

**Private Sector Housing  
Financial Assistance Policy  
2011**

**DRAFT FOR  
CONSULTATION**

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# Introduction

The Private Sector Housing Financial Assistance Policy sets out the forms of financial assistance which are available from Cheshire East Council to assist vulnerable homeowners, owners of private rented property and disabled people to improve or adapt their properties.

Cheshire East Council shares the Government's view that the prime responsibility for maintaining and improving housing rests with the owner, but acknowledges that there are occasions where it is necessary to intervene, including where vulnerable people are unable to afford to carry out urgent repairs that are affecting their health and safety.

The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 removed most of the prescriptive housing renewal grant legislation in the Housing Grants, Construction and Regeneration Act 1996, and introduced a wide ranging discretionary power for local housing authorities to develop different forms of financial assistance to meet local needs. It therefore provides an opportunity for us to contribute further towards the Council's aim of tackling health inequalities.

To provide financial assistance for housing repairs and improvements, the local housing authority must first adopt and publish a policy setting out how it intends to use this general power to award assistance. An Interim Private Sector Assistance Policy was adopted in 2009, pending the development of a robust evidence base that would be used to inform strategic decisions about the type of investment required in private sector housing. This Policy replaces the Interim Private Sector Assistance Policy.

A Private Sector House Condition Survey was carried out in 2010 as a means of maintaining a detailed picture of housing conditions in Cheshire East. The survey provides us with a robust evidence base to inform our investment decisions. This evidence, alongside our experience of delivering financial assistance through the Interim Private Sector Assistance Policy, and regard to Mortgage Sales Guidance for Local Authorities and an evaluation of loan finance to improve housing conditions for vulnerable owner occupiers, published by Communities and Local Government in April 2007, has informed this Policy.

# Key Issues for Private Sector Housing

## Housing Conditions:

- Overall, private sector housing conditions in Cheshire East are better than the national average, with 72.4% of dwellings meeting the Decent Homes Standard, compared to 65.6% across England.
- However, an estimated £224.4million needs to be spent on repairs and improvements to bring properties up to the Decent Homes Standard:

Reason	Total Cost (£ million)	Average Cost per dwelling (£)
Category 1 Hazard	£105.1	£3,520
Repair	£62.7	£5,470
Amenities	£29.1	£15,620
Thermal comfort	£27.5	£1,680
<b>Total</b>	<b>£224.4</b>	<b>£5,560</b>

*Source: 2010 House Condition Survey*

- The majority of properties failing the Decent Homes Standard failed on one criterion (61.7%), and 30.3% failed on two or more criteria. In the majority of cases (72.5%) of properties failing on two or more criteria, the failures related to heating and insulation issues.
- The primary reason for failure of the Decent Homes Standard was Category 1 hazards (74% of non-decent dwellings), followed by Lack of Thermal Comfort (40.5%).
- The most frequently found Category 1 hazard is Excess Cold (56.2% of all Category 1 hazards), followed by Falls on Stairs (36.4%), Falls on the Level (18.3%), and Entry by Intruders (8.7%).
- Category 1 hazards were most frequently found in pre-1919 properties (39.6% of pre-1919 properties), and excess cold was the most common form of hazard (27.1%).
- 7.8% of private sector housing failed the 'reasonable state of repair' element of the Decent Homes Standard, with the highest rate found in Macclesfield (12.9%), followed by 9.7% in Crewe. Post-war construction in rural communities contributes to lower rates of disrepair (4.2%).
- 92.1% of properties in Cheshire East had a central heating system, which is above the national average of 89.7%. The presence of central heating in privately rented properties (86.4%) was slightly lower than owner-occupied properties (93.5%). Nearly 10% of privately rented properties had electric storage heaters, and nearly 2% had portable heating only.

- The average SAP rating in Cheshire East is 56, compared to a national average of 50. Poorest SAP ratings are found in pre-1919 properties (45) and properties built 1919-1944 (49). Properties built after 1990 had average SAP ratings of 66.
- Properties in Cheshire East are generally better insulated than the national picture: 63.7% of properties in Cheshire East had 200mm or more loft insulation, compared to 20% in England.
- 42.9% of the private rented sector has less than 200mm of loft insulation, with 15.6% having no loft insulation at all. Only 5.3% of owner-occupiers had no loft insulation.

#### **Low Income and Vulnerable Households:**

- Vulnerable households are measured by receipt of certain means tested or disability related benefits. There are an estimated 31,130 vulnerable households living in private sector housing, of which 10,950 are living in non-decent homes (35.2% in Cheshire East, compared to 39.4% nationally).
- Low income is most associated with younger and older households: 46% of 65+ year olds and 28% of 16-24 year olds had household incomes of less than £10,000, compared to 19.8% across all ranges.
- 33.2% of properties where the household income is less than £15,000 were classified as non-decent.

Area	Tenure	Vulnerable households in non decent dwellings	Percent vulnerable households in decent dwellings	Percent vulnerable households in non decent dwellings	Shortfall for vulnerable occupiers
Crewe	Owner Occupied	1,710	68.0%	32.0%	110
	Privately Rented	530	62.0%	38.0%	110
Macclesfield	Owner Occupied	1,130	72.0%	28.0%	-80
	Privately Rented	1,970	48.2%	51.8%	830
Market Towns	Owner Occupied	3,600	65.3%	34.7%	480
	Privately Rented	760	69.3%	30.7%	20
Rural	Owner Occupied	1,130	61.6%	38.4%	250
	Privately Rented	120	83.4%	16.6%	-110

Cheshire East	Owner Occupied	7,570	66.7%	33.3%	760
	Privately Rented	3,380	59.9%	40.1%	850
<b>Total</b>		<b>10,950</b>	<b>64.8%</b>	<b>35.2%</b>	<b>1,610</b>

*Source: 2010 House Condition Survey*

- The rates by tenure show that owner occupied dwellings had a higher decency rate (66.7%) and a dwelling shortfall of 760, whilst the much smaller privately rented sector had a lower decency rate (59.9%) and a higher shortfall (850 dwellings).
- The private rented sector in Macclesfield has the highest proportion of vulnerable households in non-decent housing (51.8%).

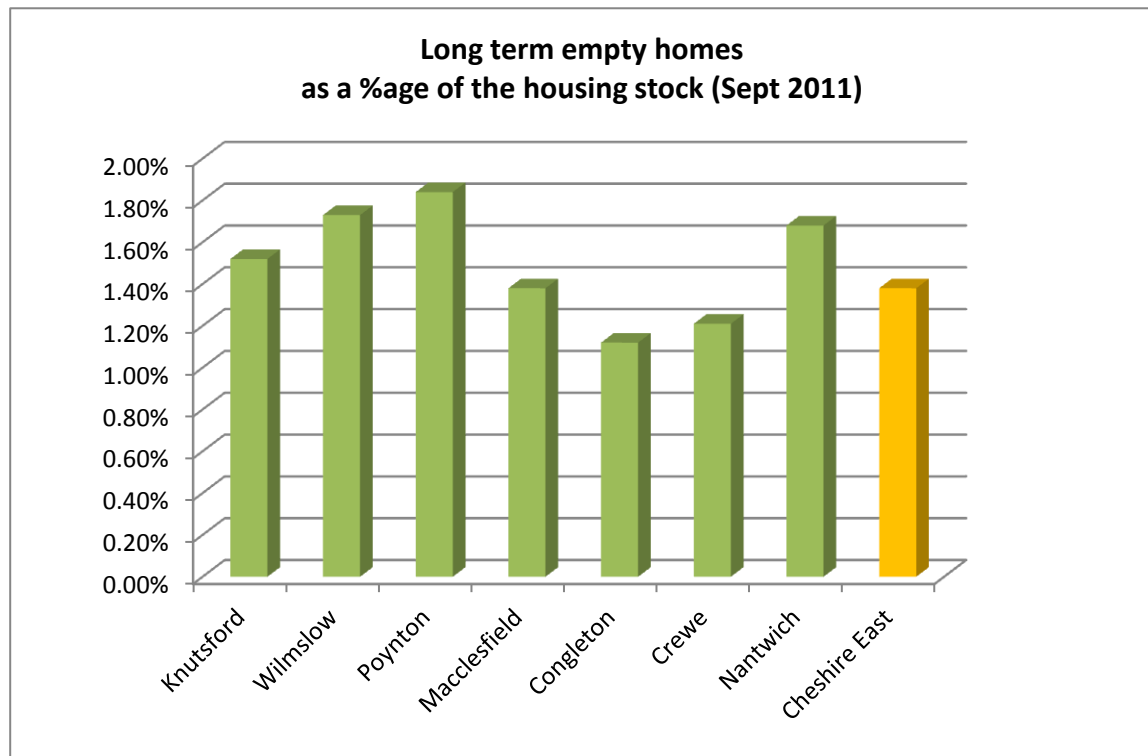
#### **Fuel Poverty and Thermal Comfort:**

- There are an estimated 16,400 (11.7%) households in fuel poverty in Cheshire East, compared to 15.4% nationally. Crewe has the highest incidence of fuel poverty (14.4%).
- 44% of all the households in Cheshire East with an income of £10,000 or less are living in fuel poverty.
- Excess cold was the most frequently found Category 1 hazard. The highest rates of failure for excess cold are associated with owner occupied dwellings (82.4%), those aged 65 and over (40.1%) and pre-1919 dwellings (44.4%).
- Poor thermal comfort was most likely to be found in properties that were built before 1919 (21.7%, compared to an average of 11.2% for Cheshire East), privately rented (16.3%) and occupied by the under 25 age group (18.8%). The under 25 age group were most likely to be living in properties with poor thermal comfort (18.8%, compared to 11.2% across all age groups).
- The estimated cost of energy efficiency improvements to properties where the households are in fuel poverty is £27.3million, of which £15.5million is for households in receipt of benefits.

#### **Empty Homes:**

At 22<sup>nd</sup> September 2011, there were 2,269 long term empty homes across Cheshire East, a reduction of 1,402 from 1<sup>st</sup> April 2009.

Empty homes are fairly evenly distributed across Cheshire East, and represent 1.38% of the total housing stock.



Analysis of empty homes data and local surveys demonstrate that there are three main contributory factors to the level of empty homes:

- The current economic climate has led to empty homes being on the market for longer than a six month period (28% of long term empty homes in Congleton LAP in 2010 were for sale or to let).
- A combination of empty specialist housing such as older people's accommodation, new build homes in a struggling market, and Registered Providers' decommissioned sheltered stock awaiting remodelling is inflating the level of long term empty homes.
- 94% of owners in Congleton in 2010 expressed willingness to bring their long term empty homes back into use, but quoted the affordability of major repairs as the main barrier.

#### **An ageing population:**

- The 2010 House Condition Survey found a higher proportion of 65+ year old households than the national picture (33% in Cheshire East, compared to 24.6% in England).
- We know with some certainty that the number of people aged over 65 is set to increase dramatically. By 2027 the 65-84 age group is forecast to increase by 56%, and the 85+ age group to increase by 103%.

- With retirement usually comes a lower, fixed income, which impacts on homeowners' ability to repair and maintain their homes in later life. Rates of non-decency in housing occupied by older people were higher than other age groups, with 33.2% of 55-64 year olds living in non-decent housing, and 30.6% of 65+ year olds.
- Ageing also increases the likelihood of becoming frail and dependent, increasing the need for home adaptations to keep people living independently in their own home. The House Condition Survey estimated that there is current demand for disabled adaptations of around £17.7million.

### **Health Inequalities:**

- Housing is recognised as a key determinant of health, with the condition and suitability of a person's home being closely linked to their health, their care, and their ability to participate in social networks. Poor housing conditions have a causal link to chronic health conditions including heart disease, stroke, respiratory conditions, mental health and arthritis and rheumatism.
- It is estimated that poor housing conditions in Cheshire East are costing the NHS £4.3million per annum.
- Fuel poverty is the most recognised of housing's influence on health, where people are unable to afford to heat their homes to an adequate level without compromising other essential factors for a healthy lifestyle such as healthy eating or participating in social and physical activities.

### **Deprivation:**

- Despite good overall quality of life, there are some parts of Cheshire East where the experience is different. Around 6% of our population (22,700 people) live in neighbourhoods classed as being in the 20% most deprived nationally, based on the 2007 Indices of Multiple Deprivation. There are disparities in economic prosperity, with low incomes and benefit dependency in some neighbourhoods, while average household incomes in parts of Crewe are below the national average at £18,000, while in some parts of Macclesfield the average is £65,000.
- Deprivation is linked to life expectancy, with women living in parts of Crewe having a life expectancy of 77 years, compared to 94 for women in parts of Macclesfield. A reduction in healthy life years will bring forward when people need to divert their household expenditure to meeting the costs of illness and disability, and when they will need support with adaptations to their home.,



# Strategic Links

This Policy is informed by and contributes to a number of plans and Strategies:

## **Sustainable Community Strategy**

<b><u>Priority</u></b>	<b><u>Link</u></b>
<ul style="list-style-type: none"><li>• Ensure a sustainable future</li><li>• Prepare for an increasingly older population</li><li>• Drive out the causes of poor health</li></ul>	<ul style="list-style-type: none"><li>• Providing appropriate housing and encouraging environmentally sustainable living</li><li>• Improving care and support for those who need it</li><li>• Focusing local actions on the wider determinants of health</li></ul>

## **Corporate Plan**

<b><u>Priority</u></b>	<b><u>Link</u></b>
<ul style="list-style-type: none"><li>• Grow and develop a sustainable Cheshire East</li><li>• Improve life opportunities and health for everybody</li><li>• Enhance the Cheshire East environment</li></ul>	<ul style="list-style-type: none"><li>• Ensuring there is sufficient, decent, accessible and appropriate housing</li><li>• Reducing the level of non decent homes and investing in adaptations</li><li>• Tackling fuel poverty and increasing energy efficiency of homes</li></ul>

## **Housing Strategy**

<b><u>Priority</u></b>	<b><u>Link</u></b>
<ul style="list-style-type: none"><li>• Make best use of the existing housing stock</li><li>• Meet the needs of vulnerable residents</li><li>• Meet the housing needs of an ageing population</li></ul>	<ul style="list-style-type: none"><li>• Providing a range of affordable financial options for home repairs, reducing the fuel poverty, and bringing empty homes back into use</li><li>• Improving access to suitable housing for people with disabilities</li><li>• Delivering services to enable older people to live independently</li></ul>

## **Sub Regional Housing Strategy**

<b><u>Priority</u></b>	<b><u>Link</u></b>
<ul style="list-style-type: none"><li>• Make best use of the existing housing stock</li><li>• Meet the housing and accommodation related support needs of vulnerable residents</li></ul>	<ul style="list-style-type: none"><li>• Decent homes, energy efficiency and thermal comfort, and empty homes</li><li>• Older people, people with disabilities and vulnerable adults</li></ul>

# Objectives of the Policy

The Policy serves to address four key objectives:

- Removing the most severe health and safety risks for vulnerable homeowners
- Tackling fuel poverty
- Enabling people with disabilities to live independently
- Bringing empty homes back into economic use, to increase the supply of affordable housing

A fundamental aspect underlying these objectives is the improvement in housing conditions across Cheshire East and ensuring that everyone has the opportunity to live in decent, affordable and appropriate accommodation.

<u>Objective</u>	<u>Outcomes</u>
<ul style="list-style-type: none"><li>• Removing the most severe health and safety risks for vulnerable homeowners</li></ul>	<ul style="list-style-type: none"><li>▪ Reduced risk of home accidents</li><li>▪ Improved health and wellbeing</li><li>▪ Remain living in their own home</li></ul>
<ul style="list-style-type: none"><li>• Tackling Fuel Poverty</li></ul>	<ul style="list-style-type: none"><li>▪ Improved health and wellbeing</li><li>▪ Afford to heat their homes adequately</li><li>▪ Reduced risk of cold and damp exacerbating chronic ill health</li></ul>
<ul style="list-style-type: none"><li>• Enabling people with disabilities to live independently</li></ul>	<ul style="list-style-type: none"><li>▪ Remain living in their own home</li><li>▪ Reduced risk of injury to disabled person and their carer</li><li>▪ Able to participate in everyday activities</li><li>▪ Improved health and wellbeing</li></ul>
<ul style="list-style-type: none"><li>• Bringing empty homes back into economic use, to increase the supply of affordable housing</li></ul>	<ul style="list-style-type: none"><li>▪ Increased opportunities to access housing</li><li>▪ Improved social cohesion</li></ul>

## Framework for assistance

When developing the Interim Private Sector Assistance Policy, consideration was given to the format that financial assistance should take, with a combination of grants and loans being favoured. This Policy will also reflect this same format, by offering financial assistance in the form of repayable loans, but also retaining the 'safety net' of grants for the most urgent situations where people would be at risk if swift action was not taken, and where securing a loan is not feasible.

By offering repayable assistance, property owners will be able to take financial responsibility for the maintenance of their properties, in line with the Government's view, whilst receiving assistance at the time they need it most. Once repaid, the financial resources can be recycled and used to assist further vulnerable people in Cheshire East.

The Council must have regard for the homeowners' ability to make repayments. Therefore, where loan assistance is provided, vulnerable households will be offered a choice of repayment options. As the loan will be secured on their property, applicants are strongly advised to seek their own independent legal and financial advice, and the costs of professional advice can be included in the loan application.

Assistance will be offered to applicants in one or more of the following formats in accordance with this Policy:

- **Interest free loan:** The Council offers the financial assistance on a repayable basis over a period of no more than ten years, but without any interest or additional premium upon repayment.
- **Equity share loan:** The Council offers the financial assistance in exchange for a share in the value of the property. There are no regular repayments, and no interest is added to the loan. The loan becomes repayable when the property is sold or transferred, and the repayment will be based on the value of the property. For example, where a property is valued at £100,000 and the person borrows £10,000, the Council takes a 10% stake in the property. When the property is sold, the Council's stake is 10% of the sale price, so if the property is sold for £110,000, the Council receives a repayment of £11,000.
- **Non-repayable grant:** In exceptional circumstances the Council may offer assistance as a non-repayable grant. The grant is only repaid if any grant conditions are breached.

## Overview of Assistance

Assistance	Target Group	Maximum Assistance	Type of Assistance	Eligibility criteria	Means tested?
Safe & Warm	Owner occupiers	£10,000	Repayment loan or Equity Share loan	Qualifying means tested, disability or armed forces benefits, or age 60+	✓
Urgent Works	Owner occupiers	£1,000	Grant	Qualifying means tested or armed forces benefits, or ill health	✗
Disabled Facilities Grant	People with disabilities	£30,000	Grant	Assessed as needing adaptation by Occupational Therapist	✓ (excluding children)
Additional Disabled Facilities	People with disabilities	£10,000	Repayment loan or Equity Share loan	Eligible for Disabled Facilities Grant	✗
Disability Relocation	People with disabilities	£3,000	Grant	Eligible for Disabled Facilities Grant	✓
Landlord Accreditation	Landlords	£1,500	Grant	Member of Cheshire Landlord Accreditation scheme	✗
Empty Homes – Occupiers	Intended owner occupiers	£10,000	Repayment Loan	Property empty for 12 months, or determined as high priority	✗
Empty Homes – Landlords	Landlords	£10,000	Repayment Loan	Property empty for 12 months, or determined as high priority	✗
Improve and Lease	Owners of empty homes	£10,000	Repayment Loan	Property empty for 12 months, or determined as high priority	✗
Warm Front Contribution	Owner occupiers	£500	Grant	Eligible for Warm Front grant	✗

**‘Safe & Warm’ Assistance**  
***A loan of up to £10,000 for homeowners***  
***to carry out essential home repairs***

**1. Eligible Applicants**

- 1.1 Any person who has a qualifying owner’s interest in the property and is over the age of 18, and has lived in the property to be improved as their only residence for at least 12 consecutive months at the date of application, **and**
- 1.2 Is in receipt of one of the following income-related benefits:
- i. Income Support;
  - ii. Council Tax Benefit;
  - iii. Income Based Job Seekers Allowance;
  - iv. Pension Credit Guarantee;
  - v. Income related Employment and Support Allowance;
  - vi. Child Tax Credit (with maximum assessable income of £15,050, or other such amount as prescribed in Housing Grants Regulations from time to time);
  - vii. Working Tax Credit (with maximum assessable income of £15,050, or other such amount as prescribed in Housing Grants Regulations from time to time); **or**
- 1.3 Is in receipt of one of the following disability related benefits, and assessed as having a low income:
- i. Attendance Allowance;
  - ii. Disability Living Allowance;
  - iii. Industrial Injuries Disablement Benefit;
  - iv. War Disablement Pension
  - v. Armed Forces Compensation Scheme Guaranteed Income Payment; **or**
- 1.4 Is over the age of 60, and assessed as having a low income.
- 1.5 Low income will be determined through the use of the Test of Resources set out in the Housing Renewal Grants Regulations 1996 (as amended), and is where the applicant is assessed as being unable to afford the full cost of the eligible works and associated costs.

**2. Eligible Properties**

- 2.1 The property must be situated in Cheshire East.
- 2.2 The property must be registered at the Land Registry.

2.3 No financial assistance will be available where repairs and improvements works have previously been completed on the property through private sector housing schemes as follows:

- i. Within the last five years, repairs and improvements financed by 'Safe & Warm Assistance' under this Policy have been completed; **or**
- ii. Within the last five years, repairs and improvements financed by 'Decent Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed; **or**
- iii. Within the last ten years, repairs and improvements financed by 'Decent Homes Plus Assistance', 'Landlord Renovation Assistance' and 'Empty Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed.

### 3. **Eligible Works**

3.1 The following types of works are eligible for assistance:

- i. Works to repair or provide an efficient form of heating
- ii. Repairs that will eliminate a Category 1 hazard
- iii. Repairs that will eliminate a Category 2 Band D or E hazard, where an occupier of the property is a member of a vulnerable group for that hazard as defined in the HHSRS guidance
- iv. Repairs to make the property weather-tight
- v. Measures to reduce the consequences of flooding, in areas designated by the Council as at risk of flooding
- vi. Facelift works as part of an area based renewal or regeneration scheme
- vii. Assistance to pay a Warm Front contribution in excess of £500

3.2 Assistance will not be given where there are other suitable forms of financial assistance available, for example Warm Front, energy supplier schemes, or household insurance.

3.3 Works that have been started or completed prior to an application for assistance will not be considered.

3.4 Eligible works will be determined by a Private Sector Housing officer.

3.5 Ineligible works are listed at Appendix D.

### 4. **Amounts**

4.1 The maximum amount of assistance is £10,000.

4.2 Where applicants are assessed as having to make a financial contribution following a Test of Resources, the amount of assistance to be provided for eligible works will be reduced by an amount equivalent to the assessed

contribution.

4.3 The Council will not approve a request for assistance of less than £1,000, except where the request is for assistance to pay a Warm Front contribution.

4.4 Eligible costs that can be included in an application for assistance are:

- i. Reasonable cost of eligible works
- ii. Any VAT on the reasonable cost of eligible works
- iii. Eligible fees

4.5 Eligible fees that may be included as part of the application for assistance are:

- i. Specialist, technical and/or structural reports that are required by the Council
- ii. Building Control fees for eligible works
- iii. Support service and technical fees provided by Care & Repair
- iv. Technical and professional fees for services provided by the Private Sector Housing team
- v. Legal fees and disbursements incurred as a result of setting up the loan
- vi. Valuation fees
- vii. Financial advice
- viii. Lenders' fees for registering a second charge

4.6 A technical and professional services fee of £100, or 5% of the reasonable cost of the eligible works excluding VAT, whichever is the greater, will be included as part of the loan, for services provided by the Council to facilitate the application process.

4.7 Where applications for assistance are submitted through Care & Repair, the Private Sector Housing team's technical and professional services fee will be waived in lieu of any fees for Care & Repair. A fee of £100, or 10% of the reasonable cost of eligible works excluding VAT, whichever is the greater, can be included as part of the application.

## 5. **Application Process**

5.1 Applicants must complete an initial enquiry form for assistance. Where an enquiry is determined as eligible for assistance, the Council will issue an application pack.

5.2 Applications must be made on the Council's official application form, and accompanied by at least two written quotations on contractors' letter headed paper for each item of eligible work, and any other information that the Council considers necessary to be able to consider an application for assistance.

5.3 Before approving an application, the Council will have regard to the applicant's ability to repay the assistance. The Council will take into account any charges already secured on the property, bankruptcy checks, the level of equity available in the property, and any information obtained in the course of its checks which reveal financial difficulties within the last six months. The Council will not award assistance to an applicant where the existing charges registered on the property combined with the amount of financial assistance requested would reduce the available equity in the property to 10% or less of the property value.

5.4 Before an application is approved, the applicant and the Council must enter into a loan agreement.

5.5 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.

6. **Carrying out and Completion of the Works**

6.1 Works must be carried out by a contractor whose quotation was accepted as part of the application for assistance. Any request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.

6.2 The eligible works must be started within three months and completed within six months of the date of approval. Requests for additional time to start or complete the works must be made in writing before the end of the relevant period. Consent will not be unreasonably withheld by the Council.

6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of the loan may be increased, subject to the maximum loan amount as set out at paragraphs 4.1 and 4.2. The minimum amount of additional assistance that will be considered is £100. Additional fees will be incurred for the registration of an amended legal charge.

6.4 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance:**

7.1 The loan must be secured by way of a legal charge registered at the Land Registry.

7.2 The loan must be repaid by one of the following methods:



- i. Interest-free repayment loan, as set out at Appendix A, or
- ii. Equity share loan, as set out at Appendix B.

- 7.3 The applicant must live in the property as their only residence.
- 7.4 A valid policy for buildings insurance sufficient to reinstate the building must remain in force until the assistance is repaid, with the Council's interest in the property noted on the policy.
- 7.5 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.
- 7.6 The Council may by written notice require the applicant to provide a statement within 21 days showing how the conditions of assistance are being fulfilled.
- 7.7 Further applications for financial assistance for repairs to the same property will not be considered under this Policy and subsequent versions of this Policy, for a period of ten years from the certified date of completion.

# **Urgent Works Assistance**

## ***A grant of up to £1,000 for homeowners to carry out urgent home safety measures***

### **1. Eligible Applicants**

1.1 Any person who has a qualifying owner's interest in the property, and is over the age of 18, and has lived in the property to be improved as their only residence for at least 18 consecutive months at the date of application, **and**

1.2.1 Is in receipt of one of the following income-related benefits:

- i. Income Support
- ii. Council Tax Benefit
- iii. Income Based Job Seekers Allowance
- iv. Pension Credit Guarantee
- v. Income related Employment and Support Allowance
- vi. Child Tax Credit (with maximum assessable income of £15,050, or other such amount as prescribed in Housing Grants Regulations from time to time)
- vii. Working Tax Credit (with maximum assessable income of £15,050, or other such amount as prescribed in Housing Grants Regulations from time to time), **or**

1.2.2 Is in receipt of one of the following Armed Forces related benefits:

- i. War Disablement Pension
- ii. Armed Forces Compensation Scheme Guaranteed Income Payment, **or**

1.2.3 Has one of the following health conditions (or a member of the household has one of the following health conditions) and is referred by a health or social care professional:

- i. Respiratory disease (for example, COPD, emphysema, chronic bronchitis, severe asthma)
- ii. Cardiovascular disease (for example, heart disease and stroke)
- iii. Cancer
- iv. Terminal illness

### **2. Eligible Properties**

2.1 The property must be situated in Cheshire East.

### **3. Eligible Works**

- 3.1 The following types of work are eligible for assistance:
- i. Urgent works to reduce or eliminate an imminent risk to health and safety, for example Band A Category 1 hazards, or repairs to heating or hot water;
  - ii. Essential repairs to facilitate the transfer of care from hospital or other care facility, to home.
- 3.2 Assistance will not be given where there are other suitable forms of financial assistance available, for example Warm Front, energy supplier schemes, or household insurance.
- 3.3 Works that are completed prior to the application for assistance will not be considered.
- 3.4 Eligible works will be determined by a Private Sector Housing officer.
- 3.5 Ineligible works are listed at Appendix D.

#### 4. **Amounts**

- 4.1 The maximum amount of assistance is £1,000.
- 4.2 The maximum amount will include the cost of eligible works, any VAT on eligible works, and eligible fees.
- 4.3 Eligible fees that may be included as part of an application for assistance are specialist and technical reports, such as electrical or gas safety reports, as requested by the Council.

#### 5. **Application Process**

- 5.1 Applications must be made on the Council's official application form, and accompanied by at least one written quotation on contractors' letter headed paper, and any other information that the Council considers necessary to be able to consider an application for assistance.
- 5.2 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.

#### 6. **Carrying out and Completion of the Works**

- 6.1 Works must be carried out by a contractor whose quotation was accepted as

part of the application for assistance. A request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.

- 6.2 The eligible works must be started and completed within one month of the date of approval. Requests for additional time to start or complete the works must be made in writing before the end of the relevant period. Consent will not be unreasonably withheld by the Council.
- 6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of the grant may be increased, subject to the maximum grant as set out at Paragraph 4.1.
- 6.4 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance**

- 7.1 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.

# Disabled Facilities Grant

***A mandatory grant of up to £30,000 to help people with disabilities to achieve independent living in their own home***

The primary legislation for Disabled Facilities Grants is the Housing Grants, Construction and Regeneration Act 1996 (as amended).

## 1. **Eligible Applicants**

- 1.1 Any person with a qualifying owner's, tenant's or occupier's interest in the property who is over the age of 18.

## 2. **Eligible Properties**

- 2.1 Dwellings, qualifying houseboats and caravans are eligible for assistance.
- 2.2 The property must be situated in Cheshire East.
- 2.3 The property must be the only or main residence of the disabled person for whom the adaptation is intended.

## 3. **Eligible Works**

- 3.1 The works must be necessary and appropriate to meet the needs of the disabled person.
- 3.2 It must be reasonable and practicable to carry out the works, having regard to the age and condition of the property.
- 3.3 The works must be for at least one of the following purposes:
  - a) Facilitating access by the disabled person to and from the dwelling, qualifying houseboat or caravan, or the building in which the dwelling is situated;
  - b) Making the dwelling, qualifying houseboat or caravan, or the building in which the dwelling is situated, safe for the disabled person and other persons residing with them;
  - c) Facilitating access by the disabled person to a room used or usable as the principal family room;
  - d) Facilitating access by the disabled person to, or providing for them, a room used or usable for sleeping;
  - e) Facilitating access by the disabled person to, or providing for them, a room in which there is a lavatory, or facilitating for the disabled person the use of a lavatory;
  - f) Facilitating access by the disabled person to, or providing for them, a

room in which there is a bath or shower (or both), or facilitating for the disabled person the use of a bath or shower;

- g) Facilitating access by the disabled person to, or providing for them, a room in which there is a wash hand basin, or facilitating for the disabled person the use of a wash hand basin;
- h) Facilitating the preparation and cooking of food by the disabled person
- i) Providing or improving any heating system in the dwelling to meet the needs of the disabled person
- j) Facilitating the use by the disabled occupant of a source of power, light or heat by altering the controls or the position of the controls, or providing additional controls
- k) Facilitating access around the dwelling, qualifying houseboat or caravan for the disabled person to enable them to provide care for another person who is normally resident there
- l) Facilitating access to and from the garden for the disabled person
- m) Making access to and from the garden safe for the disabled person
- n) Such other purposes as may be specified by order of the Secretary of State.

3.4 Works that are started or completed prior to the approval of the application for grant assistance will not be considered.

3.5 Eligible works will be determined by a Private Sector Housing officer in consultation with Social Services.

#### 4. **Amounts**

4.1 The maximum amount of grant allowed will be £30,000, or other such amount determined by the Secretary of State.

4.2 Applicants will be subject to a Test of Resources in accordance with the Housing Renewal Grants Regulations 1996 (as amended) to determine whether all or any assistance will be made available. Where the applicant is in receipt of a means-tested benefit or the adaptations is for a disabled child under 16 years of age or a young person in full-time education under 20 years of age, there will be no Test of Resources.

4.3 Where applicants are assessed as having to make a financial contribution following a Test of Resources, the amount of grant to be awarded for eligible works will be reduced by an amount equivalent to the assessed contribution.

4.4 The maximum amount of grant will include the cost of eligible works, any VAT on eligible works, and eligible fees.

4.5 Eligible fees that may be included as part of the application for assistance are listed at Appendix C.

- 4.6 A technical and professional services fee of £100, or 5% of the cost of the eligible works excluding VAT, whichever is the greater, will be included as part of the loan, for services provided by the Private Sector Housing team as part of the application process.
- 4.7 Applicants can use the services of an approved Home Improvement Agency to make an application. A fee of £100 or 10% of the cost of the eligible works excluding VAT, whichever is the greater, may be included as part of the application for assistance. In these circumstances, the Council's technical and professional services fee will be waived.

## 5. **Application Process**

- 5.1 Applicants must submit a valid application, consisting of:
- i. a completed application form, together with evidence of welfare benefit entitlement, income, savings, shares and capital
  - ii. details of the works to be carried out,
  - iii. two written quotations for each type of work from contractors, unless otherwise directed by the Council,
  - iv. owner's, tenant's, and/or occupier's certificate,
  - v. details of any charges for preliminary services and fees, and
  - vi. proof of ownership and /or written consent of all owners.
- 5.2 The Council must satisfy itself that the works are necessary and appropriate by consulting with the Social Services department, and will assess whether the proposed works are reasonable and practicable, and will carry out a Test of Resources to determine financial eligibility.
- 5.3 The Council will approve or refuse the application for grant assistance in writing not later than six months from the date of a valid application, together with the value of the grant that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.

## 6. **Carrying Out and Completion of the Works**

- 6.1 Works must be carried out by a contractor whose quotation was accepted as part of the application for assistance. A request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.
- 6.2 The eligible works must be started and completed within twelve months of the date of approval, or other such date stipulated by the Council. Requests for additional time to carry out the works must be made in writing before the expiry date. Consent will not be unreasonably withheld by the Council.

6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of the grant may be increased, subject to the maximum grant as set out at Paragraphs 4.1 to 4.3.

6.4 Conditions relating to payment of assistance are listed at Appendix D.

7. **Conditions of Assistance**

7.1 In accordance with the Housing Grants, Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of grant) General Consent 2008:

7.1.1 If the applicant disposes of the property within 10 years of the certified date of completion, and the applicant has a qualifying owner's interest in the property, the amount of assistance in excess of £5,000 will become repayable, subject to a maximum amount repayable of £10,000.

7.1.2 The Council may, at its discretion, waive any demand for repayment of assistance once it has considered:

- i. the extent to which the grant recipient would suffer financial hardship were they to be required to repay all or any of the grant;
- ii. whether the disposal of the premises is to enable the grant recipient to take up employment, or to change the location of their employment;
- iii. whether the disposal is made for reasons connected with the physical or mental health or well being of the grant recipient or of a disabled occupant of the premises; and
- iv. whether the disposal is made to enable the grant recipient to live with, or near, any person who is disabled or infirm and in need of care, which the grant recipient is intending to provide, or who is intending to provide care of which the grant recipient is in need by reason of disability or infirmity.

7.2 Requests for exemptions to repayment must be made in writing.

7.3 The Council reserves the right to remove equipment, such as lifts, when it is no longer required by the disabled person. Where it is clear that the equipment will not be reused due to its age or condition the Council may waive its right to recover such equipment.

7.4 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.



# **Additional Disabled Facilities Assistance**

***A loan of up to £10,000 for homeowners to ‘top-up’  
a mandatory Disabled Facilities Grant to enable  
the eligible adaptations to be completed***

## **1. Eligible Applicants**

- 1.1 Any person who has a qualifying owner’s interest in the property, and is over the age of 18, and who qualifies for and is awarded a Disabled Facilities Grant.

## **2. Eligible Properties**

- 2.1 The property must be situated in Cheshire East.
- 2.2 The property must be registered at the Land Registry.
- 2.3 The property must be the only or main residence of the disabled person for whom the adaptation is intended.

## **3. Eligible Works**

- 3.1 Adaptations that meet the purposes specified in the Housing Grants, Construction and Regeneration Act 1996 (refer to ‘Eligible Works’ under Disabled Facilities Grants), where:
- i. The cost of the eligible works, VAT and fees exceeds the maximum Disabled Facilities Grant, or
  - ii. Following a Test of Resources, the applicant is unable to afford their assessed contribution
- 3.2 Assistance will not be given for works that are in addition to the eligible mandatory works, for example where an applicant carries out further home improvements in addition to the adaptation being funded by a Disabled Facilities Grant, or provides for the adaptation in a different way to that recommended by the Council.
- 3.3 Works that are started or completed prior to the approval of the application for assistance will not be considered.
- 3.4 Eligible works will be determined by a Private Sector Housing officer in consultation with Social Services.

## **4. Amounts**

- 4.1 The maximum amount of assistance is £10,000.
- 4.2 The amount will be calculated as the total amount of assistance required in excess of the maximum permitted Disabled Facilities Grant, and / or the total amount of assistance required to meet the applicant's assessed contribution for the Disabled Facilities Grant, combined with any eligible fees.
- 4.3 Eligible fees that may be included as part of the application for assistance are:
- i. Legal fees and disbursements incurred as a result of setting up the loan
  - ii. Financial advice
  - iii. Lenders' fees for registering a second charge

5. **Application Process**

- 5.1 Applications will only be considered in conjunction with an eligible mandatory Disabled Facilities Grant application.
- 5.2 Applications must be made on the Council's official application form, and be accompanied by any information that the Council considers necessary to be able to consider an application for assistance.
- 5.3 Before approving an application, the Council will have regard to the applicant's ability to repay the assistance. The Council will take into account any charges already secured on the property, bankruptcy checks, the level of equity available in the property, and any information obtained in the course of its checks which reveal financial difficulties within the last 6 months. The Council will not award assistance to an applicant where the existing charges registered on the property combined with the amount of financial assistance requested would reduce the available equity in the property to 10% or less of the property value.
- 5.4 Before an application is approved, the applicant and the Council must enter into a loan agreement.
- 5.5 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.

6. **Carrying out and Completion of Works**

- 6.1 Works must be carried out by a contractor whose quote was accepted as part of the application for assistance. A request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.

6.2 The eligible works must be started and completed within twelve months of the date of approval, or other such date stipulated by the Council. Requests for additional time to carry out the works must be made in writing before the expiry date. Consent will not be unreasonably withheld by the Council.

6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of the loan may be increased, subject to the maximum amount as set out at Paragraph 4.1. The minimum amount of additional assistance that will be considered is £100. Additional fees will be incurred for the registration of an amended legal charge.

6.4 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance**

7.1 The loan must be secured by way of a legal charge registered at the Land Registry.

7.2 The loan must be repaid by one of the following methods:

- i. Interest-free repayment loan, as set out at Appendix A, or
- ii. Equity share loan, as set out at Appendix B.

7.3 The applicant and / or the disabled person to whom the Disabled Facilities Grant application relates must live in the property as their only or main residence.

7.4 A valid policy for buildings insurance sufficient to reinstate the building must remain in force until the assistance is repaid, with the Council's interest in the property noted on the policy.

7.5 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.

7.6 The Council may by written notice require the applicant to provide a statement within 21 days showing how the conditions of assistance are being fulfilled.

# Disability Relocation Assistance

*A grant of up to £3,000 to assist people with disabilities with the costs of moving home*

## 1. Eligible Applicants

1.1 Any person over the age of 18 who is, or is applying on behalf of, a disabled person who has been assessed by the Social Services department as being in need of adaptations that would meet the criteria for purposes that a Disabled Facilities Grant may be made, **and**

1.2.1 Is in receipt of one of the following income-related benefits:

- i. Income Support;
- ii. Council Tax Benefit;
- iii. Income Based Job Seekers Allowance;
- iv. Pension Credit Guarantee;
- v. Income Related Employment and Support Allowance;
- viii. Child Tax Credit (with maximum assessable income of £15,050, or other such amount as prescribed in Housing Grants Regulations from time to time);
- ix. Working Tax Credit (with maximum assessable income of £15,050, or other such amount as prescribed in Housing Grants Regulations from time to time); **or**

1.2.2 Is in receipt of one of the following disability related benefits, and assessed as having a low income:

- i. Attendance Allowance;
- ii. Disability Living Allowance;
- iii. Industrial Injuries Disablement Benefit;
- iv. War Disablement Pension;
- v. Armed Forces Compensation Scheme Guaranteed Income Payment; **or**

1.2.3 Is assessed as having a low income.

1.3 Low income will be determined through the use of the Test of Resources set out in the Housing Renewal Grants Regulations 1996 (as amended), and is where the applicant is assessed as being unable to afford the full cost of the eligible expenses.

## 2. Eligible Properties

2.1 The current property (that is, the property that the disabled person is moving from) must be situated in Cheshire East, **and**

- 2.2.1 It must not be reasonable or practicable to adapt the current property, **or**
- 2.2.2 The new property (that is, the property that the disabled person intends to move to) offers a better suited solution for the disabled person, and the solution offers better value for money for the Council.
- 2.3 The new property must be appropriate to the needs of the disabled person, and any necessary adaptations to the new property must be reasonable and practicable.
- 2.4 The new property must be intended to be the only or main residence of the disabled person.
- 2.5 There are no restrictions on the tenure or location of the new property.
- 2.6 Eligible properties will be determined by a Private Sector Housing officer in consultation with Social Services.

### 3. **Eligible Expenses**

- 3.1 Assistance will be given towards reasonable costs associated with moving home, including:
  - i. Removal costs
  - ii. Legal costs including fees for searches
  - iii. Home Information Pack costs
  - iv. Disconnection and reconnection of household appliances
  - v. Removal and reinstallation of disability equipment
- 3.2 Expenses that have been incurred prior to the application for assistance will not be considered.
- 3.3 Eligible expenses will be determined by a Private Sector Housing officer.

### 4. **Amounts**

- 4.1 The maximum amount of assistance is £3,000.
- 4.2 Where applicants are assessed as having to make a financial contribution following a Test of Resources, the maximum amount of eligible expenses will be reduced by an amount equivalent to the assessed contribution.

### 5. **Application Process**

- 5.1 The disabled person must be assessed by the Social Services Department to determine what adaptations are necessary and appropriate to meet their

needs, and the current property will be assessed to determine whether the proposed adaptations are reasonable and practicable.

- 5.2 Applications must be made on the Council's official application form, and be accompanied by any information that the Council considers necessary to be able to consider an application for assistance.

## 6. **Payment of Assistance**

- 6.1 Payment of assistance will only be made upon receipt of a valid invoice or receipt for the eligible expenses. An invoice or receipt will not be considered valid where it is in the name of the applicant or a member of the applicant's family.
- 6.2 Where requests for further assistance for unforeseen expenses or additional eligible costs incurred as a result of the transfer are received, the Council will only approve additional assistance where the additional sum requested combined with the original loan do not exceed the maximum permitted assistance (that is, £3,000, or a lower amount if the applicant is assessed as having a financial contribution).

## 7. **Conditions of Assistance**

- 7.1 The transfer to the new property must take place within 6 months from the date of approval. Requests for additional time to complete the transfer must be made in writing before the expiry of the 6 month period. Consent will not be unreasonably withheld by the Council.
- 7.2 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.

# Landlord Accreditation Assistance

*A grant of up to £1,500 for accredited landlords to improve their properties*

## 1. Eligible Applicants

- 1.1 Any person who has a qualifying owner's interest in the property and is over the age of 18, **and**
- 1.2 Is a current member of the Cheshire Landlord Accreditation Scheme.

## 2. Eligible Properties

- 2.1 The property must be situated in Cheshire East.
- 2.2 The property must be either currently occupied or available to let.
- 2.3 No financial assistance will be available where repairs and improvements works have previously been completed on the property through private sector housing schemes as follows:
  - i. Within the last five years, repairs and improvements financed by 'Safe & Warm Assistance' under this Policy have been completed; **or**
  - ii. Within the last five years, repairs and improvements financed by 'Decent Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed; **or**
  - iii. Within the last ten years, repairs and improvements financed by 'Decent Homes Plus Assistance', 'Landlord Renovation Assistance' and 'Empty Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed.

## 3. Eligible Works

- 3.1 The following types of work are eligible for assistance:
  - i. Energy efficiency measures to reduce fuel poverty and reduce carbon emissions
  - ii. Works to bring the property up to the Decent Homes Standard
  - iii. Fire safety measures
  - iv. Home security measures
- 3.2 Assistance will not be given where there are other suitable forms of financial assistance available, for example Warm Front, energy supplier schemes, or household insurance.

3.3 Works that have been started or completed prior to an application for assistance will not be considered.

3.4 Eligible works will be determined by a Private Sector Housing officer.

3.5 Ineligible works are listed at Appendix D.

#### 4. **Amounts**

4.1 The assistance allowed will be 50% of the cost of eligible costs up to a maximum amount of assistance of £1,500.

4.2 Eligible costs that can be included in an application for assistance are:

- i. Reasonable cost of eligible works
- ii. Any VAT on the reasonable cost of eligible works
- iii. Eligible fees

4.3 Eligible fees that may be included as part of the application for assistance are:

- i. Specialist, technical and/or structural reports that are required by the Council
- ii. Building Control fees for eligible works
- iii. Technical and professional fees for services provided by the Private Sector Housing team

4.4 A technical and professional services fee of £100 will be included as part of the grant, for services provided by the Council to facilitate the application process.

#### 5. **Application Process**

5.1 Applicants must complete an initial enquiry form for assistance. Where an enquiry is determined as eligible for assistance, the Council will issue an application pack.

5.2 Applications must be made on the Council's official application form, and accompanied by at least two written quotations on contractors' letter headed paper for each item of eligible work, and any other information that the Council considers necessary to be able to consider an application for assistance.

5.3 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.



6. **Carrying out and Completion of Works**

- 6.1 Works must be carried out by a contractor whose quote was accepted as part of the application for assistance. A request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.
- 6.2 The eligible works must be started and completed within three months of the date of approval. Requests for additional time to carry out the works must be made in writing before the expiry date. Consent will not be unreasonably withheld by the Council.
- 6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of the grant may be increased, subject to the maximum amount as set out at Paragraph 4.1.
- 6.4 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance**

- 7.1 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.
- 7.2 The grant must be repaid if, within two years following the certified date of completion of the works, any of the following events occur:
- The property is unoccupied for three calendar months or more
  - The property is sold or transferred
  - The applicant ceases to be a member of the Cheshire Landlord Accreditation Scheme
  - A successful insurance or legal claim is made relating to circumstances which led to the need for the eligible works
- 7.3 The Council may by written notice require the applicant to provide a statement within 21 days showing how the conditions of assistance are being fulfilled.
- 7.4 The Council will not consider an application for financial assistance under this Policy or subsequent versions of this Policy for the same property for a period of five years.
- 7.5 The Council will not approve an application for financial assistance under this Policy or subsequent versions of this Policy from the same applicant for a period of one year.

# Empty Homes (Occupiers) Assistance

*A loan of up to £10,000 for owners to carry out repairs to occupy an empty home*

## 1. Eligible Applicants

- 1.1 Any person who has a qualifying owner's interest in the property and is over the age of 18.

## 2. Eligible Properties

- 2.1 The property must be situated in Cheshire East.
- 2.2 The property must be registered at the Land Registry.
- 2.3 No financial assistance will be available where repairs and improvements works have previously been completed on the property through private sector housing schemes as follows:
  - iv. Within the last five years, repairs and improvements financed by 'Safe & Warm Assistance' under this Policy have been completed; **or**
  - v. Within the last five years, repairs and improvements financed by 'Decent Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed; **or**
  - vi. Within the last ten years, repairs and improvements financed by 'Decent Homes Plus Assistance', 'Landlord Renovation Assistance' and 'Empty Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed.
- 2.4 The property must have been unoccupied for at least twelve consecutive months prior to the date of application, or determined as a high priority by the Council. Priority will be determined through the use of a scoring matrix.

## 3. Eligible Works

- 3.1 The works must be to repair or renovate the dwelling, to bring it up to the Decent Homes Standard. Details of the Decent Homes Standard are set out at Appendix E.
- 3.2 Assistance will not be given where there are other suitable forms of financial assistance available, for example Warm Front, energy supplier schemes, or household insurance.

3.3 Works that have been started or completed prior to an application for assistance will not be considered.

3.4 Eligible works will be determined by a Private Sector Housing officer.

3.5 Ineligible works are listed at Appendix D.

#### 4. **Amounts**

4.1 The maximum amount of assistance is £10,000.

4.2 The Council will not approve a request for assistance of less than £1,000.

4.3 Eligible costs that can be included in an application for assistance are:

- i. Reasonable cost of eligible works
- ii. Any VAT on the reasonable cost of eligible works
- iii. Eligible fees

4.4 Eligible fees that may be included as part of the application for assistance are:

- i. Specialist, technical and/or structural reports that are required by the Council
- ii. Building Control fees for eligible works
- iii. Support service and technical fees provided by Care & Repair
- iv. Technical and professional fees for services provided by the Private Sector Housing team
- v. Legal fees and disbursements incurred as a result of setting up the loan
- vi. Financial advice
- vii. Lenders' fees for registering a second charge

4.5 A technical and professional services fee of £100, or 5% of the reasonable cost of the eligible works excluding VAT, whichever is the greater, will be included as part of the loan, for services provided by the Council as part of the application process.

4.6 Where applications for assistance are submitted through Care & Repair, the Private Sector Housing team's technical and professional services fee will be waived in lieu of any fees for Care & Repair. A fee of £100, or 10% of the reasonable cost of eligible works excluding VAT, whichever is the greater, can be included as part of the application.

#### 5. **Application Process**

5.1 Applicants must complete an initial enquiry form for assistance. Where an enquiry is determined as eligible for assistance, the Council will issue an

application pack.

- 5.2 Applications must be made on the Council's official application form, and accompanied by at least two written quotations on contractors' letter headed paper for each item of eligible work, and any other information that the Council considers necessary to be able to consider an application for assistance.
- 5.3 Before approving an application, the Council will have regard to the applicant's ability to repay the assistance. The Council will take into account any charges already secured on the property, bankruptcy checks, the level of equity available in the property, and any information obtained in the course of its checks which reveal financial difficulties within the last 6 months. The Council will not award assistance to an applicant where the existing charges registered on the property combined with the amount of financial assistance requested would reduce the available equity in the property to 10% or less of the property value.
- 5.4 Before an application is approved, the applicant and the Council must enter into a loan agreement.
- 5.5 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.

## 6. **Carrying out and Completion of the Works**

- 6.1 Works must be carried out by a contractor whose quotation was accepted as part of the application for assistance. A request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.
- 6.2 The eligible works must be started within three months and completed within six months of the date of approval. Requests for additional time to start or complete the works must be made in writing before the end of the relevant period. Consent will not be unreasonably withheld by the Council.
- 6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of loan may be increased, subject to the maximum loan amount as set out at Paragraph 4.1. The minimum amount of additional assistance that will be considered is £100. Additional fees will be incurred for the registration of an amended legal charge.
- 6.4 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance:**

- 7.1 The loan must be secured by way of a legal charge recorded at the Land Registry.
- 7.2 The loan must be repaid in accordance with Appendix A: Interest Free Repayment Loan.
- 7.3 The applicant must live in the property as their only residence, within three calendar months of the certified date of completion.
- 7.4 A valid policy for buildings insurance sufficient to reinstate the building must remain in force until the assistance is repaid, with the Council's interest in the property noted on the policy.
- 7.5 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.
- 7.6 The Council may by written notice require the applicant to provide a statement within 21 days showing how the conditions of assistance are being fulfilled.
- 7.7 Further applications for financial assistance for repairs to the same property will not be considered under this Policy and subsequent versions of this Policy, for a period of ten years from the certified date of completion.

# Empty Homes (Landlords) Assistance

*A loan of up to £10,000 for landlords to carry out repairs to occupy an empty home*

## 1. Eligible Applicants

- 1.1 Any person who has a qualifying owner's interest in the property and is over the age of 18, **and**
- 1.2 Is a member of the Cheshire Landlord Accreditation Scheme.

## 2. Eligible Properties

- 2.1 The property must be situated in Cheshire East.
- 2.2 The property must be registered at the Land Registry.
- 2.3 No financial assistance will be available where repairs and improvements works have previously been completed on the property through private sector housing schemes as follows:
  - i. Within the last five years, repairs and improvements financed by 'Safe & Warm Assistance' under this Policy have been completed; **or**
  - ii. Within the last five years, repairs and improvements financed by 'Decent Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed; **or**
  - iii. Within the last ten years, repairs and improvements financed by 'Decent Homes Plus Assistance', 'Landlord Renovation Assistance' and 'Empty Homes Assistance' under the Interim Private Sector Assistance Policy 2009 have been completed.
- 2.4 The property must have been unoccupied for at least twelve consecutive months prior to the date of application, or determined as a high priority by the Council. Priority will be determined through the use of a scoring matrix.

## 3. Eligible Works

- 3.1 The works must be to repair or renovate the dwelling, to bring it up to the Decent Homes Standard. Details of the Decent Homes Standard are set out at Appendix E.
- 3.2 Assistance will not be given where there are other suitable forms of financial assistance available, for example Warm Front, energy supplier schemes, or household insurance.

3.3 Works that have been started or completed prior to an application for assistance will not be considered.

3.4 Eligible works will be determined by the Council.

3.5 Ineligible works are listed at Appendix D.

#### 4. **Amounts**

4.1 The maximum amount of assistance is £10,000.

4.2 The Council will not approve a request for assistance for less than £1,000.

4.3 Eligible costs that can be included in an application for assistance are:

- i. Reasonable cost of eligible works
- ii. Any VAT on the reasonable cost of eligible works
- iii. Eligible fees

4.4 Eligible fees that may be included as part of the application for assistance are:

- i. Specialist, technical and/or structural reports that are required by the Council
- ii. Building Control fees for eligible works
- iii. Support service and technical fees provided by Care & Repair
- iv. Technical and professional fees for services provided by the Private Sector Housing team
- v. Legal fees and disbursements incurred as a result of setting up the loan
- vi. Financial advice
- vii. Lenders' fees for registering a second charge

4.5 A technical and professional services fee of £100, or 5% of the reasonable cost of the eligible works excluding VAT, whichever is the greater, will be included as part of the loan, for services provided by the Council as part of the application process.

4.6 Where applications for assistance are submitted through Care & Repair, the Private Sector Housing team's technical and professional services fee will be waived in lieu of any fees for Care & Repair. A fee of £100, or 10% of the reasonable cost of eligible works excluding VAT, whichever is the greater, can be included as part of the application.

#### 5. **Application Process**

5.1 Applicants must complete an initial enquiry form for assistance. Where an enquiry is determined as eligible for assistance, the Council will issue an application pack.

- 5.2 Applications must be made on the Council's official application form, and accompanied by at least two written quotations on contractors' letter headed paper for each type of eligible work, and any other information that the Council considers necessary to be able to consider an application for assistance.
- 5.3 Before approving an application, the Council will have regard to the applicant's ability to repay the assistance. The Council will take into account any charges already secured on the property, bankruptcy checks, the level of equity available in the property, and any information obtained in the course of its checks which reveal financial difficulties within the last 6 months. The Council will not award assistance to an applicant where the existing charges registered on the property combined with the amount of financial assistance requested would reduce the available equity in the property to 10% or less of the property value.
- 5.4 Before an application is approved, the applicant and the Council must enter into a loan agreement.
- 5.5 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.
6. **Carrying out and Completion of the Works**
- 6.1 Works must be carried out by a contractor whose quotation was accepted as part of the application for assistance. A request to change the contractor must be made in writing. Consent will not be unreasonably withheld by the Council.
- 6.2 The eligible works must be started within three months and completed within six months of the date of approval. Requests for additional time to start or complete the works must be made in writing before the end of the relevant period. Consent will not be unreasonably withheld by the Council.
- 6.3 In the event of unforeseen work or an increase in costs arising during the course of the works, the amount of loan may be increased, subject to the maximum loan amount as set out at Paragraph 4.1. The minimum amount of additional assistance that will be considered is £100. Additional fees may be incurred for the registration of an amended legal charge.
- 6.4 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance:**



- 7.1 The loan will be secured by way of a legal charge recorded at the Land Registry.
- 7.2 The loan must be repaid in accordance with Appendix A: Interest Free Repayment Loan.
- 7.3 The property must be let to a tenant within three calendar months of the certified date of completion, and remain available to let to tenants throughout the term of the loan.
- 7.4 The property must be available to let at a rate not in excess of Local Housing Allowance.
- 7.5 A valid policy for buildings insurance sufficient to reinstate the building must remain in force until the assistance is repaid, with the Council's interest in the property noted on the policy.
- 7.6 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.
- 7.7 The Council may by written notice require the applicant to provide a statement within 21 days showing how the conditions of assistance are being fulfilled.
- 7.8 Further applications for financial assistance for repairs to the same property will not be considered under this Policy and subsequent versions of this Policy, for a period of ten years from the certified date of completion.

# **‘Improve and Lease’ Assistance**

## ***A loan of up to £10,000 for repairs to empty homes for owners engaged in a leasing scheme***

### **1. Eligible Applicants**

- 1.1 Any person who has a qualifying owner’s interest in the property and is over the age of 18, **and**
- 1.2 Has entered into an Agreement to Lease the property with a Registered Provider in partnership with the Council.

### **2. Eligible Properties**

- 2.1 The property must be situated in Cheshire East.
- 2.2 The property must be registered at the Land Registry.
- 2.3 No financial assistance will be available where repairs and improvements works have previously been completed on the property through private sector housing schemes as follows:
  - i. Within the last five years, repairs and improvements financed by ‘Safe & Warm Assistance’ under this Policy have been completed; **or**
  - ii. Within the last five years, repairs and improvements financed by ‘Decent Homes Assistance’ under the Interim Private Sector Assistance Policy 2009 have been completed; **or**
  - iii. Within the last ten years, repairs and improvements financed by ‘Decent Homes Plus Assistance’, ‘Landlord Renovation Assistance’ and ‘Empty Homes Assistance’ under the Interim Private Sector Assistance Policy 2009 have been completed.
- 2.4 The property must have been unoccupied for at least 12 consecutive months prior to the date of application, or determined as a high priority by the Council. Priority will be determined through the use of a scoring matrix.

### **3. Eligible Works**

- 3.1 The works must be to repair or renovate the dwelling, to bring it up to the Decent Homes Standard, or other such standard agreed with the Registered Provider. Details of the Decent Homes Standard are set out at Appendix E
- 3.2 Works that have been started or completed prior to an application for assistance will not be considered.

3.3 Eligible works will be determined by the Council.

3.4 Ineligible works are listed at Appendix D.

#### 4. **Amounts**

4.1 The maximum amount of assistance is £10,000.

4.2 The Council will not approve a request for assistance for less than £1,000.

4.3 Eligible costs that can be included in an application for assistance are:

- i. Reasonable cost of eligible works
- ii. Any VAT on the reasonable cost of eligible works
- iii. Eligible fees

4.4 Eligible fees that may be included as part of the application for assistance are:

- i. Specialist, technical and/or structural reports that are required by the Council
- ii. Building Control fees for eligible works
- iii. Technical and professional fees for services provided by the Private Sector Housing team
- iv. Legal fees and disbursements incurred as a result of setting up the loan
- v. Financial advice
- vi. Lenders' fees for registering a second charge

4.5 A technical and professional services fee of £100, or 5% of the cost of the eligible works excluding VAT, whichever is the greater, will be included as part of the loan, for services provided by the Council as part of the application process.

#### 5. **Application Process**

5.1 Applicants must complete an initial enquiry form for assistance. Where an enquiry is determined as eligible for assistance, the Council will issue an application pack.

5.2 Applications must be made on the Council's official application form, and accompanied by any other information that the Council considers necessary to be able to consider an application for assistance.

5.3 Before approving an application, the Council will have regard to the applicant's ability to repay the assistance. The Council will take into account any charges already secured on the property, bankruptcy checks, the level of equity available in the property, and any information obtained in the course of its checks which reveal financial difficulties within the last 6 months. The

Council will not award assistance to an applicant where the existing charges registered on the property combined with the amount of financial assistance requested would reduce the available equity in the property to 10% or less of the property value.

- 5.4 Before an application is approved, the applicant and the Council must enter into a loan agreement. The maximum term of the loan is ten years or the period of the lease agreement, whichever is the shorter.
- 5.5 The Council will advise whether an application for assistance has been approved or refused in writing, together with the value of the assistance that has been approved. Where an application for assistance is refused, the Council will provide a written statement of the reasons for refusal, and details of any appeals procedure.

6. **Carrying out and Completion of the Works**

- 6.1 Works will be carried out by the Registered Provider, or their nominated contractors.
- 6.2 Conditions relating to payment of assistance are listed at Appendix F.

7. **Conditions of Assistance:**

- 7.1 The loan will be secured by way of a legal charge recorded at the Land Registry.
- 7.2 The property must be leased to the Registered Provider in accordance with the provisions of the agreed lease.
- 7.3 The loan must be repaid in accordance with Appendix A: Interest Free Repayment Loan.
- 7.4 Repayments will be deducted from the rental income generated by the Registered Provider and paid directly to the Council, in accordance with the payment schedule contained within the lease agreement.
- 7.5 A valid policy for buildings insurance sufficient to reinstate the building must remain in force until the assistance is repaid, with the Council's interest in the property noted on the policy.
- 7.6 Should the lease agreement be terminated early for any reason, the outstanding balance of the loan will become repayable immediately.
- 7.7 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any

monies already paid.

- 7.8 The Council may by written notice require the applicant to provide a statement within 21 days showing how the conditions of assistance are being fulfilled.
- 7.9 Further applications for financial assistance for repairs to the same property will not be considered under this Policy and subsequent versions of this Policy, for a period of ten years from the certified date of completion.

# **Warm Front Contribution Assistance:**

## ***A grant of up to £500 to top-up a Warm Front grant***

### **1. Eligible Applicants**

- 1.1 Any person over the age of 18 who has been awarded a Warm Front grant, where the cost of the works exceeds the maximum grant available.

### **2. Eligible Properties**

- 2.1 The property must be situated in Cheshire East.

### **3. Eligible Works**

- 3.1 Works specified by Warm Front are eligible for assistance.

### **4. Amounts**

- 4.1 The maximum amount of assistance is £500.
- 4.2 Where the applicant's Warm Front contribution exceeds £500 and the applicant satisfies the eligibility criteria for 'Safe & Warm' Assistance, the applicant may apply for Safe & Warm assistance for the portion of the contribution above £500. This will be secured as a legal charge recorded at the Land Registry.
- 4.3 Works that have been started or completed prior to an application for assistance will not be considered.

### **5. Application Process**

- 5.1 Referrals are received directly from Warm Front. The Council will approve or refuse the request for assistance directly to Warm Front.

### **6. Carrying out and Completion of Works**

- 6.1 The works must be carried out by the Warm Front appointed contractor.
- 6.2 Conditions relating to payment of assistance are listed at Appendix F.

### **7. Conditions of Assistance**

- 7.1 Where an applicant has provided false or misleading information in their application for assistance or in their request for payment, the approval of assistance will be withdrawn and a demand made for repayment of any monies already paid.

## **Transitional Arrangements**

From [date to be confirmed], all new applications for assistance will be considered against the criteria set out within this Policy.

All applications for assistance approved under the Interim Private Sector Assistance Policy 2009 will continue to be valid in accordance with the specific conditions of assistance contained within that Policy.

All valid applications received prior to [date to be confirmed] under the Interim Private Sector Assistance Policy 2009, but not yet approved, will be processed in accordance with that Policy, and will be approved or refused by no later than [date to be confirmed – 6 months after new policy implementation].

## **Applications for assistance falling outside of this Policy**

All applications for assistance will be considered against the published criteria. If the application does not meet the criteria, the Council will inform the applicant in writing of the reason why they are being refused assistance.

Where an applicant is refused assistance and they wish to appeal against the decision, they should appeal in writing to the Council within 28 days of the date of refusal.

It is recognised that there may be situations where the refusal of assistance would disproportionately disadvantage the applicant. In these circumstances, the Council may waive or alter some or all of the eligibility criteria, minimum or maximum amounts, or conditions of assistance based on the individual circumstances, and approve the application for assistance. All cases will be considered on an individual basis in a fair and transparent way by an Appeals Panel of senior housing officers. The decision of the Appeals Panel will be final in respect of that individual case and will not be binding upon future applications made by that or any other applicant.

## **Publication of this Policy**

This Policy will be made available at the Council's main offices for inspection, and on the website at [www.cheshireeast.gov.uk/homerepairs](http://www.cheshireeast.gov.uk/homerepairs). Individual copies are available upon request.

## **Review of this Policy**

This Policy will be reviewed on an annual basis.

## **Consultation**

As part of the preparation of this Policy, internal consultation has been carried with Legal and Finance services. Consultation with other stakeholder and members of the public will be carried out from 5<sup>th</sup> December 2011 to 24<sup>th</sup> February 2012. The draft Policy will be made available at [www.cheshireeast.gov.uk/homerepairs](http://www.cheshireeast.gov.uk/homerepairs). All comments will be considered before the Policy is submitted to the Cabinet for their consideration.

## **Service Standards**

To be completed

## **Comments and Complaints**

On completion of the assisted works, applicants will be invited to comment on the individual service they have received and on the fairness of the policy and its implementation.

We welcome any suggestions or comments about this Policy. Comments can be made in person, by telephone, email or in writing to any member of the Private Sector Housing team.

Where you believe the Council has failed to provide the level of service expected, we welcome the opportunity to put this right. Please let a member of the Private Sector Housing team know what you are dissatisfied with. If you are still not satisfied, you can use the Council's corporate complaints procedure. A guide to the complaints procedure is available to the public at all Council offices or on the Council's website [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk).



## Other Private Sector Housing Activities

This Policy is one of a number of tools to improve housing conditions in Cheshire East. Other initiatives include:

**Information and Advice for Homeowners, Landlords and Tenants** - assisting them to understand their legal rights and responsibilities, and information such as home maintenance tips and employing reputable builders, in a range of formats such as the website, leaflets, information sheets, property surveys and events.

**Home Improvement Agency (HIA)** – The Care & Repair service provides support to older, disabled and vulnerable people to live independently in a safe, warm and well-maintained home. HIAs provide information, advice and practical support with home repairs and adaptations, assisting people to organise building works.

**Handyperson Service** – As part of the HIA service, the handyperson service promotes the independence of older and disabled people, by providing ‘that little bit of help’ with repairs and practical tasks that people are no longer able to do for themselves. Handyperson services prevent small repairs spiralling into larger jobs, and make a significant contribution to preventing accidents and falls in the home, and unnecessary admission to hospital.

**Enforcement of Housing Standards** – Cheshire East Council has statutory responsibilities to keep housing conditions within the local authority area under review, and to ensure that housing meets at least the minimum acceptable standards for occupation. The Council is responsible for enforcing housing standards across all tenures. The principal legislation used is the Housing Act 2004. Part 1 of the Act provides the mechanism for assessing housing conditions, and gives local authorities statutory powers to require, or take action on, the removal of Category 1 hazards, as well as discretionary powers for Category 2 hazards.

**Houses in Multiple Occupation (HMOs)** – HMOs are often occupied by groups of people on low incomes who are unable to access other forms of accommodation. Cheshire East Council operates a mandatory licensing scheme for larger HMOs as defined by the Housing Act 2004. We also keep housing conditions in smaller HMOs under review, and are developing a risk based inspection programme of smaller HMOs across the Borough. The licensing scheme and inspection programme aims to remove any poor management practices and provide greater protection for the health, safety and welfare for the occupants. We work in partnership with the Fire Service, and have drawn up a Fire Safety protocol which sets out responsibilities, enforcement powers and consultation arrangements about fire safety in HMOs.

**Hotspots** – a referral network between agencies in Cheshire East to tackle fuel poverty by maximising income and improving access to heating and insulation schemes, and to promote fire safety. The network is based on a scheme originally set up in Wakefield, and was supported by NEA. Key members of the scheme are the Private Sector Housing team, Benefits service, Energy Savings Trust and Cheshire Fire & Rescue Service, and are supported by a range of front line services.

**Landlord Accreditation** – Working with Cheshire West & Chester Council and Warrington Borough Council, we have a Cheshire-wide accreditation scheme. Free to join, it provides landlords with public acknowledgement of their good management and property standards and sets them aside from poor and/or unscrupulous landlords. Key to the scheme is landlord development – all member landlords are expected to take part in a training seminar or online training within the first 12 months.

**Bringing Empty Homes Back into Use** –We are developing a range of options to assist owners of empty homes to bring them back into use, including a private sector leasing scheme, financial assistance, advice and information, and matching prospective buyers with owners. We also have a range of enforcement powers to improve properties as well as bring them back into use, which we will use where voluntary action by owners isn't forthcoming.

## Contact details

To apply for assistance under this Policy, please contact the Private Sector Housing service:

### **Decent Homes Team**

By telephone: 0300 123 5017 Option 4  
By fax: 01270 529889  
By email: [privatehousing@cheshireeast.gov.uk](mailto:privatehousing@cheshireeast.gov.uk)  
By post or in person: Westfields  
Middlewich Road  
Sandbach  
CW11 1HZ

### **Care & Repair**

By telephone: 0300 123 5017 Option 3  
By fax: 01270 529889  
By email: [careandrepair@cheshireeast.gov.uk](mailto:careandrepair@cheshireeast.gov.uk)  
By post or in person: 

Municipal Buildings	Town Hall
Earle Street	Market Place
Crewe	Macclesfield
CW1 2BJ	SK10 1EA

**Or visit our website:** [www.cheshireeast.gov.uk/homerepairs](http://www.cheshireeast.gov.uk/homerepairs)

To make representations about this Policy, or for more information, contact the Private Sector Housing Manager, Cheshire East Council, Westfields, Middlewich Road, Sandbach, CW11 1HZ.

## Appendix A

### Interest Free Repayment Loans

1. Loans are offered as secured loans. The loan is secured by way of a legal charge registered at the Land Registry, until such time that the loan is repaid in full.
2. All joint owners and, where applicable, anyone with a legal interest in the property must give their consent to the works to be carried out and the registration of a legal charge.
3. The Council may request a written valuation of the property to determine whether there is sufficient equity for its interest in the property to be secure.
4. The applicant must make monthly repayments of the loan in accordance with an agreed schedule. We will calculate the monthly payment so that the loan is repaid to us by the end of the term of the loan. The term of the loan will not exceed ten years.
5. Applicants can repay the loan early at any time.
6. We may withdraw the offer at any time before we make the loan for any of the following reasons:
  - a. The discovery of a defect in the title to the property
  - b. The deterioration of the applicant's financial position
  - c. The supply of false information in connection with the applicant's loan application
7. If the applicant experiences financial difficulty and has problems maintaining the repayments schedule at any time, the Council will, having regard to the applicant's financial circumstances, consider alternative payment options including:
  - a. Recalculating monthly payments to include any arrears
  - b. Extending the period of the loan beyond the maximum loan term of ten years
  - c. Terminating the interest free repayment loan and offering the outstanding balance as an equity share loan
8. The loan will become immediately repayable in the following circumstances:
  - a. Upon sale or transfer of the property
  - b. In the event that the property is no longer the main residence of the applicant
  - c. In the event of a successful insurance claim related to the eligible works
  - d. Upon death of the applicant (or where there is more than one applicant, the death of the last surviving applicant)
  - e. In the event of a breach of a condition of assistance.

#### Illustration (example only)

Amount borrowed:	24 monthly repayments	60 monthly repayments	84 monthly repayments	120 monthly repayments	Total repaid:
£1,000	41.67	16.67	11.90	8.33	£1,000
£2,000	83.33	33.33	23.81	16.67	£2,000
£5,000	208.33	83.33	59.52	41.67	£5,000
£10,000	416.67	166.67	119.05	83.33	£10,000

## Appendix B

### Equity Share Loans

1. Loans are offered as secured loans. The loan is secured by way of a legal charge registered at the Land Registry.
2. All joint owners and, where applicable, anyone with a legal interest in the property must give their consent to the works to be carried out and the registration of a legal charge.
3. The Council will request a written valuation of the property suitable for money lending purposes to determine the percentage share and whether there is sufficient equity for its interest in the property to be secure.
4. The principle amount borrowed (the loan) is secured as a percentage share in the property. The percentage share is calculated using the amount of the loan, and the value of the property.
5. The redemption value of the loan will be calculated based on the percentage share of the value of the property at the point of sale. If, at the time of redemption of the loan, the property value is less than when the loan was approved, the repayment amount will be less than the amount borrowed.
6. Applicants can repay the loan early at any time. A written valuation will be necessary to determine the repayment amount.
7. We may withdraw the offer at any time before we make the loan for any of the following reasons:
  - a. The discovery of a defect in the title to the property
  - b. The deterioration of the applicant's financial position
  - c. The supply of false information in connection with the applicant's loan application
8. The loan will become immediately repayable in the following circumstances:
  - a. Upon sale or transfer of the property
  - b. In the event that the property is no longer the main residence of the applicant
  - c. In the event of a successful insurance claim related to the eligible works
  - d. Upon death of the applicant (or where there is more than one applicant, the death of the last surviving applicant)
  - e. In the event of a breach of a condition of assistance.

#### Illustration (example only)

	Example 1	Example 2	Example 3
Amount borrowed	£10,000	£7,000	£5,000
Value of property at date of loan offer	£100,000	£187,000	£150,000
Council's percentage share	10%	3.74%	3.33%
Value of property at date of repayment	£120,000	£200,000	£145,000
Amount repayable	£12,000	£7,480	£4,828.50

## Appendix C

### Disabled Facilities Grants

#### Preliminary and Ancillary services and charges

Preliminary and ancillary services and charges which can be included in applications for Disabled Facilities Grants are determined by the Housing Renewal Grants (Services and Charges) Order 1996 (S.I. 1996/2889):

- Confirmation that you have an owner's interest in the property
- Specialist, technical and/or structural surveys
- Design and preparation of plans and drawings
- Preparation of schedules of the relevant works
- Assistance in completing forms
- Advice on financing the cost of the relevant works which are not met by the Council's assistance
- Applications for building regulations approval or planning permission (including the application fee and the preparation of related documents)
- Obtaining estimates for the relevant works
- Advice on contracts
- Consideration of tenders
- Supervision of the relevant works
- Disconnection and reconnection of electricity, gas, water or drainage utilities where this is made necessary by the relevant works (but not charges arising from non-payment of bills)
- Payment of contractors
- Services and charges of an occupational therapist in relation to the relevant works

## Appendix D

### Works that are ineligible for assistance

The following works will not be eligible for assistance:

- Works which are covered by a household insurance policy
- Repairs, improvements or replacements to sheds, outbuildings, boundary structures, and other structures that do not form part of the main living accommodation
- Cosmetic items, such as furnishings, internal and / or external decoration, cleaning, gardening or landscaping
- Replacement of doors, windows and other building elements that are in reasonable repair
- Conversion of barns or outbuildings
- Completion or rectification of DIY work
- Extensions
- Loft conversions or internal layout alterations
- Installation of intruder alarm systems.

### Decent Homes Standard

A decent home, as defined by the Government, meets the following four criteria:

- a) It meets the current statutory minimum standard for housing
- b) It is in a reasonable state of repair
- c) It has reasonably modern facilities and services
- d) It provides a reasonable degree of thermal comfort

#### **Criterion a: It meets the current statutory minimum standard for housing**

With the implementation of Part 1 of the Housing Act 2004 on 6 April 2006, HHSRS replaced the Housing Fitness Standard as the first criterion of the Decent Homes standard. HHSRS is a risk assessment procedure and does not set a standard.

To be decent, a dwelling should be free of category 1 hazards, and the existence of such hazards should be a trigger for remedial action unless practical steps cannot be taken without disproportionate expense or disruption.

#### **Criterion b: It is in a reasonable state of repair**

A dwelling satisfies this criterion unless:

- one or more key building components (i.e. those which, if in poor condition, could have an impact on the integrity of the building and cause further deterioration in other components) are old and, because of their condition, need replacing or major repair; or
- two or more other building components (i.e. those that have a less immediate impact on the integrity of the dwelling) are old and, because of their condition need replacing or major repair.

A building component can only fail to satisfy this criterion by being old and requiring replacing or repair. A component cannot fail this criterion based on age alone. A component is defined as 'old' if it is older than its standard lifetime. Components are in poor condition if they need major work, either full replacement or major repair.

#### **Criterion c: It has reasonably modern facilities and services**

A dwelling is considered not to meet this criterion if it lacks three or more of the following facilities:

- a kitchen which is 20 years old or less;
- a kitchen with adequate space and layout;
- a bathroom which is 30 years old or less;
- an appropriately located bathroom and WC;
- adequate external noise insulation; and



- adequate size and layout of common entrance areas for blocks of flats.

A kitchen failing on adequate space and layout would be one that was too small to contain all the required items (sink, cupboards cooker space, worktops etc) appropriate to the size of the dwelling, and an inappropriately located bathroom and WC is one 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). A dwelling would also fail if the main WC is external or located on a different floor to the nearest wash hand basin, or if a WC without a wash hand basin opens on to a kitchen in an inappropriate area, for example next to the food preparation area.

Inadequate insulation from external airborne noise would be where there are problems with, for example, traffic (rail, road and aeroplanes) or factory noise.

Inadequate size and layout of common entrance areas for blocks of flats would be one with insufficient room to manoeuvre easily for example where there are narrow access ways with awkward corners and turnings, steep staircases, inadequate landings, absence of handrails, low headroom etc.

A dwelling would not fail this criterion, where it is impossible to make the required improvements to components for physical or planning reasons.

#### **Criterion d: It provides a reasonable degree of thermal comfort**

The dwelling should have both efficient heating and effective insulation.

Efficient heating is defined as:

- any gas or oil programmable central heating; or
- electric storage heaters; or
- warm air systems; or
- underfloor systems; or
- programmable LPG/solid fuel central heating; or
- similarly efficient heating systems which are developed in the future.

The primary heating system must have a distribution system sufficient to provide heat to two or more rooms of the home. There may be storage heaters in two or more rooms, or other heaters that use the same fuel in two or more rooms. Even if the central heating system covers most of the house making a dwelling decent, under the HHSRS the home must be warm enough for the occupant.

Heating sources which provide less energy efficient options fail the Decent Homes standard.

Because of the differences in efficiency between gas/oil heating systems and the other heating systems listed, the level of insulation that is appropriate also differs:

- For dwellings with gas/oil programmable heating, cavity wall insulation (if there are cavity walls that can be insulated effectively) or at least 50mm loft insulation (if there is loft space) is an effective package of insulation; and
- For dwellings heated by electric storage heaters/LPG/programmable solid fuel central heating a higher specification of insulation is required: at least 200mm of loft insulation (if there is a loft) and cavity wall insulation (if there are cavity walls that can be insulated effectively).

Further detailed guidance on the definition of a Decent Home, including the lifetime of building components, can be found in '*A Decent Home: definition and guidance for implementation, updated June 2006*' on Communities and Local Government's website [www.communities.gov.uk/housing/decenthomes](http://www.communities.gov.uk/housing/decenthomes).

### Payments

1. Payment of assistance will be only be made where:
  - i. The specified works have been completed in accordance with any statutory requirements and/or the Council's specification, and to the reasonable satisfaction of a Private Sector Housing officer, and
  - ii. The Council's standard payment request form has been completed, and
  - iii. Upon receipt of a valid invoice or receipt for the works. An invoice or receipt will not be considered valid where it is in the name of the applicant or a member of the applicant's family.
2. Requests for interim payments will be considered. The value of interim payments will not exceed the value of the works completed, and will not exceed 90% of the total value of eligible works that have been approved.
3. Where requests for further assistance for unforeseen works or additional eligible costs incurred during the carrying out of the works are received, the Council will only approve additional assistance where the additional sum requested combined with the original loan do not exceed the maximum permitted assistance. Where the approved assistance is Safe & Warm Assistance or Empty Homes Assistance, the applicant and the Council must enter into a revised loan agreement.
4. In the event of a dispute between the applicant and the contractor about the satisfactory completion of works, the Council reserves the right to pay the assistance to the applicant or contractor if the works have been carried out to the satisfaction of a Private Sector Housing officer.

## Equal Opportunities and Access

Cheshire East Council recognises that it can improve the quality of life of local residents by seeking to ensure that every member of the public has equal access to its services, facilities, resources, activities and employment.

We want these to be accessible to everyone in the community regardless of gender, age, ethnicity, disability, marital status or sexual orientation.

Furthermore, we are keen to respond to the individual requirements of our customers to develop services that recognise their diversity and particular needs.

If you would like this information in another language or format, please contact us.

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

Cantonese

如欲索取以另一語文印制或另一格式制作的资料，请与我们联系。

Mandarin

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

Polish

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

Punjabi

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو براۓ مہربانی ہم سے پوچھئے۔

Urdu

اگر این اطلاعات را به زبانی دیگر و یا در فرمتی دیگر میخواهید لطفاً از ما درخواست کنید

Farsi

Se deseja obter informação noutra idioma ou formato, diga-nos.

Portuguese