homes**; and
- provide **Better Access to Homes and Independent Living**, including ensuring people can live independently at home for as long as possible, and preventing and relieving homelessness.

The key areas that the Private Sector Housing Assistance Policy addresses under **Good Quality Homes** are:

1. Help with repairs to private homes for those who need it most  
Continue to provide loans for owner occupiers and grants for private tenants to help fund essential repairs and energy efficiency improvements.
2. Bring empty homes back into use  
Further develop referral arrangements to improve our intelligence and double Council Tax payable for long term empty properties.

#### 4.0 **CROYDON EVIDENCE BASE OF LOCAL NEED**

##### **Increasing Older Population**

- 4.1 The population of Croydon aged 65 and over is predicted to increase by over 15% in the next five years and by over 50% in the next fifteen years.

<b>Croydon Population aged 65 and over, projected to 2035</b>					
	<b>2019</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
People aged 65-69	15,500	16,000	18,600	22,500	22,700
People aged 70-74	13,500	13,800	14,400	16,800	20,400
People aged 75-79	9,600	9,800	12,300	12,900	15,100
People aged 80-84	7,600	7,600	8,100	10,200	10,800
People aged 85-89	4,600	4,700	5,300	5,800	7,400
People aged 90 and over	2,700	2,700	3,200	3,800	4,500
<b>Total population aged 65 and over</b>	<b>53,500</b>	<b>54,600</b>	<b>61,900</b>	<b>72,000</b>	<b>80,900</b>

Source: [www.poppi.org.uk](http://www.poppi.org.uk)

## **Dementia**

- 4.2 There are an estimated 3,770 people living with dementia in Croydon; this is projected to rise by 14% over the next 5 years, reaching 4,328 by 2025. Approximately two thirds (62.1%) are female.

Croydon's 2012 Dementia JSNA reveals that Croydon has higher dementia needs compared to other London Boroughs, and that this need will rise in years to come. For example, Croydon has:

- 4th highest number of people aged 65 years or older with late onset Dementia
- 5th highest projected number of people aged 65 years or older in care homes by 2030
- 5th highest projected number of people aged 65 years or older providing unpaid care by 2030
- 5th highest projected number of people from BME groups with dementia by 2020
- 7th highest projected number of people aged 65 years or older living alone by 2020

## **Disability**

### **Children with disabilities**

- 4.3 . There are a large number of referrals open to the council for children with disabilities who require adaptations. These include disabilities relating to communication, consciousness, hearing, incontinence, learning, mobility, personal and vision including autism and Asperger's syndrome.

### **Adults with disabilities**

- 4.4 Based on figures for Croydon, taken from the Office for National Statistics (ONS) 2011 Census in 2019:
- 12,782 people aged 18-64 are predicted to have impaired mobility.
  - Over 11,000 people aged over 65 are predicted to have a limiting long term illness that affected their day-to-day activities a lot with another over 13,000 people having their day to day activities affected a little.
  - 9332 people aged 18-64 are predicted to have a moderate personal care disability and 2062 people are predicted to have a serious personal care disability. These include getting in and out of bed, getting in and out of a chair, dressing, washing, feeding, and use of the toilet. A moderate personal care disability means the task can be performed with some difficulty; a severe personal care disability means that the task requires someone else to help.

Source: [www.poppi.org.uk](http://www.poppi.org.uk)

## Low Income Households

### Out of work benefits

- 4.5 In Croydon, 4.2% of the population (June 2019) were claiming universal credit as compared to 2.8% in London and 2.8% in Great Britain.

Source: <https://www.gov.uk/universal-credit>

### Accident (Falls) Statistics for the Older Population

- 4.6 The number of people in Croydon aged 65 and over admitted to hospital as a result of falls is predicted to increase by over 13% in the next five years and by over 52% in the next fifteen years.

<b>Croydon Population aged 65 and over, predicted to be admitted to hospital as a result of falls, by age, projected to 2035</b>					
	<b>2019</b>	<b>2020</b>	<b>2025</b>	<b>2030</b>	<b>2035</b>
People aged 65-69	127	132	153	185	187
People aged 70-74	183	187	195	228	277
People aged 75-79	237	242	303	318	373
People aged 80 and over	1161	1,176	1,293	1,524	1,768
<b>Total population aged 65 and over predicted number of hospital admissions due to falls</b>	<b>1,708</b>	<b>1,737</b>	<b>1,945</b>	<b>2,273</b>	<b>2,604</b>

Source: [www.poppi.org.uk](http://www.poppi.org.uk)

### Property Tenure

- 4.7 A high proportion of the Croydon population aged 65 and over own and live in their own homes. Many are on low incomes and are asset rich but cash poor, being unable to afford to maintain or adapt their properties to enable them to remain independently at home.

<b>Proportion of population aged 65 and over by age and tenure for year 2011.</b>			
	<b>People aged 65-74</b>	<b>People aged 75-84</b>	<b>People aged 85 and over</b>
Owned	76.74%	77.75%	73.56%
Rented from Council	11.01%	11.53%	13.16%
Other social rented	5.43%	4.82%	6.56%
Private rented or living rent free	6.81%	5.90%	6.72%

Source: [www.poppi.org.uk](http://www.poppi.org.uk)

- 4.8 Housing is a key determinant of health, and poor housing conditions continue to cause preventable deaths and contribute to health inequalities. LACORS 2010.

### **Vacant Properties in Croydon**

- 4.9 Records show that on 20<sup>th</sup> May 2019 there were 2070 long term (over 6 months) vacant residential properties in Croydon. Each property represents a home for a homeless household and is a wasted resource.

The Empty Property Service works with owners of vacant homes to return them to use and wherever possible secures use of the property for tenants nominated by the council.

Long term empty homes brought back into use will qualify for the New Homes Bonus where, for the following 6 years, the government will match fund the Council Tax.

### **Evidence of low uptake of Mandatory Disabled Facilities Grant**

- 4.10 In Croydon we have carried out research into the reasons why some residents do not take up this assistance whether before, during or following making an application. The main preventative factors were found to be:
- The existence of a local land charge and repayment condition up to £10,000
  - Cost of adaptation works exceeded the maximum Mandatory DFG limit
  - Client could not afford to pay the excess costs to complete the adaptation
  - Client could not afford to pay their assessed contribution following the statutory means test
  - Client did not want or was unable to cope with the upheaval of major works
  - Client had died prior to an application being made, completed or adaptation provided

## Provision of assistance and the need for change

4.11 Based on the needs identified in the evidence and the changes in funding, private sector housing assistance in Croydon will be provided around the following criteria and themes:

### Client Based:

- Persons aged 60 and over
- Persons with a disability
- Low income households
- Vulnerable households

### Property Based:

- Non-decent homes - Category 1 Hazards
  - Energy Efficiency/thermal comfort
  - Reasonable repair
  - Reasonably modern facilities
- Reducing the number of empty residential properties

### Theme Based:

- Prevention and enabling
- Promoting Independence
- Provision of suitable adaptations to meet the needs of persons with a disability
- Falls and injury prevention in over 60 age group
- Reducing excess winter deaths
- Increasing housing supply (including units adapted to meet the needs of persons with disabilities)
- Reducing homelessness via obtaining tenancy nomination rights
- Reducing Fuel Poverty
- Increasing security & providing crime prevention measures
- Handy Person Scheme
- Gardening Scheme

## 5. **RESOURCES**

- 5.1 The Better Care Fund (BCF) 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.

The BCF has been created to improve the lives of some of the most vulnerable people in our society, placing them at the centre of their care and support, and providing them integrated health and social care services, resulting in an improved experience and better quality of life.

The amount confirmed nationally for DFG is £573m. Croydon's BCF allocation for 2021/22 for DFG is £2.992m.

### 5.2 **Disabled Facilities Grant (DFG) – Increased funding**

Changes in how the government allocates funding for home adaptations has caused a significant increase in the funding given to local authorities. This increase has continued in 21/22, and therefore it is appropriate to review the discretionary assistance we make available to adapt and improve living conditions for disabled persons.

The average cost of installing adaptations has increased year on year since the mandatory DFG limit was set in 2008, this is particularly evident in London. As a result many adaptations do not proceed due to insufficient funding. The introduction of discretionary DFG should enable much needed adaptations to proceed.

Where the cost of the eligible works are greater than the maximum grant limit the council may use its discretionary powers under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 to bridge part or all of the gap.

Whilst a review of the current Mandatory DFG has been commissioned, the government has not as yet revised the legislation. Due to the funding increase from the Better Care Fund our key priority is to maximize use of the funding given to Croydon residents for adaptations in the form of discretionary DFGs.

- 5.3 The funding of assistance under this policy is discretionary (with the exception of Mandatory Disabled Facilities Grant) and is financially limited through an annual budget set by Government and the Council.

**Croydon Schemes:**

The following Capital resources have been allocated for Private Sector Assistance in 2021/22:

<b>Type</b>	<b>Value</b>
Disabled Facilities Grant	£2,992,679
Empty Property Grant	£1,000,000
<b>TOTAL</b>	<b>£3,992,679</b>

It is anticipated that a broadly similar level of resources will be available in for Disabled Facilities Grant in 2021/2. It is anticipated that Capital resources of £500,000 will be available for Empty Property Grant in 2021/2.

The following Loan Fund has been allocated for Private Sector Assistance in 2021/22:

<b>Type</b>	<b>Value</b>
Private Sector Renewal Loans (Home Investment and Home Repair)	£300,000
Empty Property Loans	£200,000
Energy Loans	£100,000
<b>TOTAL</b>	<b>£500,000</b>

## **6. GENERAL GUIDANCE ON THE OPERATION OF THE HOUSING INVESTMENT PROGRAMME**

### **Eligibility Criteria**

- 6.1 Details of the eligibility criteria for applicants, the qualifying works and the means test are given under each type of assistance in the pages that follow. Conditions attached to assistance are given in Appendices A to F. A decision as to which is the appropriate assistance for a given situation will be made by the Council's inspecting officer after visiting a property and in accordance with this Policy.
- 6.2 All assistance is provided subject to finance being available. The Council reserves the right to refuse applications and to have a waiting list.
- 6.3 It is a requirement that all home investment and home repair loan applications are made through the Staying Put Home Improvement Agency using approved contractors.
- 6.4 Assistance (excluding Mandatory Disabled Facilities Grant) may be refused in cases where an applicant is found to have an outstanding debt to the council of any kind. This need not be in relation to the same property that the current application for assistance is for. An applicant with council tax arrears may only apply for assistance once the outstanding debt has been repaid.
- 6.5 The council is not able to offer or approve a loan where the applicant has been declared bankrupt and that bankruptcy has not been discharged.

### **Unforeseen Works**

- 6.6 Any unforeseen works that are identified when works commence will be considered for assistance. These must be seen and agreed prior to them being carried out. An instruction will be given authorising any unforeseen works. The cost will only be allowed up to the normal limit for the type of assistance.

### **Properties Held in Trust**

- 6.7 A trustee or beneficiary applying for assistance must be able to fulfil all the normal conditions. Eligibility for assistance is likely to depend on the terms of the individual trust.

### **Applications after Commencement or Completion of Works**

- 6.8 An application for assistance will not be approved where the relevant works have been completed before the assistance is approved.
- 6.9 Where an application has been received and works have started before the assistance has been approved, only those items yet to be carried out may be considered as part of the application. The only exception to this is certain Disabled Facilities Grant applications where prior agreement of the Council is obtained.

### **Fees & Other Ancillary Costs**

- 6.10 Other charges that are payable in connection with the works may be eligible for assistance. Where applicable, these include:
- confirmation of the owner's interest, if required by the Council
  - technical and structural surveys
  - design and preparation of drawings, plans and schedules of works
  - assistance in completing forms
  - advice on financing the costs of the relevant works which are not met by grant
  - applications for planning permission and building regulation approval
  - applications for listed building consent
  - applications for conservation area
  - obtaining estimates
  - advice on contracts
  - consideration of tenders
  - supervision of the relevant works

- disconnection and re-connection of electricity, gas, water or drainage utilities where this is necessary for the grant-aided works
- the services and charges of an occupational therapist in relation to the relevant works in the case of disabled facilities grant
- Agency fees.

### **Successive Loans/Assistance**

- 6.11 The Council will not generally consider giving assistance on more than one occasion in relation to a specific property. Exceptions to this are where a client is eligible for a home investment loan and also a home repair loan or energy loan or where further unforeseen items of work are later found to be necessary (within the maximum loan/grant limits set out).
- 6.12 It is a condition of all assistance, except for Energy loan, that the applicant maintains the property in a good state of repair, free of category 1 hazards and meets the decent homes standard following the date of completion.
- 6.13 Due to client circumstances, it may occasionally be necessary to be more flexible on which items of work are completed e.g. where the client is unable to cope with certain works for reasons of age or infirmity.
- 6.14 See individual grant/loan limits for further details.

### **Contractors Issues**

#### **Acceptable Estimates**

- 6.15 Applications shall be accompanied by competitive estimates from different independent builders, broken down so that there is a separate cost for each item of work. See the table below:

<b>Cost of works</b>	<b>Method:</b>	<b>Notes:</b>
Under £5000	One written Quote but preferably more	Must offer the best value for money
£5000-25,000	Minimum 3 quotes	
£25,000 +	Formal Tendering via an e-sourcing portal or if justified then the invitation of quotations (as row above) can be adopted.	Depending upon value, tendering processes will be undertaken in accordance with the requirements of the Public Contract Regulations 2015.

Applicants may be required to provide additional estimates where those submitted are not completely satisfactory. The Council may check that estimates provided are genuine. Original copies only are acceptable.

However any works may be affected by the **Aggregation Rules** which state:

The person responsible may not divide any Contract ordinarily treated as a single Contract into two or more Contracts or phases, solely in order to reduce the value to below any of the sums mentioned in any of these Regulations.

The value of any Contract to be undertaken in phases is the aggregated value of all phases combined. Any Contracts split artificially to reduce below the threshold of the EU rules may be considered contrary to the EU 'Aggregation Rules' and could result in the Council being subjected to legal challenge.

- 6.16 Applicants cannot provide their own estimates where the works are organized and overseen by Croydon Staying Put Home Improvement Agency who use contractors who comply with the council's current requirements in accordance with Croydon's guidelines. This reduces the risk of poor workmanship and aims to ensure there is adequate control of the management and quality of the building work.
- 6.17 In the case of applications for Home Repair Loans, only one estimate is required where the cost of works is less than £1,000. This will be checked to ensure it reflects best value for money.

#### **Value Added Tax (VAT)**

- 6.18 In the case of disabled facilities grants, works are generally not subject to VAT. Some grant-funded energy efficiency works such as the installation of central heating systems, controls for central heating and hot water systems, draught insulation, for example around windows and doors, insulation on walls, floors, ceilings, lofts, etc are taxable at 5% VAT. In all other cases repair or improvement works are taxable at the standard rate of VAT.

Where the chosen contractor ceases to be VAT registered having originally estimated as a VAT registered firm, the assistance amount will be varied to exclude the VAT. Conversely, where the contractor becomes VAT registered having originally estimated as a non-VAT registered firm; the assistance amount will be varied to include the VAT up to the assistance limit.

#### **Conditions Applicable to Contractors who Undertake Works**

- 6.19 The assisted works must be carried out by the contractor whose estimate was used as the basis for the eligible cost of works. Only in exceptional circumstances will agreement be given to the use of an alternative contractor, where there are delays and the works needs to be fast tracked. Alternative estimates obtained or provided after the assistance has been approved cannot be accepted, even if the price is lower as this would not constitute open competition. Assistance may not be paid if notification of the change of contractor is not made to the Council.

**Estimates/Invoices from Family Members/Associated Contractors**

- 6.20 An applicant for assistance (owner-occupier, landlord or qualifying tenant) is prevented from submitting estimates or invoices for work which are from a member of his family, or are his own, or from his own company, or from a company he is associated with. This is to prevent collusion and fraud. However, invoices for materials only from a third party would normally be acceptable.
- 6.21 The Council's financial auditors will examine such documents to prevent collusion and fraud.

**Quality of Grant Aided Work**

- 6.22 The final payment of assistance will only be made when the works are fully completed to a satisfactory standard and may not be paid if the works are only partially completed. Interim payments may be agreed to the level that is appropriate based on valuation of the works completed.

**Payment of Assistance to Contractors**

- 6.23 The assistance will be paid directly to the contractor who undertook the works. (Apart from Empty Property Assistance). Where an applicant has a contribution to make towards the cost of the works they will be required to pay this to the contractor before commencement of the works. (Apart from Empty Property Assistance)
- 6.24 Where the works have been carried out to a satisfactory standard, but the applicant unreasonably disagrees, the Council reserve the right to pay the contractor, where it would be unreasonable to do otherwise.
- 6.25 Interim payments will be considered where appropriate to the level that is appropriate based on valuation of the works completed.
- 6.26 The assistance will be paid on receipt of satisfactory invoices, demands or receipts. These should include the following details: the full contractor /company name, address and contact information, VAT registration number (if applicable), the name and address of the payee, details of the applicable works and amount being invoiced, tax point, date and invoice number.

**Closure of Applications**

- 6.27 Work must be completed and the assistance claimed within twelve months of the approval date (except for Empty Property Grant). An extension of time will only be granted in exceptional circumstances.
- 6.28 All documentation needed for a full application must be received within six months of the initial submission or the application will be closed. In the case of Mandatory DFG applications, a decision must be made within 6 months of a full application being received.

**Recovery of Assistance**

- 6.29 A registered charge will be placed on the property on payment of the assistance. The cost of this, where applicable, will be added to the loan/grant.
- 6.30 Repayment of any assistance will be pursued where any of the loan or grant conditions, which are applicable following the satisfactory completion of works, have been breached or when the recipient disposes of the dwelling (whether by sale, assignment, transfer or otherwise).
- 6.31 Ownership and occupancy of properties may be checked at anytime following payment of assistance to see if any conditions have been breached.
- 6.32 If a payment has been made and the applicant refuses to have all of the works on the schedule carried out, the charge will be registered against the property at the lower rate.

**Fraudulent Applications**

- 6.33 The Council will investigate applications that they suspect to be fraudulent and will liaise with and refer to the Corporate Anti-Fraud Team, the local Police, The Department for Work and Pensions and HM Revenue and Customs.
- 6.34 Where a person has made a fraudulent application they will lose the right to apply for assistance. If assistance has been paid and it is subsequently proven that fraud was involved, action will be taken to recover the amount paid.
- 6.35 Any applications which are being investigated in respect of fraud will not be processed whilst the investigation is ongoing.

**Information required from Absent Joint Owners or Partners**

- 6.36 In some cases applicants are living alone in a property where there is an absent joint owner or partner. In order to establish that the absent joint owner or partner is not living there, and is therefore not a relevant person to the application, it is normal practice to ask the applicant to obtain proof that the person is living elsewhere. The absent joint owner's written permission for the work to be carried out is also required as they have an interest in the property.
- 6.37 In accordance with the Council's policy on Domestic Abuse and Sexual Violence, a flexible approach will be adopted where it is considered that the Council's involvement may encourage this type of behaviour or where we suspect that there may be issues of domestic violence. This may include the acceptance of a sworn statement from the applicant where the absent person refuses to provide the required proof or where it is not considered appropriate to ask for it.
- 6.38 In some cases an absent partner may still be contributing to the upkeep and running of the house and these payments will be taken into account when carrying out the means test.

**Environmental Sustainability**

- 6.39 The Council is committed to reducing the environmental impact of works associated with housing renewal and will take all reasonable steps to implement Croydon Climate Crisis Commission's recommendations.
- 6.40 The Council's Green Commitment includes the implementation of energy efficiency measures and renewable energy projects where appropriate. It also specifies the use of materials from sustainable resources, low environmental impact, sustainable water management, waste reduction and reuse and recycling where possible in all repair, improvement and adaptation works.

## ASSISTANCE AVAILABLE

### **7.0 DISCRETIONARY HOME INVESTMENT LOAN**

#### **Purpose**

7.1 This loan is available for the following:

- To remove/reduce category 1 and 2 hazards from a dwelling as identified under Part 1 of the Housing Act 2004; or
- To put a dwelling into reasonable repair; or
- To meet the Decent Homes Standard.

This includes the common parts of the dwelling that an applicant is responsible for under the terms of any lease.

#### **Eligibility**

##### **Eligible persons:**

7.2 Anyone over the age of 18 who is an owner-occupier.

7.3 The applicant must have owned and resided in the property for at least 3 years prior to and including the date of the application. The only exceptions that will be considered are:

- Where the loan is to be given in conjunction with a disabled facilities grant.
- Where the applicant has a disability.
- Where the property has been vacant for at least 6 months prior to purchase.
- Where the applicant inherited the property and the deceased person lived there and owned it for at least one year prior to their death.
- Where the property has been left to the applicant as part of a divorce settlement.

7.4 An **owner-occupier cannot** apply for Discretionary Home Investment Loan in the following circumstances:

- Where the property has a council tax valuation band of G or H.
- Where the property was built or converted less than 10 years prior to the date of the application.

- Where the property is a second home or a holiday let. This includes owning any second residential property in any location, in the United Kingdom or abroad.
- Where the only works proposed are non-essential, such as decoration or an extension to provide additional bedroom or living room space.

### **Works covered under Discretionary Home Investment Loan**

#### **Properties that have category 1 hazards and/or serious disrepair**

- 7.5 All works necessary to remove/reduce hazards (see Appendix G for the list of hazards) plus any additional works to meet the Decent Homes Standard.

Examples of works include:

Serious disrepair e.g.

- replacement of a leaking roof and installation of a damp-proof course.

Electrical Hazards e.g

- re-wiring a dangerous electrical installation or where it is more than 40 years old, including the provision of mains operated smoke alarms.

Excess Cold e.g.

- Where there is no or inadequate heating, the provision of an adequate heating system to the whole property will be considered.
- Works to provide adequate thermal insulation such as the provision of loft insulation up to the current standard required by Building Regulations (where none or less than 150mm exists), cavity wall or solid wall insulation and insulation to water tanks and pipes, will be considered where there are associated repairs.

Mould and damp e.g.

- Works to remedy severe rising dampness in a number of habitable rooms or severe penetrating dampness from defective rainwater goods and eaves guttering.

Falls associated with Stairs and Steps e.g

- Works to remedy serious variations in rise and going within a flight, excessive pitch to a staircase, lack of guarding to one side or absence of any handrail.

Falls on the level e.g

- Works to remedy an excessive slope to a floor or excessive surface variations on a path.

Falls between levels e.g

- Works to remedy an unguarded balcony or landing by providing a balustrade.
- Works to restrict opening of windows with low sill height or to provide guarding or safety glass to low level glazing (below 800mm above floor level).

Structural collapse and falling elements e.g

- Works to remedy falling elements from a dwelling such as slates or bricks and collapse of walls.
- Works to remedy insufficient foundations or disrepair causing inadequate strength to load bearing walls.
- Works to remedy internal floor, ceiling or staircase collapse.

Fire e.g

- Works to remedy inadequate fire resistance to internal partitions/doors and to provide safe means of escape in case of fire.
- Provision of 10 year battery life smoke and heat detectors, where none are existing.

**Properties which have category 2 hazards present or which fail to meet the Decent Homes Standard due to disrepair or the age/condition of essential amenities.**

- 7.6 All works necessary to remove category 2 hazards and put the property into reasonable repair are covered, for example:

Works to remove category 2 hazards.

Damp and Mould Growth e.g. Works to combat severe condensation including mechanical extractor fans to bathrooms and kitchens and dry lining of certain walls in extreme cases. Additional heating may also be considered. The grant is not for works of extensive modernisation.

Falls associated with stairs and steps e.g. loose or missing handrail to stairs.

Food Safety e.g. renewal of old, badly worn or cracked kitchen sink, provision of adequate food storage provision or adequate kitchen work surface for food preparation for the first time. The renewal of an existing kitchen or where one has been removed is not included.

Repairs.

Repairs may include the repair or replacement of minor roof areas (excluding porch roofs or conservatories/temporary lean-to type structures), guttering, down-pipes, timbers, walls and foundations, floors, staircases, plaster, repairs to defective electrical installations, and most other repairs to the structure.

Repairs to wooden windows are excluded unless the property is a Listed Building or in a Conservation Area and the existing windows must be retained.

- 7.7 All works necessary to provide reasonably modern facilities and services, for example:

Provide an adequate kitchen where:

- the existing one is more than 20 years old or
- the existing one has inadequate space or layout i.e. where it is too small to contain all of the required items, sink cupboards, cooker space, worktops (appropriate to the size of the dwelling)

Provide an adequate bathroom where:

- the existing one is more than 20 years old or
- the existing one is inappropriately located i.e. where the main WC is external or located on a different floor to the nearest wash hand basin; where the main bathroom or WC is located in a bedroom or accessed through a bedroom (unless the bedroom is not used or the dwelling is for a single person); where a WC without a wash hand basin opens onto a kitchen.

**Means test for Discretionary Home Investment Loan**

**Test of resources for owner-occupiers**

- 7.8 Assistance will not be provided to applicants where a sole occupier, in relation to the application has more than £15,000 in savings in total, or multiple persons i.e. where an applicant lives with a partner have more than £20,000 in savings in total. It is considered that applicants with savings above these limits have sufficient funds to secure repairs to their properties.
- 7.9 The test of resources will be the same as that set down in the Housing Renewal Grants Regulations and the subsequent amendments thereto, with the exception that the parents of a disabled child or young person will be means tested. The test of resources is based on the regulations governing entitlement to Universal Credit and housing benefit.
- 7.10 The income and capital of each person (the applicant or resident co-owner, usually their partner) is taken into account in the assessment of financial resources.
- 7.11 Where relevant persons are in receipt of Universal Credit, income support, income-based job seekers' allowance/employment support allowance housing benefit, child tax credit/working tax credit (where income is below £15,050) or guaranteed pension credit, a loan can be approved at 100% up to the maximum limit.
- 7.12 Applicants who are self-employed will need to submit certified accounts for a period of at least one year ending on the date of the full application for a loan. Alternatively an applicant can submit their self-assessment obtained via the HMRC website.

### **Maximum amount for Discretionary Home Investment Loan**

- 7.13 The maximum loan amount is £30,000 for all applications (including fees, charges and VAT). Where necessary, several applications may be made over time by the same applicant, but the value of works (including fees, charges and VAT) may not exceed this maximum amount in total.
- 7.14 Assistance towards unforeseen works can be given provided that the total loan does not exceed the above ceiling. If unforeseen works take the costs of loan aided works above the maximum amount, this work will not be covered by additional loan funding.
- 7.15 In the case of owner occupied properties where the cost of the works is likely to exceed the maximum loan amount, the applicant will be expected to seek independent financial advice on how they can obtain funding for the amount above the ceiling, or find alternative funding for these additional works. Alternative funding may be available via an equity release scheme.

The Council always advises that clients take independent financial advice before proceeding.

### **Conditions attached to Discretionary Home Investment Loans**

- 7.16 A summary of the conditions applicable to all home investment loans is given as Appendix A.

## **8.0 MANDATORY DISABLED FACILITIES GRANT**

### **Purpose**

- 8.1 This grant is intended to help people with disabilities to live more independently in their home. It includes essential adaptations to enable a disabled person to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.
- 8.2 Where it is not reasonable and practical to carry out the works to the person's existing home, this grant is available to assist them to sell their home and purchase another property that more closely meets their needs. It is also available to assist private tenants with a disabled person in their household to move to another rented property or to move into a property that they are purchasing that more closely meets their needs. Assistance with the costs of moving is only available where the existing property is either unsuitable for the adaptation required or where the cost of adapting the property is prohibitive.

### **Eligible persons**

- 8.3 Owner occupiers or qualifying tenants (including housing association tenants) over the age of 18 are eligible to apply.
- 8.4 The council shall not approve an application for a mandatory DFG unless they are satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.
- 8.5 In considering the matters in 8.4 the council shall consult the Adult Social Services department. This consideration takes the form of a referral from the Adult Social Care and All Age Disability Community Occupational Therapy Service or for children, from the Croydon NHS Service Trust Children's Occupational Therapy Service. An occupational therapist will visit the property to identify the needs of the disabled person and assess what works are 'necessary and appropriate'. A Building Surveyor determines whether the proposed works are "reasonable and practicable", having regard to the age and condition of the property.
- 8.6 Foster carers in the borough where the child is already in occupation and where the placement is long term (i.e. for the whole or remainder of childhood to 18 years). This applies whether the placement is by Croydon Council or from another local authority.
- 8.7 A mandatory disabled facilities grant is awarded for works that are the most economical means of meeting the disabled person's needs.

- 8.8 Council tenants are encouraged to apply to their Housing Management Officer in the Housing Department. We would not normally consider an application from a landlord. Housing Associations would normally be expected to fund works from their "Rent Surplus Fund" unless the Association can prove that they do not have available funding in which case a Disabled Facilities Grant application would be considered from the tenant.
- 8.9 An applicant who is receiving support from another local authority is entitled to apply for a Disabled Facilities Grant if they are resident in the borough.
- 8.10 An application would be considered from a person living in a mobile home as long as the works are practicable and reasonable. A registered charge would not be applicable in these cases.
- 8.11 The applicant does not have to be the person with the disability.

### **Works covered under Disabled Facilities Grant**

8.12 **Access to and from the dwelling or building, e.g.**

- hard standing for pavement vehicles, so far as it provides access to the dwelling;
- fixed ramps to doorways;
- mechanical step lifts, including a 5 year warranty;
- alteration of double-glazed porches where wheelchair access is difficult;
- garden rails for access;
- outside lighting where required for access facility;
- "up and over" automatic garage doors;
- automatic door openers.

8.13 **Access to and from the dwelling or building to the garden or outside area or making access to a garden safe e.g.**

- fixed ramp access to rear garden within the curtilage of the dwelling
- mechanical step lifts, including a 5 year warranty

8.14 **Facilitating access to a room used or usable as the principal family room.**

- 8.15 **Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.**
- lift access to existing bedrooms, including a 5 year warranty;
  - garage conversion when made into shower room and bedroom;
  - building an extension onto a property where there is only one principal family room that cannot be divided.
- 8.16 **Facilitating access to essential amenities, or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.**
- major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);
  - modified kitchens, if to be used by disabled occupants;
  - extractor fan where window opening not possible by disabled occupant;
  - automatic wash and dry toilets;
  - complete bathrooms, where existing facilities are inaccessible or unsuitable;
  - garage conversion when made into shower room and bedroom.
- 8.17 **Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.**
- moving electrical sockets and changing switches.
- 8.18 **Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.**
- 8.19 **Facilitating access for a disabled person to parts of their home, which is needed to enable them to care for someone living with them, who is dependent upon their care.**

**8.20 Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.**

- provision of specialised lighting;
- toughened or shatterproof glass;
- installation of guards around certain facilities such as fires and radiators;
- reinforcement of walls, floors and ceilings in exceptional cases;
- cladding of exposed surfaces and corners to prevent self injury;
- pad a room with an observation window in the door, for a self-injurious dependent.

**8.21 Assistance with the costs of relocating to a more suitable property.**

Assistance can be provided towards the general costs of selling one property and buying an alternative property or in the case of private tenants, to move to another rented property or to purchase and move to another property.

For example:

- Surveyors, valuation and solicitors fees (and disbursements) for the sale & purchase of the properties
- The costs of packing, moving and relocating furniture and belongings into the new property
- Mortgage administration costs and Estate Agent fees (limited to a maximum of 1.5% of the property value)
- Rental deposit.
- This cannot be used to cover the payment of stamp duty.

**8.22 Other Eligible works, e.g.**

- fixed hoists, stair-lifts, through floor lifts, including provision of five year extended warranty;
- window openers;
- facilitating wheelchair access internally;
- providing separate sleeping accommodation for a dependant who requires attention at night.
- A range of aids and adaptations assessed by an Occupational Therapist (OT) or OT assistant to make changes which support a client

living at home with a clinical diagnosis of Dementia, Autism or visual impairment. The aim is to enable them to live in their own home with reduced risk and for longer.

### 8.23 General

- Where additional bathroom facilities are required on the ground floor we will generally expect that the living or dining room is adapted as a first option.
- Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit in the existing property.
- We will look at the total occupation and use of the property when making our assessment.
- Grant will not be given towards alternative works that are not recommended by the council's Occupational Therapist except in exceptional circumstances. In such cases the Private Sector Adaptations Panel will consider the matter and make a recommendation to the Director of Housing Assessments and Solutions. .

#### **The Private Sector Adaptations Panel:**

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed adaptations, the council has formed a panel to review larger, more expensive, adaptations cases. This panel is known as the Private Sector Adaptations Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Occupational Therapy Service – Clinical Operational Lead
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

- Where planning permission is required for adaptations to a property, the applicant or the applicant's agent on their behalf is responsible for ensuring this has been obtained before works commence.

### **Means test for Mandatory Disabled Facilities Grant**

#### **Test of resources for owner occupiers and tenants**

- 8.24 The test of resources will be the same as that set down in the Housing Renewal Grants Regulations 1996 and in the Housing Renewal Grants (Amendment) (England) Regulations 2009 and the subsequent amendments. It is based on the regulations governing entitlement to Universal Credit, housing benefit and council tax benefit. The income and capital of each relevant person (the disabled occupant and their spouse or partner) is taken into account in the assessment of financial resources.
- 8.25 In the case of families with a disabled child or young person there is no means test and 100% grant is awarded up to the maximum limit.
- 8.26 Where any relevant person(s) are in receipt of Universal credit, income support, income-based job seekers allowance/employment support allowance, housing benefit, child tax credit/working tax credit (where income is below £15,050) or guaranteed pension credit, 100% grant is awarded up to the maximum limit.
- 8.27 Relevant persons who are self-employed will need to submit their most recent audited accounts for a period of at least one year prior to the date of the full application for grant. Alternatively an applicant can submit their self-assessment obtained via the HMRC website.

### **Maximum amount for Mandatory Disabled Facilities Grant**

- 8.28 **The maximum amount of grant that can be awarded on a single grant is £30,000 (The Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008).**
- 8.29 It is intended that this grant will provide assistance towards all of the clients' assessed needs at the time of application. If additional and different needs arise in the future, a further application for Disabled Facilities Grants may be made for these additional needs.
- 8.30 Where the cost of the OT recommended works exceeds £30,000 and the mandatory Disabled Facilities Grant (DFG) grant fails to cover the full extent of the work, the applicant may apply for a discretionary disabled facilities grant subject to funding being available or seek alternative funding for the costs above the maximum amount.

Where the OT does not recommend the provision of an extension, but the applicant requests one and wishes to pursue their own alternative works scheme, we will allow an application for an amount of funding equivalent to the OT recommended works towards the construction of the applicants own extension and adaptation works. All works must be in accordance with planning and building control requirements and the design must be approved by the council's OT as fully meeting the clients' needs.

8.31 Where assistance is provided for relocation purposes, the maximum grant amounts are as follows:

- up to a fixed maximum level of £10,000 for owner-occupiers, irrespective of the size and/or location of the properties being sold and purchased
- In the case of private tenants moving to another rented property, the fixed maximum level is £5000
- In the case of private tenants moving to and purchasing another property, up to a maximum of £10,000.

### **Conditions attached to Disabled Facilities Grant**

8.32 A summary of the conditions applicable to Mandatory Disabled Facilities Grant is given as Appendix B.

8.33 The disabled facilities grants will have a repayment condition if the property is disposed of (whether by sale, assignment, transfer or otherwise) within 10 years of the certified date. This will be recorded as a local land charge. There will not be any interest charged on this principle sum. For full details see Appendix B.

8.34 The following additional conditions are specific to assistance given for relocation purposes:

- Before assistance is approved for relocation purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

## 9.0 **DISCRETIONARY DISABLED FACILITIES GRANT**

### **Purpose**

9.1 This grant is intended to help people with disabilities to live more independently in their home where:

- an applicant fails the means test for a Mandatory DFG or has a contribution to pay, but is in financial hardship and unable to provide the council's Occupational Therapist recommended adaptations or
- an applicant is eligible for Mandatory DFG but where the cost of works assessed by the council's Occupational Therapist exceeds the mandatory DFG limit and as a result, the adaptation cannot be provided.

It includes essential adaptations to enable a person with a disability to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.

9.2 Where it is not reasonable and practical to carry out the works to the person's existing home, this grant is available to assist them to sell their home and purchase another property that more closely meets their needs. It is also available to assist private tenants with a disabled person in their household to move to another rented property or to move into a property that they are purchasing that more closely meets their needs. Assistance with the costs of moving is only available where the existing property is either unsuitable for the adaptation required or where the cost of adapting the property is prohibitive.

### **Eligible persons**

9.3 Owner occupiers or qualifying tenants (including housing association tenants) over the age of 18 are eligible to apply.

9.4 Foster carers in the borough where the child is already in occupation and where the placement is long term (i.e. for the whole or remainder of childhood to 18 years). This applies whether the placement is by Croydon Council or from another local authority.

9.5 Council tenants are encouraged to apply to their Housing Management Officer in the Housing Department. Housing Associations would normally be expected to fund works from their "Rent Surplus Fund" unless the Association can prove that they do not have available funding in which case a Disabled Facilities grant application would be considered from the tenant.

9.6 An applicant who is receiving support from another local authority is entitled to apply for a discretionary Disabled Facilities Grant if they are resident in the borough.

- 9.7 An application would be considered from a person living in a mobile home as long as the works are practicable and reasonable. A registered charge would not be applicable in these cases.
- 9.8 The applicant does not have to be the person with the disability.

### **Works covered under Discretionary Disabled Facilities Grant**

- 9.9 A discretionary disabled facilities grant is awarded for works that are the most economical means of meeting the disabled person's needs.
- 9.10 The council shall not approve an application for a discretionary DFG unless they are satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.
- 9.11 In considering the matters in 9.10 the council shall consult the Adult Social Services department. This consideration takes the form of a referral from the Adult Social Care and All Age Disability Community Occupational Therapy Service or for children, from the Croydon NHS Service Trust Children's Occupational Therapy Service. An occupational therapist will visit the property to identify the needs of the disabled person and assess what works are 'necessary and appropriate'. A Building Surveyor determines whether the proposed works are "reasonable and practicable", having regard to the age and condition of the property.
- 9.12 **Access to and from the dwelling or building, e.g.**
- hard standing for pavement vehicles, so far as it provides access to the dwelling;
  - fixed ramps to doorways;
  - mechanical step lifts, including a 5 year warranty;
  - alteration of double-glazed porches where wheelchair access is difficult;
  - garden rails for access;
  - outside lighting where required for access facility;
  - "up and over" automatic garage doors;
  - automatic door openers.

- 9.13 **Access to and from the dwelling or building to the garden or outside area or making access to a garden safe e.g.**
- fixed ramp access to rear garden within the curtilage of the dwelling
  - mechanical step lifts, including a 5 year warranty
- 9.14 **Facilitating access to a room used or usable as the principal family room.**
- 9.15 **Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.**
- lift access to existing bedrooms, including a 5 year warranty;
  - garage conversion when made into shower room and bedroom;
  - building an extension onto a property where there is only one principal family room that cannot be divided.
- 9.16 **Facilitating access to essential amenities, or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.**
- major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);
  - modified kitchens, if to be used by disabled occupants;
  - extractor fan where window opening not possible by disabled occupant;
  - automatic wash and dry toilets;
  - complete bathrooms, where existing facilities are inaccessible or unsuitable;
  - garage conversion when made into shower room and bedroom.
- 9.17 **Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.**
- moving electrical sockets and changing switches.
- 9.18 **Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.**
- 9.19 **Facilitating access for a disabled person to parts of their home, which is needed to enable them to care for someone living with them, who is dependent upon their care.**

**9.20 Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.**

- provision of specialised lighting;
- toughened or shatterproof glass;
- installation of guards around certain facilities such as fires and radiators;
- reinforcement of walls, floors and ceilings in exceptional cases;
- cladding of exposed surfaces and corners to prevent self-injury;
- pad a room with an observation window in the door, for a self-injurious dependent.

**9.21 Assistance with the costs of relocating to a more suitable property.**

Assistance can be provided towards the general costs of selling one property and buying an alternative property or in the case of private tenants, to move to another rented property or to purchase and move to another property.

For example:

- Surveyors and solicitors fees (and disbursements) for the sale & purchase of the properties
- The costs of packing, moving and relocating furniture and belongings into the new property
- Mortgage administration costs and Estate Agent fees
- Rental deposit.
- This cannot be used to cover the payment of stamp duty.

**9.22 Other Eligible works, e.g.**

- fixed hoists, stair-lifts, through floor lifts, including provision of five year extended warranty;
- window openers;
- facilitating wheelchair access internally;
- providing separate sleeping accommodation for a dependent who requires attention at night.
- A range of aids and adaptations assessed by an OT or OT assistant to

make changes which support a client living at home with a clinical diagnosis of Dementia, Autism or visual impairment. The aim is to enable them to live in their own home with reduced risk and for longer.

- Help with payment of an assessed contribution following a means test for mandatory DFG.

### 9.23 General

- Where additional bathroom facilities are required on the ground floor we will generally expect that a second reception (living or dining) room is adapted as a first option.
- Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit in the existing property.
- We will look at the total occupation and use of the property when making our assessment.
- Grant will not be given towards alternative works that are not recommended the Occupational Therapist except in exceptional circumstances. Such cases will be decided by a panel as detailed in 9.30 below.
- Where planning permission is required for adaptations to a property, the applicant or the applicant's agent on their behalf is responsible for ensuring this has been obtained before works commence.

### **Means test for Discretionary Disabled Facilities Grants**

#### **Test of resources for owner occupiers and tenants where cost of works on a mandatory DFG exceeds the maximum grant amount.**

9.24 The test of resources will be the same as that set down in the Housing Renewal Grants Regulations 1996 and in the Housing Renewal Grants (Amendment) (England) Regulations 2009 and any subsequent amendments. It is based on the regulations governing entitlement to universal credit and housing benefit. The income and capital of each relevant person (the disabled occupant and their spouse or partner) is taken into account in the assessment of financial resources.

9.25 Where all relevant persons are in receipt of universal credit, income support, income-based job seekers allowance/employment support allowance, housing benefit, child tax credit, working tax credit (where income is below £15,050) or guaranteed pension credit, 100% grant is awarded up to the maximum limit.

9.26 In the case of families with a disabled child or young person there is no means test and 100% grant is awarded up to the maximum limit.

- 9.27 Relevant persons who are self-employed will need to submit their most recent audited accounts for a period of at least one year prior to the date of the full application for grant. Alternatively an applicant can submit their self-assessment obtained via the HMRC website.

**Test of resources for owner occupiers and tenants who have not been successful in obtaining a mandatory DFG.**

- 9.28 Applicants are required to have applied for a mandatory DFG before making an application for a Discretionary DFG.
- 9.29 The test of resources for Discretionary DFG will be based on a panel decision.

In deciding whether or not a discretionary DFG will be granted the panel may take into account the following considerations:

- If an applicant/household fails the mandatory DFG means test or has a contribution to pay but is in financial hardship - In cases where there is particular difficulty paying an assessed contribution, applicants will be given the opportunity to complete a financial statement of their income and outgoings which will be considered by the council.
- If the lack of an adaptation is causing severe mental or physical strain on the family or carers.
- If a family/care situation may or may not be sustainable in the long term without the provision of an adaptation.
- Whether there are exceptional circumstances surrounding the risk to independence and wellbeing of the disabled person.

This assistance will be offered on a case by case basis at the discretion of the council.

**Maximum amount for Discretionary Disabled Facilities Grant**

- 9.30 **The maximum amount of grant that can normally be awarded on a single grant is:**
- £30,000 where the Discretionary DFG is a top up to a Mandatory DFG this could result in maximum grant funding of £60k.
  - £30,000 where the Discretionary DFG is the only grant applicable
  - Where the requested approval limit exceeds the above figures, the approval of a Director is required. In such cases the Private Sector Adaptations Panel will consider the application and a business case and make a recommendation to the Director of Housing Assessments and Solutions. The Director will then consider the business case and recommendation and make the decision.

**The Private Sector Adaptations Panel:**

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed adaptations, the council has formed a panel to review larger, more expensive, adaptations cases. This panel is known as the Private Sector Adaptations Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed in 9.30 above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Occupational Therapy Service – Clinical Operational Lead
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

9.31 It is intended that this grant will provide assistance towards all of the clients' assessed needs at the time of application. If additional and different needs arise in the future, a further application for Disabled Facilities Grant may be made for these additional needs.

9.32 Where the OT does not recommend the provision of an extension, but the applicant requests one and wishes to pursue their own alternative works scheme, we will allow an application for an amount of funding equivalent to the OT recommended works towards the construction of the applicant's own extension and adaptation works. All works must be in accordance with planning and building control requirements and the design must be approved by the council's OT as fully meeting the clients' needs.

9.33 Where assistance is provided for re-location purposes, the maximum grant amounts are as follows:

- up to a fixed maximum level of £10,000 for owner-occupiers, irrespective of the size and/or location of the properties being sold and purchased
- In the case of private tenants moving to another rented property, the fixed maximum level is £5000
- In the case of private tenants moving to and purchasing another property, up to a maximum of £10,000.

#### **Conditions attached to Discretionary Disabled Facilities Grant**

9.34 A summary of the conditions applicable to Discretionary Disabled Facilities Grant is given as Appendix C.

9.35 On completion of the grant a local land charge will be registered against the property. If the property is disposed of (whether by sale, assignment, transfer or otherwise) within 10 years of the certified date a repayment may be due to the council. For full details see Appendix C.

9.36 The following additional conditions are specific to assistance given for relocation purposes:

- Before assistance is approved for re-location purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

**10.0 SIMPLE ADAPTATIONS GRANT (DISCRETIONARY) (PILOT SCHEME)****Purpose**

10.1 This grant is intended to help people with disabilities to live more independently in their home where:

- The OT recommends only one simple adaptation, for example a ramp or stair lift
- Where the cost of the adaptation (including any applicable fees) is at or under £5000

It includes essential adaptations to enable a person with a disability to gain access into their dwelling, to move around it and to access kitchen and bathroom facilities.

**Please note this pilot scheme will be reviewed after 6 months.**

**Eligible persons**

- 10.2 Owner occupiers or qualifying tenants (including housing association tenants) over the age of 18 are eligible to apply.
- 10.3 Foster carers in the borough where the child is already in occupation and where the placement is long term (i.e. for the whole or remainder of childhood to 18 years). This applies whether the placement is by Croydon Council or from another local authority.
- 10.4 Council tenants are encouraged to apply to their Housing Management Officer in the Housing Department. Housing Associations would normally be expected to fund works from their "Rent Surplus Fund" unless the Association can prove that they do not have available funding in which case a Disabled Facilities grant application would be considered from the tenant.
- 10.5 An applicant who is receiving support from another local authority is entitled to apply for a discretionary simple adaptations grant if they are resident in the borough.
- 10.6 An application would be considered from a person living in a mobile home as long as the works are practicable and reasonable.
- 10.7 The applicant does not have to be the person with the disability.

**Works covered under Discretionary Simple Adaptations Grant**

- 10.8 A discretionary simple adaptations grant is awarded for works that are the most economical means of meeting the disabled person's needs.
- 10.9 The council shall not approve an application for a simple adaptations grant unless they are satisfied that the relevant works are necessary and appropriate to meet the needs of the disabled occupant, and that it is reasonable and practicable to carry out the relevant works having regard to the

age and condition of the dwelling, qualifying houseboat or qualifying park home, or the building.

10.10 In considering the matters in 10.9 the council shall consult the Adult Social Services department This consideration takes the form of a referral from the Adult Social Care and All Age Disability Community Occupational Therapy Service or for children, from the Croydon NHS Service Trust Children's Occupational Therapy Service. An occupational therapist will visit the property to identify the needs of the disabled person and assess what works are 'necessary and appropriate'. A Building Surveyor determines whether the proposed works are "reasonable and practicable", having regard to the age and condition of the property.

**10.11 Access to and from the dwelling or building, e.g.**

- fixed ramps to doorways;
- alteration of double-glazed porches where wheelchair access is difficult;
- garden rails for access;
- outside lighting where required for access facility;
- "up and over" automatic garage doors;
- automatic door openers.

**10.12 Access to and from the dwelling or building to the garden or outside area or making access to a garden safe e.g.**

- fixed ramp access to rear garden within the curtilage of the dwelling

**10.13 Facilitating access to a room used or usable as the principal family room, e.g.**

- Single door widening

**10.14 Facilitating access to sleeping accommodation, or provision of sleeping accommodation where this would be more appropriate, e.g.**

- lift access to existing bedrooms, including a 5 year warranty;

**10.15 Facilitating access to essential amenities, or the provision of essential amenities or facilitating use by disabled occupant of essential amenities e.g.**

- major kitchen equipment such as cookers, if to be used by disabled occupant (providing existing appliance is not suitable);

- modified kitchens, if to be used by disabled occupants;
  - extractor fan where window opening not possible by disabled occupant;
  - automatic wash and dry toilets;
- 10.16 **Adapting controls and/or provision of additional means of control for heating, lighting or power supplies, to make them suitable for use by a disabled occupant, e.g.**
- moving electrical sockets and changing switches.
- 10.17 **Improving an existing heating system, or provision of a new one suited to the needs of the disabled occupant where there is a medical need for a warm environment.**
- 10.18 **Facilitating access for a disabled person to parts of their home, which is needed to enable them to care for someone living with them, who is dependent upon their care.**
- 10.19 **Works to the dwelling or building to make it safe for the disabled person and other persons living with them, e.g.**
- provision of specialised lighting;
  - toughened or shatterproof glass;
  - installation of guards around certain facilities such as fires and radiators;
  - reinforcement of walls, floors and ceilings in exceptional cases;
  - cladding of exposed surfaces and corners to prevent self-injury;
  - pad a room with an observation window in the door, for a self-injurious dependent.
- 10.20 **Other Eligible works, e.g.**
- fixed hoists, stair-lifts, through floor lifts, including provision of five year extended warranty;
  - window openers;
  - facilitating wheelchair access internally;
  - A range of aids and adaptations assessed by an OT or OT assistant to make changes which support a client living at home with a clinical diagnosis of Dementia, Autism or visual impairment. The aim is to enable them to live in their own home with reduced risk and for longer.

## 10.21 General

- Where additional bathroom facilities are required on the ground floor we will generally expect that a second reception (living or dining) room is adapted as a first option.
- Wherever possible adaptations will be provided within the existing curtilage of the building, with extensions only considered where the adaptation could not fit in the existing property.
- We will look at the total occupation and use of the property when making our assessment.
- Grant will not be given towards alternative works that are not recommended the Occupational Therapist except in exceptional circumstances. In such cases the Private Sector Adaptations Panel will consider the matter and make a recommendation to the Director of Housing Assessments and Solutions. .

### **The Private Sector Adaptations Panel:**

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed adaptations, the council has formed a panel to review larger, more expensive, adaptations cases. This panel is known as the Private Sector Adaptations Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Occupational Therapy Service – Clinical Operational Lead
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

- Where planning permission is required for adaptations to a property, the applicant or the applicant's agent on their behalf is responsible for ensuring this has been obtained before works commence.

### **Means test for Discretionary Simple Adaptations Grant**

- 10.22 There is no means test for this grant where the cost of works (including any applicable fees) is at or under £5000 and 100% grant is awarded up to the maximum limit.
- 10.23 This assistance will be offered on a case by case basis at the discretion of the council.

### **Maximum amount for Discretionary Simple Adaptations Grant**

- 10.24 **The maximum amount of grant that can be awarded on a single grant is:**

- £5,000

- 10.25 It is intended that this grant will provide assistance towards all of the clients' assessed needs at the time of application. If additional and different needs arise in the future, a further application for Mandatory and/or Discretionary Disabled Facilities Grant may be made for these additional needs as appropriate.

### **Conditions attached to Discretionary Simple Adaptations Grant**

- 10.26 A summary of the conditions applicable to Discretionary Simple Adaptations Grant is given as Appendix C

## **11.0 HOME REPAIR LOAN**

### **Purpose**

- 11.1 This assistance is designed to provide help with small-scale works of repair, improvement and adaptation for clients who are 60 years of age or over, or disabled persons of any age.

### **Eligibility**

- 11.2 To be able to apply for this assistance a person must meet the following criteria:
- be 60 years of age or over, or a disabled person of any age.
  - be an owner-occupier or have lived in the dwelling under a right of exclusive occupation for a period of more than 5 years, or for life. (The freeholder/leaseholder's written consent to the works being carried and to the registering of a charge against their interest in the property will be required.)

- have a duty or a power to carry out the works.
- live in the dwelling as their only or main residence.
- Priority will be given to applicants who have not previously received Home Repair Loan assistance.

11.3 For the purposes of this loan, a person is disabled if:

- In receipt of Disability Living Allowance; or
- Personal Independence Payment
- Attendance Allowance; or
- Registered disabled in pursuance of arrangements under section 29(1) of the National Assistance Act 1948 (handicapped person's welfare); or
- Is a person for whose welfare arrangements have been made under that provision, or in the opinion of the welfare authority, might be made under it.

11.4 Applications for Home Repair Loan will not be accepted where there are resident working joint owners i.e. where, in addition to the applicant, other person(s) under the age of 60 live in and have an interest in the property and are working/earning.

### **Works covered under Home Repair Loan**

#### **Repairs/Removal of Hazards**

11.5 This includes minor works to the basic fabric of the dwelling and its curtilage to enable an older, disabled or infirm person to remain in their home in safety.

11.6 Works covered include:

- roof repairs and repair or renewal of gutters and down-pipes
- repairs to doors
- replacement of one door or window where it is uneconomical to repair
- Repairs to wooden windows are excluded unless the property is a Listed Building or in a Conservation Area and the existing windows must be retained.

- electrical repairs (not rewiring), including providing mains operated battery back up smoke alarms
- 10 year life battery smoke alarms (in conjunction with other works only) where no electrical works are required
- re-plastering works
- minor external repairs to pointing/render to prevent the ingress of water
- internal decoration following DPC works only
- isolated/minor works of timber treatment
- external decoration to weatherproof the property
- minor plumbing repairs (not solely the replacement of washers)
- works to remedy severe condensation problems
- re-glazing - to remove a serious hazard
- works to repair or renew garden walls (not fences) - to remove a serious hazard
- repairs to garden paths/paving – to remove a serious trip hazard

11.7 The following works are not covered by the "repairs" category of Home Repair Loan:

- works to repair or renew garden fences;
- repairs to below ground drainage.

#### **Replacement of Lead Pipes**

11.8 The replacement of lead pipes to water supplies inside the property when water authority confirms this is necessary.

#### **Adaptation**

11.9 Assistance is available for minor adaptations to:

- help a disabled or infirm person to look after themselves, or
- to enable an older (aged 60 or over), disabled or infirm person to be cared for by a relative. An application for works to enable a person to be cared for by someone as part of a business will not normally be considered e.g.

in return for payment. The most likely circumstances for this form of assistance will be where a person is moving into a dwelling, which is otherwise sound, but some alterations are needed to enable the person to be accommodated comfortably.

11.10 The works covered under this category include:

- ramps for access;
- handrails, grab rails and stair rails;
- an additional W.C, wash hand basin, or bath/shower unit;
- additional cooking or heating facilities.
- Leasing of a stair lift (maximum period of 12 months in cases of terminal illness only)

**Works to Council owned purpose-built blocks (not common parts)**

11.11 Leaseholders of flats in council owned purpose-built blocks can apply for up to a maximum of £3000 towards the cost of works that are their sole responsibility such as replacement windows.

**Means test for Home Repair Loan**

11.12 To qualify for assistance an applicant must be in receipt of one of the following income-related benefits:

- universal credit
- income support;
- working tax credit and income of less than £15,050 per annum;
- child tax credit and income of less than £15,050 per annum;
- housing benefit;
- income-based job seekers allowance/employment support allowance
- guaranteed pension credit, **or**
- have less than £6,000 in savings

11.13 If a person has previously applied for a discretionary home improvement loan and has been assessed as having a contribution to pay, they cannot then apply for Home Repair Loan assistance for the same works as a means of avoiding paying the contribution.

**Maximum amount for Home Repair Loan**

11.14 Only **one** application for Home Repair Loan, **up to £4000**, is allowed.

**Conditions attached to Home Repair Loans**

11.15 A summary of the conditions applicable to all home repair loans is given as Appendix A.

## 12.0 **ENERGY LOAN**

### **Purpose**

- 12.1 This assistance is designed to improve the energy efficiency of dwellings and assist vulnerable clients who may be in fuel poverty.

### **Eligibility**

- 12.2 Before applying for a Croydon energy loan, all applicants are required to contact Croydon Healthy Homes to see if they are eligible for external grant assistance.

Croydon Healthy Homes (CHH) is a completely free service open to residents who own their home or rent it from a private sector landlord and are responsible for paying the utility bills. The aim of this service is to prevent residents getting into fuel poverty and to support residents already in fuel poverty. CHH supports households of all ages, and are particularly keen on targeting young families, as well as older residents, and those with chronic medical conditions, and their eligibility criteria is quite broad. There are more details on their website [www.croydon.gov.uk/healthyhomes](http://www.croydon.gov.uk/healthyhomes). CHH can also be contacted on Freephone 0800 292 2529.

CHH can fund qualified Energy Assessors to visit residents in their homes and to make applications for ECO Affordable Warmth Grant or the Mayor of London's Warmer Homes scheme, which currently offers grants of up to £4000.

- 12.3 If not eligible through CHH, to be able to apply for this assistance a person must meet the following criteria:

- be over 18 years of age **and**
- be an owner-occupier, **and**
- live in the dwelling as their only residence **and**
- be in receipt of an income-related benefit; (this does not apply where the applicant is at least 60 years of age, or disabled, or infirm
- 

- 12.4 For the purposes of this grant, a person is disabled if:

- In receipt of Disability Living Allowance; or
- Personal Independence Payment
- Attendance Allowance; or
- Registered disabled in pursuance of arrangements under section 29(1) of

the National Assistance Act 1948 (handicapped person's welfare); or

- Is a person for whose welfare arrangements have been made under that provision, or in the opinion of the welfare authority, might be made under it.

12.5 Applications for energy loan will not be accepted where there are resident working joint owners i.e. where, in addition to the applicant, other person(s) under the age of 60 live in and have an interest in the property and are working/earning.

### **Works covered under Energy loan**

12.6 The following energy efficiency measures are eligible for the Energy Loan:

12.7 Thermal insulation:

- loft insulation up to the current standard as required by Building Regulations (where none or less than 150mm exists)
- draught proofing where 50% or less of the windows and external doors are draught proofed,
- cavity wall insulation where none exists.

12.8 Heating/hot water:

- provision of a new gas central heating and hot water system including an energy efficient boiler and radiators where no central heating system or storage heaters currently exists (this will depend on the size and occupancy of the property);
- an energy efficient replacement boiler (where boiler is more than 15 years old or not working or condemned). In the case of a private sector landlord application, we will fund replacing an old or inefficient boiler, but not an inoperative boiler (as this is deemed the responsibility of the landlord);
- provision of thermostatic radiator valves where none are present;
- upgrading central heating controls where the system does not have a programmer or timer, or a room thermostat or separate hot water system control;
- where there is no existing gas supply, electric economy 7 storage heaters or similar may be provided if they are deemed more appropriate than the installation of a new gas supply;
- extended 3 year heating system warranty and service contract on new installations

12.9 Additional measures (only in conjunction with other thermal insulation/heating/hot water works):

- re-wiring, including the bonding of pipework, when wiring is not up to current
- replacement double glazed windows when existing windows are in serious disrepair
- provision of mechanical heat recovery ventilation when a property is suffering from serious condensation
- water saving measures – dual flush water closets, flow restrictor taps and showerheads (only in conjunction with other plumbing works)

12.10 The provision of solar panels to provide hot water to a limited number of properties.

### **Means test for Energy Loan**

12.11 To qualify for assistance an applicant must be in receipt of one of the following income-related benefits:

- universal credit;
- income support;
- working tax credit and income of less than £15,050 per annum;
- child tax credit and income of less than £15,050 per annum;
- housing benefit;
- income-based job seekers allowance/employment support allowance;
- guaranteed pension credit.
- A disability related benefit, either disability living allowance, personal independence payment or attendance allowance

**or**

- for persons 60 years of age or over, have savings of less than £6000.

**Maximum amount for Energy Loan**

12.13 Only one application for Energy Loan, up to £6000, is allowed.

**Conditions attached to Energy Loan**

12.14 A summary of the conditions applicable to energy loans is given as Appendix D.

12.15 In all cases smoke alarms and carbon monoxide detectors with a ten year battery will be provided as part of the energy loan.

12.16 All Energy Loans will be for the lifetime of the occupant(s) while they reside in the property and will have to be repaid whenever the property is disposed of by sale, assignment, transfer or otherwise. No interest will be charged on this principle sum.

## 13.0 **EMPTY HOMES GRANT**

### **Purpose**

- 13.1 This grant is intended to help owners bring empty properties back into use or to create new dwellings through the conversion of non-residential space (generally former commercial/storage space above shops) and to make them available for letting to tenants nominated by the Council on an affordable rent. On completion of the works the dwellings must achieve the Decent Homes Standard.

### **Eligible persons and properties**

- 13.2 Empty Homes Grant is available to the registered owner (freeholder or long leaseholder with at least 10 years to run at approval) of flats and houses (generally 2 or 3 bedroom properties) in the borough which have been empty for at least 6 months and which require essential repairs and improvements or fail the Decent Homes Standard. Houses in Multiple Occupation, where there is a local need, may also be eligible for a single grant.

Owners will be expected to provide proof of the vacancy.

### **In addition, the following requirements apply:**

- The property must have planning usage as residential or have consent for conversion.
- Priority will be given to the property type that is most in need by the council for homeless families and to those schemes likely to complete in the shortest timeframe.

Additional funding is available to property owners who are willing to adapt their properties for use by persons with a disability – see eligible works and grant amount sections.

- 13.3 The grant is not normally available to owners of commercial property for the conversion of non-residential space. The exception to this is the conversion of storage areas above shops which have been empty for at least 6 months, into a new residential dwelling/flat.
- 13.4 In all properties, minimum acceptable bedroom sizes apply. The main bedroom to be a minimum of 10.5m<sup>2</sup> and any subsequent bedrooms to be a minimum of 7.5m<sup>2</sup>.

### **Minimum room sizes (measured in m<sup>2</sup>)**

	Croydon standard	MHCLG Standard	Housing Act 1985
Double bedroom	10.5 m <sup>2</sup>	11.5 m <sup>2</sup>	10.219 m <sup>2</sup>
Single bedroom	7.5 m <sup>2</sup>	7.5 m <sup>2</sup>	6.503 m <sup>2</sup>
Child's bedroom			4.645 m <sup>2</sup>

- 13.5 In the case of applications for listed buildings, the property must be either an existing residential building or be suitable for conversion into residential use. Priority will be given to those which are particular eyesores and which have resulted in multiple complaints but this will be balanced with the feasibility of the property being brought back into use.
- 13.6 Applicants will not be discriminated against if they are identified as vulnerable in some manner and unable to complete the application forms and process independently. The policy gives the department discretion to provide support to empty property grant applicants and access services on their behalf as per all other forms of assistance provided under this policy.
- 13.7 The owner of a property subject to an Empty Dwellings Management Order may be eligible for an Empty Homes Grant as long as the owner agrees to the Council extending the management of the property to 5 years.
- 13.8 The owner of a property where a notice of intention to take enforcement action or a formal Improvement Notice have been served under the Housing Acts will not be eligible to apply for an empty homes grant.

### **Works covered under Empty Homes Grant**

- 13.9 Works to put a dwelling or building into reasonable repair and to achieve the Decent Homes Standard are covered. This includes virtually all types of repair, but not furnishing. Where an owner applies for more than one grant in respect of a property that is converted into flats, the repairs to the common parts can be included on the grant of the most appropriate flat. The following are also eligible:
- 13.10 Works to provide additional dwellings by conversion, including the following:
- works required by Building Control,
  - new staircases, sound insulation or dormer windows
  - provision of basic kitchen, bathroom and toilet facilities and supplies of hot and cold water (all new WC's to be dual flush) ,
  - provision of refrigerators and cookers are not covered but the power points to these are,
  - provision of basic kitchen units, cupboards and work-tops,
  - provision of gas, electricity and water services hardware(an energy efficient boiler would be covered, this must be SEDBUK 'A' rated),

13.11 Works to provide adequate thermal insulation including the following:

- provision of loft insulation up to the current standard as required by Building Regulations where none or less than 150mm exists.
- Where cavity walls exist they are to be insulated.
- insulation to water tanks and pipes,

13.12 Works to provide adequate facilities for space heating.

- Provision of gas fires and central heating will be considered.
- Where a gas boiler is the main source of heating and a new boiler is required or is being provided for the first time, this is to be SEDBUK 'A' rated.
- Programmer and thermostatic radiator valves to be fitted (where heating system is pre-existing or a new installation)

13.13 Works to provide satisfactory internal arrangements including provision of separate access to flats above a shop.

13.14 Works to provide adequate means of escape from fire and other fire precautions.

Where the works are to a single dwelling house:

- mains wired smoke detectors are to be provided for each floor level.

Where works are to provide additional dwellings, the eligible works for grant will be those specified by Building Control, which will generally be as follows:

- mains wired heat detectors in every kitchen and mains wired smoke detectors to every flat hallway/entrance and communal landing
- auto air vents to loft or flat conversions, additional fire doors or lobbies off escape routes, may also be required in certain situations
- If the property was converted prior to the Building Regulations 1991 and not subsequently altered in accordance with subsequent Building Regulations, the following standard is applied: if self-contained flats and on 3 or more floors an automatic fire detection system (to BS5839) will be specified with a heat detector in the kitchen and smoke detectors on each landing and hallway.

In all cases the works must comply with current Building Regulations requirements.

13.15 The reasonable costs of carrying out the Energy Efficiency works identified on the energy survey form or those detailed below which the council considers practical, cost effective and likely to result in a significant improvement in the energy efficiency of the property. The following are conditions and requirements of receiving an Empty Property Grant

- All permanent light fittings to have low energy bulbs.
- Where windows need replacement, the new windows should be of suitable construction and double glazed
- A water meter (where major renovation works are being carried out) may also be a requirement of the water company
- Dual volume flush WCs (where these are new or being renewed). This is a condition (although, once installed, it is a requirement that the cistern complies with the Water Supply (Water Fittings) Regulations 1999)
- Water butt to be provided where a garden exists. This is a condition that can be waived if the property does not have a garden

13.16 Works to adapt an existing unit or to create a new unit suitable for use by a person with a disability. This can include works recommended by the council's occupational therapist, those in the Lifetime Homes Design Criteria and the Habinteg Wheelchair Housing Design Guide, for example:

- Provision of level or gentle gradient external access ramp(s) to the main entrance and garden
- Provision of level access thresholds in to and within the dwelling and door widening to accommodate wheelchair use
- Provision of a level access shower instead of standard bathroom facilities
- Provision of wheelchair accessible kitchen, bathroom and toilet facilities.
- The adaptations required will vary according to the property design/layout and the property to be adapted will normally be a ground floor/street level unit.

13.17 The following general items will also be required:

- Provision of a carbon monoxide alarm
- Gas safety and electrical certificates to be provided at conclusion of works.

13.18 Because the design and condition of Listed Buildings is diverse there will be some flexibility in the eligible works considered under the grant. The target standard on completion will be the same as for other empty properties except where Listed Building or similar restrictions prohibit this.

**Means test for Empty Homes Grant**

13.19 There is no means test for landlords. The amount of grant will be calculated as 100% of the eligible cost of works.

**Grant amount for Empty Homes Grant**

13.20 The maximum amount of grant is:

- £25,000 per unit of accommodation for a minimum 5 year letting to a vulnerable household
- Where adaptation works are included, additional grant funding is available up to a maximum of £5,000 for these works.

The grant amount will be calculated on the basis of the number of units of accommodation that will exist when the works are completed, not on the original number of units.

13.21 Unforeseen works can be grant aided (at 100% of the eligible cost) provided that the total grant does not exceed the maximum amount of grant as set out in 13.20.

13.22 Currently the maximum number of grants that will be approved for a single property owner/developer in any 12 month period is 6. This is irrespective of the number of applications that owner/developer may be entitled to make and irrespective of the number of properties in respect of which applications are made.

**Conditions attached to Empty Homes Grant**

13.23 A summary of the conditions applicable to Empty Homes Grant is given as Appendix E.

13.24 It is a condition of this grant that all properties, with the exception of those leased via the Council's Croylease scheme, are licenced as required under the Croydon Private Rented Property Licence scheme which came in to force on 1 October 2015 and any extension to or replacement of that scheme, or under the Mandatory Houses in Multiple Occupation Licensing Scheme.

## 14.0 **EMPTY HOMES LOAN**

### **Purpose**

14.1 This loan is intended to help owners bring empty properties back into use or to create new dwellings through the conversion of non-residential space (above shops) and to make them available for letting to tenants nominated by the Council. On completion of the works the dwellings must achieve the Decent Homes Standard.

14.2 The loans will also be available for a range of Listed Buildings as follows:

- Empty properties which are on the English Heritage Register of Buildings at Risk.
- Empty eyesore properties within Conservation Areas or in Regeneration areas.
- Empty Listed Buildings.

### **Eligible persons**

14.3 Empty Homes Loan is available to owners (freeholder or leaseholder) of flats and houses in the borough which have been empty for at least 6 months and which require essential repairs and improvements. The loan is also available to owners of commercial property for the conversion of non-residential space above shops and listed buildings which have been empty for at least 6 months, such as the storage area above a shop, into a new residential dwelling.

14.4 In the case of applications for listed buildings, the property must be either an existing residential building or be suitable for conversion into residential use. Priority will be given to those which are particular eyesores and which have resulted in multiple complaints but this will be balanced with the feasibility of the property being brought back into use.

### **Works covered under Empty Homes Loan**

14.5 Works to put a dwelling or building into reasonable repair and to achieve the Decent Homes Standard are covered. This includes virtually all types of repair, but not furnishing. Where an owner applies for more than one loan in respect of a property that is converted into flats, the repairs to the common parts can be included on the loan of the most appropriate flat. The following are also eligible:

14.6 Works to provide additional dwellings by conversion, including the following:

- works required by Building Control,
- provision of basic kitchen, bathroom and toilet facilities and supplies of hot and cold water (all new WC's to be dual flush) ,

- provision of refrigerators and cookers are not covered but the power points to these are,
- provision of basic kitchen units, cupboards and work-tops,
- provision of gas, electricity and water services hardware (an energy efficient boiler would be covered, this must be SEDBUK 'A' rated),

14.7 Works to provide adequate thermal insulation including the following:

- provision of loft insulation up to the current standard as required by Building Regulations where none or less than 150mm exists.
- Where cavity walls exist they are to be insulated.
- insulation to water tanks and pipes,

14.8 Works to provide adequate facilities for space heating.

- Provision of gas fires and central heating will be considered.
- Where a gas boiler is the main source of heating and a new boiler is required or is being provided for the first time, this is to be SEDBUK 'A' rated.
- Programmer and thermostatic radiator valves to be fitted (where heating system is pre-existing or a new installation)

14.9 Works to provide satisfactory internal arrangements including provision of separate access to flats above a shop.

14.10 Works to provide adequate means of escape from fire and other fire precautions.

Where the works are to a single dwelling house:

- mains wired smoke detectors are to be provided for each floor level.

Where works are to provide additional dwellings, the eligible works for grant will be those specified by Building Control, which will generally be as follows:

- mains wired heat detectors in every kitchen and mains wired smoke detectors to every flat hallway/entrance and communal landing
- auto air vents to loft or flat conversions, additional fire doors or lobbies off escape routes, may also be required in certain situations
- If the property was converted prior to the Building Regulations 1991 and not subsequently altered in accordance with subsequent Building Regulations, the following standard is applied: if self-contained flats and on 3 or more floors an automatic fire detection system (to BS5839) will be specified with a heat detector in the kitchen and smoke detectors on each landing and hallway.

In all cases the works must comply with current Building Regulations requirements.

14.11 The reasonable costs of carrying out the Energy Efficiency works identified on the energy survey form or those detailed below which the council considers practical, cost effective and likely to result in a significant improvement in the energy efficiency of the property. The following are conditions and requirements of receiving a discretionary Empty Homes loan.

- All permanent light fittings to have low energy bulbs.
- Where windows need replacement, the new windows ideally to be of wooden construction and double glazed.
- A water meter (where major renovation works are being carried out)
- Dual volume flush WCs (where these are new or being renewed).
- Water butt to be provided where a garden exists.

14.12 The following general items will also be required:

- Provision of a carbon monoxide alarm
- Gas safety and electrical certificates to be provided at conclusion of works.

14.13 Because the design and condition of Listed Buildings is diverse there will be some flexibility in the eligible works considered under the loan. The target standard on completion will be the same as for other empty properties except where Listed Building or similar restrictions prohibit this.

#### **Means test for Empty Homes Loan**

14.14 There is no means test for landlords. The amount of loan will be calculated as 100% of the eligible cost of works. The loan will be limited by the amount of available equity within the property. The assessment and calculations of the available equity will be carried out by the Council.

#### **Loan amount for Empty Homes Loan**

14.15 The maximum loan amount is:

- £40,000 per unit of accommodation

14.16 Unforeseen works can be loan aided (at 100% of the eligible cost) provided that the total loan does not exceed the maximum amount of loan as set out in 14.15.

14.17

The loan is available on a 'one per dwelling' basis so multiple loans are possible if more than one dwelling will result. The limiting factor is the available equity in the dwelling as the council's interest is protected by a full legal charge on the dwelling or building (if separate leases are not being created). The loan is repaid within two years and the full legal charge removed.

**Conditions attached to Empty Homes Loan**

14.18 A summary of the conditions applicable to Empty Homes Loan is given as Appendix F.

## 15.0 SPECIAL PROJECTS LOAN

### Purpose

- 15.1 This loan is available to assist with funding special projects, for example;
- the renovation of residential properties as part of large scale projects on mixed tenure developments
  - the renovation of accommodation above shopping parades
  - the conversion of residential or commercial properties to provide temporary accommodation for council tenants
  - terraced properties in need of external works such as over-cladding
  - situations where responsibility for repairs is complex and or split.

### Eligibility

- 15.2 Applicants must be:
- Over 18 years of age
  - A landlord or an owner occupier
  - Have a duty or a power to carry out the works
- 15.3 Applications **cannot** be made where:
- the eligible works are less than £3,000
  - the property was built or converted less than 10 years prior to the date of the application.

### Works covered under Special Projects Loan

- 15.4 All works necessary to bring the property up to the decent homes standard as set out below.

#### **Works to remove/reduce category 1 hazards.**

- Provision of safety railings/barriers to balconies/walkways on shared areas of buildings.

#### **Works to bring the property up to a reasonable state of repair. This is where:**

- one or more of the key building components are old and, because of their condition, need replacing or major repair; or
- two or more of the other building components are old and, because of their condition, need replacing or major repair.

**The provision of reasonably modern facilities and services. This includes:**

- the replacement of the kitchen if it is over 20 years old; and
- the replacement of the bathroom if it is over 30 years old.

The provision of a reasonable degree of thermal comfort. This includes:

- loft insulation up to the current standard required by Building Regulations (where none or less than 150mm exists).
- cavity wall insulation where the cavity wall has no insulation or solid wall insulation where there is none.
- draughtproofing where 50% or less of the windows and external doors are draughtproofed.
- central heating system where there are only electric fires or a mix of electric and gas fires.
- boiler replacement (using condensing boiler where suitable) where current boiler is over 15 years old.
- upgrading central heating controls where the system does not have a programmer or timer, or a room thermostat or separate hot water system control.
- provision of thermostatic radiator valves where none present.

- 15.5 The reasonable costs of carrying out the Energy Efficiency works identified on the energy survey form which the council considers practical, cost effective and likely to result in a significant improvement in the energy efficiency of the property.

**Maximum amount for Special Projects Loan**

- 15.6 There is no fixed amount for special projects loan.
- 15.7 Applications may be made and will be considered on a case by case basis by The Private Sector Loans Panel. In such cases the Private Sector Loans Panel will consider the application and a business case and make a recommendation to the Director of Housing Assessments and Solutions.

**The Private Sector Loans Panel:**

To ensure an equitable and transparent approach to decision making, value for money and the appropriateness of proposed work, the council

has formed a panel to review complex cases. This panel is known as the Private Sector Loans Panel and they are responsible for reporting in to and making recommendations for consideration by the Director of Housing Assessments and Solutions as detailed in 15.7 above.

The panel is made up of the following:

- Croydon Staying Put Operations Manager
- Head of Housing Renewal
- Senior Home Investment Officer
- Grants/Loans Surveyor

### **Conditions applicable to Special Projects Loan**

15.8 A summary of the conditions applicable to special projects loan is given as Appendix A.

## 16.0 AGENCIES AND PROJECTS

### Croydon Staying Put - Home Improvement Agency

- 16.1 Croydon has a home improvement agency called Croydon Staying Put.
- 16.2 The agency provides a service to homeowners and private tenants, which is designed to take the stress out of applying for a housing renewal loan or disabled facilities grant and getting repairs, improvements and adaptations carried out. The Agency gives advice on eligibility for grants and loans, helps complete the necessary paperwork, obtain builders and oversee the work.
- 16.3 **A fee based on a percentage of the cost of eligible works is charged (currently 17% plus VAT). However, in most cases this forms part of the grant or loan amount.**
- 16.4 The agency provides a service for homeowners and private tenants of all ages. Where a client is over the age of sixty or infirm or has a disability, a home visit is made to assess what repairs, improvements and/or adaptations are needed. Agency staff will provide help and support to all clients in applying for housing renewal loans or grants to get repairs carried out using reputable builders. Where appropriate, the agency will also apply for alternative funding such as charitable funding to help pay for the work.

### Projects

- 16.5 There are a number of services available in Croydon to help homeowners and private tenants get minor repairs carried out and to make their homes safe and warm.

### **Handy Person**

- 16.6 This scheme provides a minor repairs/works service to people over 60 years of age or disabled people at a reduced cost. The scheme is restricted to jobs that can be completed within 1 to 2 hours and is subject to a small charge.

Types of work covered include:

- Minor repairs such as renewing gates or fence panels, easing windows, etc.
- Fixing door bells, gutters, taps, WC seat, tiles, floor boards, curtain rails etc.
- Provide and fix long life battery smoke alarms.

### **Staying Put Gardening Service**

- 16.7 Subject to funding, this scheme provides a subsidized gardening service to people aged 60 years and over or disabled people. The scheme is administered by Croydon Staying Put. Clients currently pay £30 per hour for this service.
- 16.8 This project aims to address targets for reducing crime, ensuring decent homes and improving the living environment. Houses with a run down appearance are targets for burglars and this scheme helps to deter them.

### **Hospital Discharge Service**

- 16.9 The Hospital Discharge Service provides a practical solution to getting older and vulnerable people out of hospital and back into their own homes. The service is run by Croydon Staying Put.
- 16.10 The Hospital Discharge Caseworker works closely with Care Managers and taking referrals from and visiting clients in the wards at Mayday Hospital. They arrange for relatively small, inexpensive tasks to be carried out to the client's home to facilitate an early discharge.

## 17.0 OTHER SOURCES OF INFORMATION AND ASSISTANCE

### Private Sector Housing Landlords Forum

- 17.1 The Private Sector Housing Landlords Forum brings together landlords, the Council and other organisations in order to promote good practice in private renting, to improve housing conditions and increase access to private rented accommodation.

### Builders' Lists

- 17.2 The following organisations operate schemes to help the public find their own building contractors:
- **TrustMark** - is the Government Endorsed Quality Scheme covering work a consumer chooses to have carried out in or around their home. Trustmark operates under licence from the Department for Business, Energy and Industrial Strategy at [www.trustmark.org.uk](http://www.trustmark.org.uk) (or telephone on 0333 555 1234).
  - **Find a builder** – run by the Federation of Master Builders at [www.findabuilder.co.uk](http://www.findabuilder.co.uk) (Telephone number: 0330 333 7777).
  - **Find a builder** – run by the National Federation of Builders at [www.builders.org.uk/find-a-builder/](http://www.builders.org.uk/find-a-builder/) (Telephone number: 03450 578 160).

### Partnerships

#### **Fire Service Partnership**

- 17.3 The Council and the London Fire Brigade have an inter-agency partnership agreement to improve fire precautions and raise fire awareness in the private housing sector.
- 17.4 A Home Fire Safety Check is a service being offered to residents by the London Fire Brigade. It involves a fire safety audit and the provision of smoke alarms. This service can be requested by calling 08000 284 428, by emailing them on [smokealarms@london-fire.gov.uk](mailto:smokealarms@london-fire.gov.uk) or via their website at [www.london-fire.gov.uk/HomeFireSafetyVisit.asp](http://www.london-fire.gov.uk/HomeFireSafetyVisit.asp)

## **18.0 COMPLAINTS**

- 18.1 Final interpretation of the detail in this policy is at the discretion of the Director of Housing Assessment and Solutions.
- 18.2 Complaints about the policy and its implementation will be dealt with under the Council's Corporate Complaints Process.

## **19.0 OPERATIVE DATE & IMPLEMENTATION PLAN**

- 19.1 This Policy supersedes the Policy dated 1st February 2014 and will come into force on the 27<sup>th</sup> July 2021.
- 19.2 The Policy will be reviewed after 5 years from the commencement date unless there are circumstances that necessitate an earlier review.
- 19.3 Circumstances that might necessitate an earlier review include:
- Budgetary changes to the Council's Capital Programme for Housing Renewal.
  - Legislative changes.
  - Review and outcome of Pilot scheme
- 19.4 Legislative changes to Mandatory Disabled Facilities Grant, (including to the maximum grant limit or means test) will not necessitate a review of the policy.
- 19.5 All discretionary assistance is provided subject to funding being available.
- 19.6 Minor amendments to the policy may be carried out without a formal review subject to legal advice being obtained in advance and agreed by the Executive Director of Housing who has delegated authority.
- 19.7 The pilot scheme for Discretionary Simple Adaptations Grant will be reviewed six months after introduction of this Policy. The outcome of the review will be reported back to Members to consider whether or not it is appropriate to make the pilot permanent under this policy.

## **20.0 TRANSITIONAL ARRANGEMENTS**

- 20.1 Any applications which have been approved by [insert date] 2021 will be honoured under the terms and conditions of the previous policy and will run for a period of one year from the date of approval. No extensions of time will be agreed.

## **LOAN CONDITIONS**

### **Conditions Applicable to All Loans**

These conditions are applicable to the following loans, for the lifetime of the loan until relevant disposal of the property. :

- Home Investment Loan
- Home Repair Loan
- Special Projects Loan

They will apply from the date of approval of the loan and will be registered as a local land charge/land registry charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

### **Disposal of the dwelling:**

If an owner makes a relevant disposal (whether by sale, assignment, transfer or otherwise) of the whole or part of the premises or dwelling to which the application relates, he shall re-pay the Council on demand the amount of loan that has been paid.

An owner is required to notify the Council forthwith in writing of his intention to make a relevant disposal and to give the Council any information reasonably requested by them in that connection.

### NOTES

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of loan may be made at any time in full by the owner for the time being, or by a mortgagee entitled to exercise a power of sale whereupon all loan conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

### DEFINITIONS

1. 'Date of Approval' means the date on which the application for loan is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - (a) sale of the freehold or an assignment of the lease or
  - (b) the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - (c) any other form of sale, assignment, transfer or disposal.

**Smoke alarms:**

It is a condition of this loan that, where works of electrical rewiring are carried out, mains operated, battery back-up smoke alarms are provided. In all other cases, smoke alarms with a 10 year life battery must be fitted, where no pre-existing alarms exist.

**Insurance and compensation claims:**

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for loan assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the loan, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

**Carrying out and completion of works:**

In approving an application for a loan the Council will require as a condition of payment of the loan that the eligible works are carried out in accordance with such specifications as the council determine.

The eligible works must be carried out within 6 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

**Applicant ceases to be entitled to the loan:**

Where an application for a loan is approved, but it subsequently appears to the Council that the applicant was not entitled to that loan the Council will not pay the loan or any further installments, where one or more have been paid.

The Council will demand repayment of the loan plus interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or

If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of a loan is no longer the most appropriate course of action.

### **Certificate of Future Occupation**

**Owner's application** - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family will live in the property as their, or that family member's only or main residence.

**Non Owner's application** – in the case where someone has an exclusive right to remain the property, and are responsible for the maintenance of the property. The Owner of the property must sign an owner-occupation certificate which certifies that they have a qualifying owner's interest in the property.

### **To keep the property free of category 1 hazards, in a good state of repair and up to the Decent Homes Standard:**

The recipient must ensure that the property is kept free of category 1 hazards, in a good state of repair and meets the Decent Homes Standard following satisfactory completion of works.

### **Death of applicant:**

Where the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may pay loan assistance in respect of some or all of those matters and a charge will be registered accordingly.

Where the applicant dies after the relevant works have begun and before the certified date of completion, the council may pay loan assistance in respect of some or all of the works already carried out and other relevant works covered by the application.

Any reference to the applicant shall be construed in relation to any time after their death as a reference to their personal representatives.

**GRANT CONDITIONS – MANDATORY DISABLED FACILITIES GRANT**

These conditions will apply from the date of approval of the grant until the end of a period of 10 years commencing with the certified date.

They will be registered as a local land charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

In relation to a Disabled Facilities Grant, the Council has powers to place a local land charge against the property where the Mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work. The Local Land Charge therefore protects the repayment of the grant to the Council and the existence of this financial charge will be notified to potential purchasers of the property who carry out a local authority search if the property is being sold.

In accordance with the legislation set out in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, where the adaptation is carried out to a property which is privately owned and the cost of the work is £10,000, or more, the Council may place a legal charge on the property through the Land Registry, which will last for ten years. If the property is sold or otherwise changes ownership within ten years of the completion date, the Council may require repayment of the grant, although each case will be judged on its own merits. The owners title to the property will show the registration of the charge in favour of the Council which any buyer will require to be discharged prior to or on completion of the sale of the property.

Where a grant is paid by the Council is in excess of £30,000 then a legal charge may be placed on the property for the additional amount for a period of ten years.

**Disposal of the dwelling:**

Where a grant is for a sum exceeding £5000, the council may demand repayment of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if:

- (a) The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the council, having considered
  - (i) the extent to which the recipient of the grant would suffer financial hardship were he/she required to repay all or any of the grant;
  - (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his/her employment;
  - (iii) whether the disposal is made for reason connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
  - (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

is satisfied that it is reasonable in all the circumstances to require the repayment.

**NOTES:**

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

**DEFINITIONS**

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for grant is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - i. sale of the freehold or an assignment of the lease or
  - ii. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

**Change of circumstances affecting disabled occupant:**

If a grant has been approved but, before the certified date of completion:

- (a) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (b) the disabled occupant ceases to occupy the property or it ceases to be the intention that they should occupy it, or
- (c) the disabled occupant dies,

the Council may decide:

- (a) not to pay the grant or not to pay any further instalments, or
- (b) that part or all of the works should be completed and paid, or
- (c) the application should be re-determined.

The Council may demand repayment of any instalment plus interest from the date it was paid until repayment.

**Insurance and compensation claims:**

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council may demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

**Carrying out and completion of works:**

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

### **Repayment where applicant not entitled to grant:**

Where an application for a grant is approved, but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further installments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

### **Applicant ceases to be entitled before payment of the grant**

The grant will not be paid, or if applicable no further instalments will be paid and the Council will demand repayment of any instalments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If an applicant (landlord) ceases to have the duty or power to carry out the works, or
- (c) If an applicant (tenant) ceases to be a qualifying tenant of the dwelling, or
- (d) If the landlord of a property subject to a tenant's application ceases to have the intention set out in the certificate of intended letting accompanying the application, or
- (e) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of grant is no longer the most appropriate course of action.

### **Certificate of Future Occupation**

**Owner's application** - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Grants this must be the disabled person) will live in the property as their, or that family member's only or main residence for 10 years.

**Landlord's application** - The applicant must sign the relevant certificate of intended letting which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that the property, or part of it, will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected with the owner of the house for a period of 10 years. 'Residential occupation' does not include a letting on a long term tenancy or occupation for a holiday but does include the grant of a licence to occupy the property. There may be any number of individual lettings during the 10 year period.

### **Tenant's application**

(a) The tenant must sign a tenant's certificate which certifies that their intention is that they or a member of their family will live in the property as their, or the member's, only or main residence for 10 years.

(b) This certificate must be accompanied by a certificate of intended letting from the landlord.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 5 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the grant together with interest from 'the certified date'.

### **Additional conditions specific to grant assistance given for relocation purposes:**

- Before assistance is approved for relocation purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

**GRANT CONDITIONS – DISCRETIONARY DISABLED FACILITIES GRANT AND SIMPLE ADAPTATIONS GRANT**

These conditions will apply from the date of approval of the grant until the end of a period of 10 years commencing with the certified date.

They will be registered as a local land charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

In relation to a Disabled Facilities Grant, the Council has powers to place a local land charge against the property where the Mandatory Disabled Facilities Grant exceeds £5000. The charge may be up to a maximum of £10,000 and repayment of the sum on charge is required where the adapted property is sold, transferred or otherwise disposed of within a 10 year period from completion of the work. The Local Land Charge therefore protects the repayment of the grant to the Council and the existence of this financial charge will be notified to potential purchasers of the property who carry out a local authority search if the property is being sold.

In accordance with the legislation set out in the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008, where the adaptation is carried out to a property which is privately owned and the cost of the work is £10,000, or more, the Council may place a legal charge on the property through the Land Registry, which will last for ten years. If the property is sold or otherwise changes ownership within ten years of the completion date, the Council may require repayment of the grant, although each case will be judged on its own merits. The owners title to the property will show the registration of the charge in favour of the Council which any buyer will require to be discharged prior to or on completion of the sale of the property.

Where a grant is paid by the Council is in excess of £30,000 then a legal charge may be placed on the property for the additional amount for a period of ten years.

**Disposal of the dwelling:****Grant funded contribution:**

Where an assessed client's contribution will be funded by the grant the council will demand the repayment of this amount when the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date;

Where a grant is for a sum exceeding £5000, the council may demand repayment of such part of the grant that exceeds £5000 (but may not demand an amount in excess of £10,000) if:

- (a) The recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
- (b) the council, having considered
  - (i) the extent to which the recipient of the grant would suffer financial hardship if they were required to repay all or any of the grant;
  - (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
  - (iii) whether the disposal is made for reason connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises; and
  - (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

is satisfied that it is reasonable in all the circumstances to require the repayment.

**NOTES:**

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

**DEFINITIONS**

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for grant is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - iii. sale of the freehold or an assignment of the lease or
  - iv. the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - iii. any other form of sale, assignment, transfer or disposal.

**Change of circumstances affecting disabled occupant:**

If a grant has been approved but, before the certified date of completion:

- (a) the works cease to be necessary or appropriate to meet the needs of the disabled occupant, or
- (b) the disabled occupant ceases to occupy the property or it ceases to be the intention that they should occupy it, or
- (c) the disabled occupant dies,

the Council may decide:

- (a) not to pay the grant or not to pay any further instalments, or
- (b) that part or all of the works should be completed and paid, or
- (c) the application should be re-determined.

The Council may demand repayment of any instalment plus interest from the date it was paid until repayment.

**Insurance and compensation claims:**

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council may demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

**Carrying out and completion of works:**

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

**Repayment where applicant not entitled to grant:**

Where an application for a grant is approved but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further installments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

**Applicant ceases to be entitled before payment of the grant**

The grant will not be paid, or if applicable no further instalments will be paid and the Council will demand repayment of any instalments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If an applicant (landlord) ceases to have the duty or power to carry out the works, or
- (c) If an applicant (tenant) ceases to be a qualifying tenant of the dwelling, or
- (d) If the landlord of a property subject to a tenant's application ceases to have the intention set out in the certificate of intended letting accompanying the application, or
- (e) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of grant is no longer the most appropriate course of action.

## Certificate of Future Occupation

**Owner's application** - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Grants this must be the disabled person) will live in the property as their, or that family member's only or main residence for 10 years.

**Landlord's application** - The applicant must sign the relevant certificate of intended letting which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that the property, or part of it, will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected with the owner of the house for a period of 10 years. 'Residential occupation' does not include a letting on a long term tenancy or occupation for a holiday but does include the grant of a licence to occupy the property. There may be any number of individual lettings during the 10 year period.

### Tenant's application

(a) The tenant must sign a tenant's certificate which certifies that their intention is that they or a member of their family will live in the property as their, or the member's, only or main residence for 10 years.

(b) This certificate must be accompanied by a certificate of intended letting from the landlord.

#### Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 10 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the grant together with interest from 'the certified date'.

**Additional conditions specific to grant assistance given for relocation purposes:**

- Before assistance is approved for relocation purposes, confirmation is required from an Occupational Therapist and a Building Surveyor from the Council that the new property meets or is suitable for adaptation to meet the needs of the disabled person at reasonable cost.
- This assistance will only be paid once to any applicant and then on completion of the sale and purchase of the new property or the signing of a rental agreement.
- This assistance will only apply if the applicant is moving from and to a property in the borough of Croydon.

## **LOAN CONDITIONS – ENERGY LOAN**

These conditions will apply from the date of approval of the loan for the lifetime of the applicant (s) as long as they live at the property where the works were undertaken. The loan is repayable whenever the property is sold, assigned, transferred or disposed of in any other way.

They will be registered as a local land charge.

They are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

### **Disposal of the dwelling:**

It is a condition of the loan that:-

- (1) If an owner makes a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling to which the application relates, he shall re-pay the Local Housing Authority on demand the amount of loan that has been paid.
- (2) The applicant shall forthwith notify the Local Housing Authority in writing of his intention to make a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling and shall furnish to the Authority any information reasonably requested by them in connection with such a notification.

### NOTES

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply
2. Repayment will not be required immediately where a property is owned in the sole name of one of a married couple and the named owner dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of loan may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all loan conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

## DEFINITIONS

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for loan is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - (i) sale of the freehold or an assignment of the lease or
  - (ii) the loan of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - (iii) any other form of sale, assignment, transfer or disposal.

**Insurance and compensation claims:**

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for loan assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the loan, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

**Carrying out and completion of works:**

In approving an application for a loan the Council will require as a condition of payment of the loan that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be carried out within 12 months from the date of approval of the application. The Council in extenuating circumstances may extend this period.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

**Payment to contractors:****Repayment where applicant not entitled to loan:**

Where an application for a loan is approved but it subsequently appears to the Council that the applicant was not entitled to that loan the Council will not pay the loan or any further installments.

The Council will demand repayment of the loan plus interest from the date it was paid until repayment.

**Applicant ceases to be entitled before payment of the loan**

The loan will not be paid, or if applicable no further installments will be paid and the Council will demand repayment of any installments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of loan is no longer the most appropriate course of action.

**Certificate of Future Occupation**

**Owner's application** - The owner must sign an owner-occupation certificate which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that they or a member of their family (in the case of Disabled Facilities Loans this must be the disabled person) will live in the property as their, or that family member's only or main residence.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 10 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the loan together with interest from 'the certified date'.

**GRANT CONDITIONS – EMPTY PROPERTY GRANT**

These conditions will apply from the date of approval of the grant until the end of a period of 5 years commencing with the certified date.

The grant will be registered as a local land charge.

These Conditions are binding on any person who is for the time being an owner of the premises concerned.

In relation to charges against the property, the Council may take security in the form of a charge against the property under The Regulatory Reform (Housing Assistance) Order 2002 legislation. The Council is authorised to remove the charge or reduce the charge's priority at any time.

**Disposal of the dwelling:**

It is a condition of the grant that:-

- (1) If an owner makes a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling to which the application relates, he shall re-pay the Local Housing Authority on demand the amount of grant that has been paid.
- (2) The applicant shall forthwith notify the Local Housing Authority in writing of his intention to make a relevant disposal through sale, assignment, transfer or otherwise of the whole or part of the premises or dwelling and shall furnish to the Authority any information reasonably requested by them in connection with such a notification.

**NOTES**

1. Repayment will not be required immediately where a joint owner(s) dies and the dwelling is re-registered solely in the name(s) of the surviving proprietor(s) but the condition will continue to apply.
2. If an applicant gives some other person the right to require the dwelling to be disposed of, he will be held to have made a relevant disposal to that person.
3. A voluntary repayment of the amount of grant may be made at any time in full by the owner for the time being or by a mortgagee entitled to exercise a power of sale whereupon all grant conditions shall cease to be in force,
4. On repayment of the sum demanded following a relevant disposal the conditions shall cease to be in force.

**DEFINITIONS**

1. 'Certified Date' means the date certified by the Local Authority as the date on which the execution of the eligible works is completed to their satisfaction. 'Date of Approval' means the date on which the application for grant is formally approved.
2. Disposal, whether of the whole or part of the premises is a 'relevant disposal' if it is:-
  - (i) sale of the freehold or an assignment of the lease or
  - (ii) the grant of a lease (other than a mortgage term) for a term of more than 21 years otherwise than at a rack rent or
  - (iii) any other form of sale, assignment, transfer or disposal.

**Nomination rights and property management:**

The Council may secure nomination rights for the property for 5 years and the landlord will be required to sign a formal nominations agreement to this effect.

The property must also be managed by either Croydon Council or an alternative Registered Provider. This may be a registered housing association in the form of a lease.

**Insurance and compensation claims:**

Where the proposed works are subject to an insurance claim or a claim against a third party we may consider an application for grant assistance. The applicant shall take reasonable steps to pursue insurance claims or legal claims relating to the eligible works and shall repay the grant, so far as is appropriate, if the claim is successful.

In the event of failure to make repayment when a claim is successful the Council will demand repayment of the appropriate amount together with interest.

As claims can be protracted there is no time limit attached to this provision. In determining the amount to recover, the terms of settlement received by the applicant will be fully considered.

**Carrying out and completion of works:**

In approving an application for a grant the Council will require as a condition of payment of the grant that the eligible works are carried out in accordance with such specifications as they determine.

The eligible works must be commenced within 3 months from the date of approval of the application and completed within 6 months of the date of approval. The Council in extenuating circumstances may extend these periods.

The eligible works must be completed to the satisfaction of the council and acceptable invoices, demands or receipts for the works and any preliminary or ancillary services or charges must be provided. An invoice, demand or receipt is not acceptable if given by the applicant or a member of his family.

Unless the Council directs otherwise, the eligible works must be carried out by the contractor whose estimate accompanied the application.

**Repayment where applicant not entitled to grant:**

Where an application for a grant is approved but it subsequently appears to the Council that the applicant was not entitled to that grant the Council will not pay the grant or any further installments.

The Council will demand repayment of the grant plus interest from the date it was paid until repayment.

## **Applicant ceases to be entitled before payment of the grant**

The grant will not be paid, or if applicable no further installments will be paid and the Council will demand repayment of any installments together with interest from the date it was paid until repayment:

- (a) If an applicant ceases to have a qualifying owner's interest or ceases to have the intention set out in the owner-occupation certificate accompanying the application, or
- (b) If an applicant (landlord) ceases to have the duty or power to carry out the works, or
- (c) If an applicant (tenant) ceases to be a qualifying tenant of the dwelling, or
- (d) If the landlord of a property subject to a tenant's application ceases to have the intention set out in the certificate of intended letting accompanying the application, or
- (e) If it appears that on completion the property will not be free of category 1 hazards, will not meet the Decent Homes Standard, or the financial and other arrangements for carrying out the works are not satisfactory, or the giving of grant is no longer the most appropriate course of action.

## **Certificate of Future Occupation**

**Landlord's application** - The applicant must sign the relevant certificate of intended letting which certifies that they have, or propose to acquire, a qualifying owner's interest in the property and that they intend that the property, or part of it, will be residentially occupied or available for residential occupation under tenancies or licences by persons who are not connected with the owner of the house for a period of 5 years. 'Residential occupation' does not include a letting on a long term tenancy or occupation for a holiday but does include the grant of a licence to occupy the property. There may be any number of individual lettings during the 5 year period.

Notes:

- (a) An owner's interest or a qualifying owner's interest means a freehold interest or leasehold interest where there is at least 10 years of the lease remaining, and a duty or power to carry out the relevant works.
- (b) The Council may at any time serve a notice on the owner of the dwelling requiring a statement showing how the condition of occupation is being fulfilled.
- (c) In the event of any breach of the certificate of future occupation, including not complying with the intention set out in the certificate, the Council will demand repayment of the grant together with interest from 'the certified date'.

## **Licensing of Privately Rented Properties**

It is a condition of this grant that all properties, with the exception of those leased via the Council's Croylease scheme, are licensed as required under one of the following schemes, unless they fall within the exemptions:

- The Croydon Private Rented Property Licence scheme which came in to force on 1 October 2015 and any extension to or replacement of that scheme,
- The Mandatory Houses in Multiple Occupation Licensing scheme.

### **Mortgagee repossessions:**

Where a mortgagee exercises their right to sell the property, we will seek to recover the full grant amount provided that there is sufficient equity.

### **To keep the property free of category 1 hazards, in a good state of repair and up to the Decent Homes Standard for 5 years:**

Where an applicant has a duty or power to carry out works of repair to a grant-aided property, they must ensure that the property is kept free of category 1 hazards, in a good state of repair and meets the Decent Homes Standard for the full 5 years following satisfactory completion of works.

### **Requirement for Energy Efficiency Survey:**

All applications must be accompanied by an Energy Efficiency Survey of the property to which the grant relates.

### **Death of applicant:**

Where the applicant dies after liability has been incurred for any preliminary or ancillary services or charges, the Council may pay grant in respect of some or all of those matters.

Where the applicant dies after the relevant works have begun and before the certified date of completion, the council may pay grant in respect of some or all of the works already carried out and other relevant works covered by the application.

Any reference to the applicant shall be construed in relation to any time after their death as a reference to their personal representatives.

## **LOAN CONDITIONS - EMPTY HOMES LOAN**

The loan is for a term of 2 years, starting at the point of the first payment from the Council to the owner. At the end of the 2 year period the loan is repayable in full.

The loan will be paid in stage payments, 25% on completion of the registration of the loan, up to 50% based on the value of works carried out and the remaining 25% on satisfactory completion of the works.

Full details of repayment schedules and penalty clauses will be sent out with any loan offer based on the exact amount of money to be borrowed and illustrated with the current Bank of England base rate. These details will be included in the Legal Charge Notice the owner will be required to sign.

Should any of the loan conditions be breached the Council will pursue full repayment of the loan in line with the terms of the Legal Charge Notice. This states that the date of any breach is considered the repayment date and interest will be charged at 4% above base from that date.

The Council will require as a condition of such approval that the eligible works [see below] are carried out in accordance with the approved specification.

“Eligible Works” are the essential renovations to the property as described in the “approved specification”. These works will be defined by Croydon Council following an inspection of the property prior to any refurbishment work. This definition will be supplied to you in the form of a written schedule with your loan offer letter.

It is a condition of the loan that the eligible works are commenced and completed within **twelve months** from the date of approval of the application. This period may, however, be extended by the Council where it is 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. Extensions to the time period may also be granted for other reasons upon consideration of written submissions in the Council’s absolute discretion.

The loan will be secured by way of a charge registered with HM Land Registry, and unless otherwise agreed in writing the Council will require a first or second charge over the property.

It is a condition of loan that the property is adequately insured against fire, lightning, explosion, earthquake, storm, flood, escape of water or oil, riot, malicious damage, landslide, heave, collision, accidental breakage of glass and sanitary ware, and accidental damage to underground services and public liability. Owners will be required to provide a copy of their insurance certificate on demand from the Council during the loan period.

It is a condition of loan that the dwelling will be occupied within three months of the date of completion of the works.

It is a condition of the loan that an owner is required to notify the Council forthwith in writing of his intentions to dispose of the property or to re-mortgage the property and to give the Council any information reasonably requested by them in that connection.

All remedial works and extensions to the Electrical Installations shall comply with the current edition of the IEE Wiring Regulations. Prior to a completion certificate being issued, the Council must be satisfied that Part P has been complied with, this will require an appropriate British standard Installation Certificate to be issued by the competent person.

All gas installations must be carried out by installers who are registered with the Gas Safe Register and be in accordance with the current Gas Safety (Installations and Use) Regulations and current British Standard Specifications.

All damp proofing works must have a 30 year assured guarantee (where appropriate).

Plumbing works must comply with the Water Fitting Regulations.

A completion certificate must be issued by the Council's Chief Building Control Officer (or alternative approved provider) confirming that the structural alterations comply with current Building Regulations (where appropriate).

Replacement windows and doors must comply with the FENSA standard.

The final instalment of the loan is payable when all of the works on the Schedule of Works have been completed to the Council's satisfaction and the property has met the decent homes plus standard. This includes works that are to be funded by the owner.

On completion of the works, the property must be decorated and appropriate floor covering must be provided and fitted to kitchens and bathrooms.

**HHSRS - Hazard Categories and Profiles**

	<b>PHYSIOLOGICAL REQUIREMENTS</b>	
	<b>Hygrothermal conditions</b>	
1	Damp and Mould Growth	Caused by dust mites, mould or fungal growths caused by dampness and/or high humidities. It includes threats to mental health and social wellbeing caused by living with damp, damp staining and/or mould growth.
2	Excess Cold	Covers the threats to health from excessively low indoor temperatures.
3	Excess Heat	Includes threats from excessively high indoor air temperatures.
4	Asbestos (and MMF)	Caused by exposure to asbestos fibres and manufactured mineral fibres (MMF).
5	Biocides	Threats to health from those chemicals used to treat timber and mould growth in dwellings.
6	Carbon Monoxide and Fuel Combustion Products	Hazards due to excess levels of carbon monoxide, nitrogen dioxide, sulphur dioxide and smoke in the dwelling's atmosphere.
7	Lead	Threats to health from the ingestion of lead.
8	Radiation	Threats to health from radon gas and its daughters, primarily airborne, but also radon dissolved in water. While rare, leakage from microwave ovens might also be considered.
9	Uncombusted Fuel Gas	The threat of asphyxiation due to fuel gas escaping into the atmosphere within a dwelling.
10	Volatile Organic Compounds (VOCs)	VOCs are a diverse group of organic chemicals that are gaseous at room temperature and are found in a wide variety of materials in the home e.g. formaldehyde.
	<b>PSYCHOLOGICAL</b>	

	<b>REQUIREMENTS</b>	
	<b>Space, Security, Light and Noise</b>	
11	Crowding and Space	Health hazards linked to a lack of living space for sleeping and normal family/household life.
12	Entry by Intruders	Problems keeping a dwelling secure against unauthorized entry and the maintenance of defensible space.
13	Lighting	Threats to physical and mental health caused by inadequate natural and/or artificial light. It includes the psychological effect associated with the view from the dwelling through glazing.
14	Noise	Threats to physical and mental health caused by noise exposure inside the dwelling or within its curtilage.
	<b>PROTECTION AGAINST INFECTION</b>	
	<b>Hygiene, Sanitation and Water Supply</b>	
15	Domestic Hygiene, Pests and Refuse	Health hazards due to poor design, layout and construction to the point where the dwelling cannot be readily kept clean and hygienic; access into, and harbourage within, the dwelling for pests; and inadequate and unhygienic provision for storing and disposal of household waste.
16	Food Safety	Threats of infection resulting from inadequacies in provision and facilities for the storage, preparation and cooking of food.
17	Personal Hygiene, Sanitation and Drainage	Threats of infection and threats to mental health associated with personal hygiene, including personal washing and clothes washing facilities, sanitation and drainage.
18	Water Supply for Domestic Purposes	The quality and adequacy of the water supply for drinking and for domestic purposes such as cooking, washing, cleaning and sanitation. Also threats to health from contamination by bacteria, protozoa, parasites, viruses and chemical pollutants.
	<b>PROTECTION AGAINST</b>	

	<b>ACCIDENTS</b>	
	<b>Falls</b>	
19	Falls Associated with Baths Etc	Falls associated with a bath, shower or similar facility.
20	Falls on the Level	Falls on any level surfaces such as floors, yards and paths. Also includes falls associated with trip steps, thresholds or ramps where the change in level is less than 300 mm.
21	Falls Associated with Stairs and Steps	Falls associated with stairs, steps and ramps where the change in level is greater than 300mm. It includes falls on internal stairs or ramps within the dwelling, external steps or ramps within the curtilage of the dwelling, internal common stairs or ramps within the building, access to the dwelling, and to shared facilities or means of escape in case of fire. It also includes falls over guarding (balustrading).
22	Falls between Levels	Falls from one level to another, inside or outside a dwelling, where the difference in levels is more than 300mm e.g. falls out of windows, falls from balconies or landings, falls from accessible roofs, into basement wells, and over garden retaining walls.
	<b>ELECTRIC SHOCKS, FIRES, BURNS &amp; SCALDS</b>	
23	Electrical Hazards	Hazards from electric shock and electricity burns, including from lightning strikes.
24	Fire	Threats from uncontrolled fire and associated smoke. It includes injuries from clothing catching alight which appears to be common when people attempt to put out a fire.
25	Hot Surfaces and Materials	Burns or injuries caused by contact with a hot flame or fire, and contact with hot objects or hot non water-based liquids, and scalds. It includes burns caused by clothing catching alight from a controlled fire or flame.
	<b>COLLISIONS, CUTS &amp; STRAINS</b>	

26	Collision and Entrapment	Risks of physical injury from trapping body parts in architectural features, for example trapping limbs or fingers in doors or windows. Also includes striking (or colliding with) objects such as architectural glazing, windows, doors, low ceilings and walls.
27	Explosions	Threats from the blast of an explosion, from debris generated by the blast, and from partial or total collapse of a building as a result of an explosion.
28	Position and Operability of Amenities etc.	Threats of physical strain associated with functional space and other features in dwellings.
29	Structural Collapse and Failing Elements	The threat of the dwelling collapsing, or of an element or a part of the fabric being displaced or falling because of inadequate fixing or disrepair, or as a result of adverse weather conditions. Structural failure may occur internally or externally.

### **Basic Kitchen Amenities**

Where the eligible grant works include for the provision of a basic kitchen, the following kitchen amenities should be provided. The table also indicates what is required for the amenity to be considered as being present and working.

<b>Amenity</b>	<b>Present</b>
<b>Cold Water Drinking Supply</b>	This refers to a piped cold water supply, which would normally be a mains water supply, connected to a tap outlet and be capable of providing an uninterrupted supply of wholesome water. It is regarded as present if there is a standpipe in the kitchen. It does not have to be connected to a sink to be present.
<b>Hot Water</b>	There must be a fixed supply of hot water capable of supplying a steady stream of hot water. This can be from a central hot water system (e.g. immersion heater) or a single or multipoint hot water heater.
<b>Sink</b>	The sink must be fixed, have a draining board or a second bowl, be non-porous and connected to a fixed waste. Lack of plug would not result in sink being classified as not working.
<b>Fixed Waste</b>	A fixed waste must be permanently connected to the sink and waste water system. This should not be leaking and should be sited to avoid back siphonage.
<b>Cooking Provision</b>	There must be a cooker point (30 amp) or a gas outlet (permanently piped) or a stove or range present. Adequate cooker space should be present, at least 500 mm in width.
<b>Cupboards</b>	There should be sufficient storage space for the dwelling with a minimum 0.3m <sup>3</sup> being provided.
<b>Worktop</b>	The worktop should be fixed, have a permanent non-porous surface and be at least 1000 mm x 600 mm or equivalent area.