



**Appendix 1**  
**DOVER DISTRICT COUNCIL**

**Private Sector Housing Assistance**  
**Policy and Conditions**  
**2021**

## CONTENTS

	<u>Page</u>	<u>Para</u>
<b>INTRODUCTION</b>	1	1
<b>FUNDAMENTAL PRINCIPLES</b>	2	2
<b>TYPES OF DISCRETIONARY ASSISTANCE AVAILABLE</b>	2	3
Disabled Home Assistance Grant	3	3.1
Disabled Relocation Loan	3	3.2
Disabled Adaptation Loan	3	3.3
Disabled Independence Grant	4	3.4
Stair Lift Grant	4	3.5
Winter warmth Grant	5	3.6
Urgent Home Loan	5	3.7
Empty Property Loan	5	3.8
Other assistance	6	4.0
<b>DISABLED FACILITIES GRANT</b>	7	5
<b>CONDITIONS OF ASSISTANCE</b>	8	6
Buildings Not Attracting Grant Assistance	8	6.1
Eligible Applicants	8	6.2
Form of Application	8	6.3
Eligible Works	8	6.4
Notification of Approval of Assistance	9	6.5
Amount of Assistance	9	6.6
Supervision of Works	9	6.7
Conditions of Payment	10	6.8
Payment of Assistance	10	6.9
Grant Conditions	11	6.10
Loan Conditions	12	6.11
Repayment upon Breach of Conditions	13	6.12
Second Grants or Loans	13	6.13
<b>DEFINITIONS</b>	13	7
Relevant Means Tested Benefit and Vulnerable Persons	14	7.1
Certified Date	14	7.2
Disposal	14	7.3
<b>APPEAL PROCEDURE</b>	14	8
<b>APPENDICES</b>		
<b>A:</b> Housing Assistance Policy Summary	15	

# **DOVER DISTRICT COUNCIL**

## **Regulatory Reform Order 2002** **Housing Assistance Policy and Conditions 2021**

### **1. INTRODUCTION**

This document details Dover District Councils 2021 Housing Assistance Policy and Conditions. This policy document replaces the previous policy dated 2017.

This policy has been adopted under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The Order enables local authorities to develop a means of providing assistance to households living in the private sector to carry out repairs, improvements and adaptations so that they can address local needs and priorities. In order to make use of these powers, the Council has to publish a Housing Assistance Policy.

The policy also details our policy on mandatory Disabled Facilities Grant, which is provided under The Housing Grants and Reconstruction Act 1989.

The main focus of our discretionary Housing Assistance is towards:

- Schemes to improve the health and independence of persons with disabilities, the elderly and those with long term health conditions,
- To reduce the number of homes with serious hazards,
- To enable more effective use of the mandatory Disabled Facilities Grant,
- To encourage empty homes back into use.

The first part of the document relates to the types of Assistance available and the second part details the conditions relating to this assistance. A table of the types of assistance available is attached at Appendix A.

The Policy reflects; local housing conditions, whose details are, contained in the Private Sector House Condition Survey 2020. It also reflects the contents of Circular 05/03 "Housing Renewal" issued by the Office of the Deputy Prime Minister in June 2003 and the Better Care Fund: policy framework guidance 2014

The Policy addresses the following priorities:

- To remove serious (category 1) hazards in homes occupied by households on low income
- The need to bring of empty homes back into use;
- To provide adaptations to existing homes that meet disabled person's needs.
- To assist with essential works to assist disabled, elderly and vulnerable people to remain safely and independent in their home;
- To enable homes to be efficiently heated for persons whose long-term health conditions and age makes them vulnerable to the cold.

- To assist in schemes that provides help to enable residents to be discharged from hospital into their home safely.
- To provide help for vulnerable people to live safely in their home.

The housing assistance conditions are to ensure that assistance is used as effectively as possible, that monies are recycled where possible and to provide assistance to those persons in greatest need within the constraints of the available budget.

This revised Policy came into force on 1 July 2021 and will be further reviewed in 2023. The Head of Regulatory Services with the relevant Portfolio Holder may make minor changes to the policy.

Any queries relating to these Policies and Conditions should be referred to the Private Sector Housing Manager, Dover District Council, White Cliffs Business Park, Dover CT16 3PJ. Telephone: 01304 872397.

Web address: [www.dover.gov.uk/privatesectorhousing](http://www.dover.gov.uk/privatesectorhousing)

## 2. **FUNDAMENTAL PRINCIPLES**

It is neither possible nor desirable for the Council to offer financial assistance for all private sector housing condition problems. It can only directly assist a proportion of these through targeting the limited available resources at priority areas.

Although the responsibility to maintain private property rests firmly with the owner, it is recognised that the private housing stock is a major public asset and can have an important effect on the occupier's health and independence. Most assistance is offered as an investment in this local and national asset, for long-term public benefit, economic regeneration and to improve the health and independence of our residents which results in less demand on health and social care resources. In addition, certain forms of assistance can help balance the local housing market in a way that gives more choice and opportunities to those in housing need and bring additional good quality housing back into use.

The use of loans will be used where appropriate and loans and grants that are repaid will be recycled into further private sector housing renewal. The Council and central Government considers that this is an appropriate way forward given the pressure on resources and because, over time, it will allow more homeowners to be assisted with a limited amount of resource.

## 3. **TYPES OF DISCRETIONARY ASSISTANCE AVAILABLE**

Subject to sufficient funds being available financial assistance to qualifying residential premises will be provided as loans and grants. Once the budget has been committed no further offers will be made. In such circumstances, the Council may draw up a waiting list of people wanting assistance. The types of discretionary assistance available are detailed below.

### 3.1 **Disabled Home Assistance Grant**

This grant is only available to persons receiving a mandatory Disabled Facilities Grant or a Disabled Independence Grant. The application must be made by the homeowners

of the property being adapted. In the case of a tenanted property this will be the landlord. The maximum grant is £7000.

The purpose of the grant is to carry out essential works of repair to enable the adaptation works to be completed. Examples of eligible works include repairs to the floor, walls or ceiling of a room being adapted or upgrading services such as electrical wiring or drainage to enable the adaptation to function properly. The grant is conditional that if the property is sold within 10 years of the certified date (completed works) it will be repayable. The grant will be recorded as a local land charge.

In exceptional cases the grant may be increased. This is at the discretion of the Private Sector Housing Manager.

### **3.2 Disabled Relocation Grant**

In appropriate cases where a person's is eligible for Disabled Facilities Grant (DFG) assistance but the property is unsuitable for adaptation to their specific needs, or the Council believe it would be more reasonable or practical to move and adapt another property, a Disabled Relocation Grant may be offered. The maximum assistance is up to £20,000 comprising of a grant covering 70% of the eligible cost.

This grant will only be available to a disabled person following a decision by Council in consultation with Social Services that the existing property cannot be economically or reasonably adapted to their needs. The grant conditions require the total grant to be repaid if the property is sold within 10 years of the certified date or is no longer occupied by the applicant(s). The grant will be recorded as a local land charge. The grant conditions will expire after 10 years.

The grant will only be offered where it can be shown that financial hardship would be caused to the applicant if they had to find another suitable property within their existing resources. The applicant may be asked to undertake the statutory means test for a Disabled Facilities Grant and/or provide other details to confirm there is financial hardship.

The grant will pay for legal and moving costs and any agreed reasonable additional cost to purchase a more suitable property. Social Services and the Council must agree the suitability of the new property. If the new property requires adaptation, a Disabled Facilities Grant may also be offered.

The grant will normally be paid on completion of the purchase of the property. In exceptional cases some of the grant may be released on exchange of contract.

### **3.3 Disabled Adaptation Loan**

Where a person is in receipt of a Disabled Facilities Grant (DFG) or disabled Independence Grant (DIG) and the Council believe that in consultation with Kent Social Services it is necessary, reasonable and practicable for the DFG adaptations works to exceed the maximum grant limit, a loan of up to £20,000 will be made available to fund the cost of eligible works that exceeds the DFG maximum.

Where no financial test of resource has been undertaken, then the decision whether to provide a loan will be subject to a financial test of resources (the DIG test) to confirm the applicant is unable to fund the works themselves.

The loan will be interest free and secured by a registered charge on the property and will be repayable on sale or change of ownership of the property. The loan is only available to the owner(s) of the property. See 6.11 for details.

### **3.4 Disabled Independence Grant (DIG)**

This grant will be offered instead of receiving a DFG. This will be in cases where the applicant has a contribution towards a DFG, or the applicant prefers apply for the DIG than a DFG. An applicant cannot receive both Grants.

This grant will be made available to the property owners and private and social tenants and a person meets the disabled criteria to be eligible for a Disabled Facilities Grant (DFG).

All application will be subject to the statutory mean test for a DFG, but the calculation will exclude the first £20,000 of income. This should enable most applicants to receive a grant. The maximum grant will be £30,000 plus any cost towards fees up to a maximum of £5,000. The grant will also allow £3,000 towards any essential works of repair to enable the works to be completed. (The total grant possible if £38,000).

In cases where the applicant still has a contribution, the applicant will need to fund this contribution towards the cost of the work. If the eligible works exceed the maximum grant the applicant can receive then they can apply for a Disabled Adaptation Loan. Only one application can be made at a time and no further applications can be made within two years of approval

The request for adaptations will be subject to a home assessment by a suitably qualified person such as an Occupational Therapist.

Where the application is made by a tenant the approval the owner of the property being adapted must be obtained.

The first £15,000 of grant has no conditions. Any amount over £15,000 will be subject to conditions that require that the amount above £15,000 is to be repaid if the property is sold or is no longer occupied by the applicant(s). The grant conditions will apply for 5 years from the date the works are completed.

If repayment of the grant would cause hardship, then the Council may waive or reduce repayment of the grant in accordance with the criteria stated in paragraph 5.2.

### **3.5 Stairlift Grant**

Where there is an urgent need for a stairlift in a disabled person's home, a grant of up to £6,000 will be provided for a stairlift in the following cases;

- a) Where this has caused a delayed discharge of the patient due to the lack of a stairlift in their accommodation or
- b) Where a person is known to become disabled following an operation (such as leg amputation) and a stairlift is required before the person can be discharged.
- c) Where the existing stairlift is more than 10 years old, is not working and beyond economic repair.

The grant will be subject to the same means test that is applied to a DIG. The grant can be accessed by owner occupiers and private tenants (with the landlord's permission). The request for a stairlift will be subject to a home assessment by a suitably qualified person such as an Occupational Therapist. The responsibility for its

maintenance and servicing would be the grant recipient. The Council have the right to choose a preferred contractor to supply and fit the lift.

### **3.6 Winter warmth Grant**

This grant is intended to reduce the number of cold homes occupied by older people with long term health conditions. It will pay for heating or insulation (normally replacement boilers) where the applicant is over 60 and has a long-term illness. The maximum grant is £7,000. Documentation is required from a health professional that the applicant has a long-term health condition.

- The grant is subject to repayment conditions for 5 years from the certified date.
- During the grant condition period, the grant is repayable if the property is sold, or the applicants are deceased or no longer occupy the property.
- The grant is only available to owner occupiers.

### **3.7 Urgent Home loan**

This interest free loan is available to owner-occupiers who are in receipt of a means tested benefit or who have a financial contribution of less than a £10,000 using the statutory (DFG) means test and whose properties give rise to a serious hazard (category 1) likely to cause a risk of harm. The hazard will be assessed using the statutory Housing Health and Safety Rating System.

The maximum loan is £20,000. The eligible works are those which eliminate the serious hazard(s) in the property. This loan will not pay for minor repairs to heating systems or general maintenance items such as broken window glazing. The loan is repayable when the property is sold, or the applicant(s) dies, or the property is no longer occupied by the applicants. See section 6.11.

As a general guide, works of under £1000 will not be eligible for assistance. The loan will normally be registered with land registry but in exceptional cases the loan may be placed as a local land charge.

Landlords and tenants are not eligible to apply.

### **3.8 Empty Property Loan**

Where a property owner has an approved Kent County Council no use empty loan to bring a long-term empty property back into use, the Council may provide a further interest free loan of £15,000 for each dwelling brought back into use. The loan will fund no more than a maximum of 5 units for each application (£75,000 in total). With the no use empty loan, this will provide a loan of up to £40,000 per dwelling. The total budget will be £300k for this scheme. The loans will be administered by KCC and will be repaid after 3 years. The loans will be secured with a charge on property.

## **4.0 OTHER ASSISTANCE**

#### **4.1 Dover Home Enablement Service**

The Council will provide funding for a service called the “Dover Home Enablement Service”. This is a free service to patients who are over 50 years old. It will enable earlier discharge from hospital back to the home environment, where it is a housing related issue which is preventing them from being discharged, or to improve the home environment to prevent hospital admission in the first place.

Normally referrals for the service will originate from the local hospitals, Care Navigators, GPs, Occupational Therapists and health trainers. The service will enable earlier discharge from hospital by providing improvements to the home environment which includes installation of key safes, handrails, bringing a bed from upstairs to a downstairs room, clearing a room to make it safe to move around in (including tackling hoarding), fitting locks to doors and windows and carrying out a free home safety check.

The assistance offered by this service will be reviewed regularly by the Private Sector Housing manager and Head of Service and if funding is available, additional assistance will be provided to enable vulnerable persons to remain safely in their home. This could include clearing rooms of hoarded items (sometimes on a large scale) to make way for a bed or to prevent falling in the home. These are looked at on a case by case basis. Sometimes deep cleaning of parts of the house will also be considered as part of the assistance, particularly where the condition of the property is preventing discharge from hospital or is deemed to be seriously detrimental to the occupant’s health.

#### **4.2 Handyperson Scheme**

The East Kent Homes Improvement Agency (HIA) has for more than 20 years provided help to vulnerable households such as the elderly and disabled to remain safely and independently in their home through professional advice and help. Most households who obtain assistance from the council are assisted by the agency and they will find reliable contractors and assist with paperwork. The council believes the agency to be a valuable asset to improve housing conditions for those most vulnerable and will continue to support the local HIA.

The HIA services also include a Handyperson Scheme. This service employs a handyperson to carry out minor repairs, security and health and safety works for private sector householders, who are either vulnerable or who have a physical/mental disability which prevents them undertaking the works themselves. If funds are available, the council will provide financial assistance to the Handyperson scheme for those on low income and in particular to assist with works that will remove hazards in the home or minor adaptations to help a disabled person remain independent in their home.

#### **4.3 Health and Housing Coordinator Service**

This is a free service to patients at the William Harvey Hospital and Queen Elizabeth Queen Mother Hospital who reside in the Dover District funded by Better Care Fund. The service is run by East Kent Home Improvement Agency by employing a person to be an integral member of the hospital discharge team to aid a robust approach to support patient discharge quickly, safely and effectively.

Additionally, the role involves undertaking visit to the patient’s home following discharge to review the home environment with a view to addressing issues that could prevent the patient from re-entering hospital. Issues likely to be tackled would include

clutter and hoarding, uneven or excessive height of door thresholds, trailing cables, loose carpets, or any issues that could cause slips, trips and falls. Assessment for minor adaptations and equipment to enable independence in the home can also take place, along with fitting of key safes to facilitate care packages. Assessments for suitability for telecare, checking the property for disrepair and adequate heating, assessing for bathing difficulties and getting up and downstairs and determining whether a referral to occupational therapy for an assessment for DFG is required

## **5.0 DISABLED FACILITIES GRANT (DFG)**

This is a mandatory grant and is available to owners or private sector tenants to provide disabled adaptations to enable an occupier access to essential basic facilities or access their home. The conditions of the grant are contained in the Housing Grants, Construction and Regeneration Act 1996. The maximum grant is £30,000. Examples of common adaptations include:

- Providing ramps to allow a person to get in and out of their house
- Stair lifts and through floor lifts to access bedroom and bathroom
- Level access showers for people who cannot use a conventional shower or bath
- Widening of doors

All applicants will be subject to a statutory means test. The Council must also be satisfied that the works required are "necessary and appropriate" to meet the needs of the disabled occupant and we are also legally required to consult with Kent County Council Social Services (Occupational Therapy team).

The work must be considered "reasonable and practicable" bearing in mind the layout and condition of the property. An officer of Dover District Council will assess this. Where adaptations are not practical a Disabled Relocation Grant may be offered to help the applicant obtain a more suitable property for adaptation. Where an overcrowding issue overlaps with a disability issue, the overcrowding should be resolved first by the family. Issues of overcrowding will not be considered under grant.

Other assistance is also available to help with any contribution. See sections 3.1 and 3.3.

It's the policy of the Council to only fund works that are mandatory as prescribed by the Housing Grants, Construction and Regeneration Act 1996.

If the property is sold within 5 years from completion of the works, under the general consent by the Secretary of State in 2008, the Council will in most cases require repayment of some of the grant. The first £5000 of the grant is not repayable but the remaining grant will be repayable up to a maximum of £10,000. In determining whether to require repayment, the council will consider.

- (i) The extent to which the recipient of the grant 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 recipient of the grant to take up employment, or to change the location of his employment.

- (iii) Whether the disposal is made for reasons connected with the physical or mental health or well-being of the recipient of the grant or of a disabled occupant of the premises; and
- (iv) Whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity,

Where an applicant no longer requires the installed specialist equipment, the applicant should notify the Council who may arrange to have the equipment removed for use by another disabled person.

Where an applicant successfully claims for personal injury in respect of works required under a mandatory disabled facilities grant then they will be required to repay the Council the grant, so far as is appropriate, out of the proceeds of the claim.

## **6. CONDITIONS OF ASSISTANCE**

### **6.1 Buildings Not Attracting Grant Assistance**

- Properties, which are not of a permanent nature such as houseboats, and caravans. (This condition does not apply to caravans for a Disabled Facilities Grant or Disabled Homes Assistance Grant or Disabled Independence Grant)
- Sheds, outhouses and extensions such as conservatories that do not have Building Regulations approval.
- Non-residential buildings. (Except Empty Property Assistance)

### **6.2 Eligible Applicants**

Eligible applicants for grants and loans are freeholders and long leaseholders with at least 10 years interest left in the property. A tenant can only apply in the case of a Disabled Facilities Grant or a stairlift grant or a Disabled Independence Grant. Except in the case of Empty Property assistance, the property must be the applicant's or member of their family sole residence.

### **6.3 Form of Application**

Application for assistance must be on the forms prescribed by the Council.

Estimates and invoices cannot be accepted from the applicant or a member of the family of the applicant. In some cases, assistance may be payable towards DIY works, but this will be for material cost only.

A completed application should normally be made within 20 weeks of any formal offer of assistance. An offer will expire after six months and if a completed application has not been received by this time, the offer may be cancelled. If it is evident that the applicant is making no attempt to make an application, the offer may be cancelled before six months so the funds can be reallocated. The Council can cancel an offer at any time. The applicant will be informed in writing if an offer is cancelled.

## 6.4 Eligible Works

Eligible works will be those that are identified by an officer of the Council's Private Sector Housing Team with reference to the Council's policy. Any relevant fees will also be eligible for assistance. Any assistance that is requested but is not determined as eligible within the assistance policy can be considered under the appeal procedure.

Works that have started before the assistance has been approved will not receive assistance. The Council may in exceptional circumstances agree to assist such works if permission is sought before the works commence. Such permission will always be in writing and will be subject to a visit by an officer from the Council's Private Sector Housing team.

Any costs, which would be eligible for assistance under an insurance claim or third-party claim, will not attract grant assistance. In exceptional cases assistance may be given on condition it is repaid out of the proceeds of any future claim.

Works outside the curtilage of the property are not normally eligible for assistance unless they relate to the provision of essential services such as water, gas or electricity or access for a disabled person.

## 6.5 Notification of Approval of Assistance

The Council will notify an applicant in writing whether the application for assistance is approved or refused. The notification will be provided as soon as reasonably practicable after receipt of a completed application.

The approval will specify the amount of assistance, the amount that is ineligible, the applicant's contribution if any towards the eligible costs and the expiry date of the assistance. Assistance is not transferable to another person on the sale of the property.

In the case of refusal, the Council will give the reason for refusal.

In both the above cases, the applicant will be able to appeal against the decision see section 8.

## 6.6 Amount of Assistance

The council will specify the maximum amount for assistance. These maximum amounts are inclusive of all costs including Value Added Tax and fees. The current limits are summarised in the table, Appendix A.

If the Council is satisfied that owing to circumstances beyond the control of the applicant, the work has increased in cost due to unforeseen works, it may increase the assistance subject to the maximum limits allowed. The Council must give its approval of any increase in assistance before the additional cost is incurred.

In the case of an increase in a loan the applicant will need to agree the increase in loan in writing before approval.

In cases where eligible costs have reduced, the assistance may also be reduced accordingly, and the applicant informed in writing as soon as possible.

**Any works that are started before approval will not receive assistance unless agreed in writing by the Council beforehand.**

## 6.7 Supervision of Works

Applicants are advised to use a suitably qualified person to supervise and arrange the works. This can be the East Kent Homes Improvement Agency - who specialise in this work - or another approved surveyor to assist with their applications.

Relevant fees to the Home Improvement Agency or any other approved managing agent will be included as eligible works up to a maximum of 12% of the eligible costs.

Building Regulations or Planning approval, or any other agreed professional fees, can be paid out of the loan or grant.

The building works contract will be between the applicant and their chosen contractor. The Council will not have any contract with the builder or any agency. An officer from the Council's Private Sector Housing team or our approved agent will check the works to ensure they are carried out according to the specification of work and in accordance with good building practice. However, the Council and its officers are **not** liable for any poor workmanship and do not provide any guarantee. Any faults with the works will be a matter between the applicant and their contractor.

Where eligible works are not of an acceptable standard, the Council may withhold monies.

## 6.8 Conditions of Payment

Assistance will only be paid if:

- (a) The work is completed within the time stated in the approval or such further period the council may allow. This must be confirmed in writing. This period is normally 12 months from approval,
- (b) The work is carried out in accordance with the conditions of approval,
- (c) The work is carried out by one of the contractors whose estimate accompanied the application. The Council will normally assess the assistance on the lowest estimate,
- (d) The applicant completes a request for payment form that confirms acceptance and satisfaction of the completed works and that the builders are not members of the applicant's family (see footnote 6 for definition),
- (e) The Council is provided with an acceptable invoice or receipt for payment for the works or fees. The invoice must include full details of the builder/surveyor employed including VAT registration details. The applicant or a member of his family cannot submit an invoice,
- (f) The Council has been notified in advance that the works have begun. This should normally be in writing,
- (g) That the works have been completed to a satisfactory standard and in accordance with the grant offer and estimates,

- (h) Any copies of specified guarantees and test certificates are submitted. All electrical work should only be carried out by an approved contractor approved under current Building Regulations.

## 6.9 Payment of Assistance

Interim payments will normally be paid, but these are at the discretion of the Council. The applicant's contribution (if any) will be taken into account in any payment. Normally the applicant will have to pay any contribution they may have towards the cost of the work first before any grant payments are made.

Payments can only be paid for work completed and not for materials not yet used or installed. Eligible works must be carried out to the satisfaction of the council and an acceptable invoice supplied.

Normally all payments are paid direct to the builder. In appropriate situations such as for fees, payment may be made to the applicant or another third party where the applicant has already paid such costs. Where an escrow agreement exists, payment may be made to such a scheme at the agreement of both parties.

In the case of a Disabled Facilities Grant, payment of the grant may be delayed by up to six months where existing budgets have already been committed.

## 6.10 Grant Conditions -

A certificate of future occupation must be submitted with a Disabled Facilities Grant and some other grants.

An **Owners** certificate must be submitted except where it is a landlord's application. An owner's certificate requires the applicant to confirm they have at least 10 years interest left in the property and that it will be occupied by them or a member of their family as their main residence for 5 years from the certified date.

**Landlords** receiving assistance will be required to submit a landlord's certificate. This requires that the landlord has at least 10 years interest left in the property and intends to have the property available for letting as a residence for 5 years from the certified date (completion of the works). Any new letting does not include a holiday letting or a long tenancy (leasehold) or letting to a member of the owner's family.

**Disposal** – It is also a condition of most grants (except stairlift grant, winter warmth grant) that it will have to be re-paid in whole or in part, if the property or part of it is disposed of or sold during the period of the grant/loan conditions. This is normally 10 or 5 years from the date the works are completed. In the case of a Disabled Facilities Grant the first £5000 of the grant is not repayable and the maximum repayment is £10,000.

**Death of the applicant(s)** – During the 10-year grant repayment conditions, the grant will become repayable on the death of the applicant or in the case of a joint application, both applicants.

The owner is required, within 21 days of written notice by the Council, to give a statement that the property is occupied in accordance with the grant/loan conditions.

Where the property is still subject to grant/loan conditions, the owner must also inform the Council in writing of his intention to dispose of the property.

Unless stated otherwise, a grant will normally have conditions lasting 10 years requiring repayment of the grant if the property is sold or the applicants have died or vacated the property. Such condition will be recorded as a local land charge. If there is evidence that repayment of a grant will cause extreme hardship, then the grant repayment amount will be reduced or waived. Any request must be put in writing and agreed by the Private Sector housing Manager.

### 6.11 **Loan Conditions**

A loan will normally be subject to the loan being registered as a legal charge at the Land Registry office. The charge for this (currently £50) will be added to the loan. In some exceptional cases where it is not possible to place a charge with land registry the loan may still be approved but will instead be recorded as a local land charge. In the case of a breach of loan conditions the whole loan becomes repayable to the Council. All loans paid will be repayable in the following cases:

- On disposal of the relevant dwelling or otherwise part with possession, by way of lease or otherwise of it or;
- On the death of the applicant or in the case of joint applicants, on the death of the both applicants.
- If the property is not occupied in accordance with the certificate of future occupation or loan agreement. (Loans will normally be repaid where the applicants have not occupied the property for six months or longer.)

Where repayment of the loan becomes due, the applicant will be notified, in writing of the due date for repayment of the loan.

No interest will be charged on the loan, except where the loan is not repaid by the due date, **or** in any event of a breach of the loan conditions.

If the loan is not repaid by the due date, interest will be charged on the full amount of the loan from the last date by which the loan was required to be repaid to the local authority. This will be a variable rate set at the Bank Base Lending Rate + 4%. The actual rate applied will be the Bank Base Lending Rate current on the last day by which the loan was due for repayment + 4%.

Interest will be calculated daily and will be based on the amount of the loan outstanding.

In exceptional circumstances the Council may exercise its discretion not to require repayment of the loan or require a lesser amount.

If conditions are breached after approval of Council assistance and before completion of works, then payments made in respect of partially completed works shall be repaid to the Council in full, together with compound interest.

In all such cases, the applicant will be informed of the appeal procedure against any decision. The Council may in exceptional circumstances determine not to require repayment or require a lesser amount.

### 6.12 **Repayment upon Breach of Conditions**

In the case of a breach of grant/loan conditions the grant/loan becomes repayable to the Council.

In the case where an applicant ceases to be the owner, or it appears to the Council that the applicant was not at the time of the application being approved entitled to the grant, no payment shall be made and the grant/loan cancelled. In the case where interim payments have been paid, no further payments will be made, and the Council may recover any previous payments.

In all such cases, the applicant will be informed of the appeal procedure against any decision. The Council may in exceptional circumstances determine not to require repayment or require a lesser amount.

### 6.13 **Second Grants or Loans**

Grants and loans will not be paid for items of work that have received housing assistance before under this or any previous schemes. Exceptions may be made where the item has reached its normal life expectancy.

A property will normally only receive a second grant or loan when the original grant and loan has been repaid or its conditions expire. At the discretion of the Private Sector Housing Manager another loan or grant will be paid in exceptional circumstances.

## 7. **DEFINITIONS**

### 7.1 **Relevant Means Tested Benefit**

A pass-porting benefit for loans and grants is someone that receives a relevant means tested benefit. Such benefits change from time to time but at the time this policy was written the relevant means tested benefits were the following:

- Working Tax Credit (with an income less than £17,700).
- Child Tax Credit (with an income less than £16,190).
- Housing Benefit.
- Income Support.
- Income based Job Seekers Allowance.
- Guarantee Pension Credit.
- Income-based Employment and Support Allowance.
- Universal Credit.

### 7.2 **Certified Date**

This is the date when Dover District Council private sector housing deems the work to be satisfactorily completed.

### 7.3 **Disposal**

A disposal includes the whole or part of the property and is a conveyance of the freehold or assignment of the lease or the grant of a lease for more than 21 years.

## 8 APPEAL PROCEDURE

An appeal can be made in the following cases:

- In the event of disagreement with a decision,
- In the case that one of the conditions of one of the loans and grants should be waived or changed,
- That there is an exceptional case for providing assistance which is not within the Councils existing policy,
- There has been some error or excessive delay in the processing of a loan or grant,
- Where repayment of the loan or grant would cause undue hardship.

In such cases the person should write preferably by email in the first instance to:

[privatesectorhousing@dover.gov.uk](mailto:privatesectorhousing@dover.gov.uk)

Private Sector Housing Manager  
Dover District Council  
White Cliffs Business Park  
Dover  
Kent CT16 3PJ

We will normally respond within 21 Days of our decision.

If you are still unhappy with our decision, then you should contact the Head of Regulatory Services to make a further appeal or make a formal complaint to our complaint officer.

These conditions are dated June 2021

## **APPENDIX A**

### **DOVER DISTRICT COUNCIL** **SUMMARY OF HOUSING ASSISTANCE POLICY 2021**

<b>Type of Assistance Available</b>	<b>Special Conditions</b>
<p><b>1. <u>Disabled Home Assistance Grant</u></b></p> <p>A home owner who is in receipt of a Disabled Facilities Grant can obtain a Disabled Home Assistance Grant of up to £7000 in order to carry out essential works, e.g. Electrical repairs to enable the Disabled Facilities Grant works to proceed.</p>	<ul style="list-style-type: none"><li>• Repayable if property sold within 10 years;</li><li>• Applicant must be in receipt of Disabled Facilities Grant.</li><li>• Owners can only apply</li></ul>
<p><b>2. <u>Disabled Relocation Grant</u></b></p> <p>In appropriate cases where a property is unsuitable for adaptation with a Disabled Facilities Grant and it represents better value for money, a Disabled Relocation Grant will be offered up to a maximum of £20,000. This will pay for legal and moving costs and any agreed increase in the cost to purchase a more suitable property.</p>	<ul style="list-style-type: none"><li>• Grant to pay for 70% of costs.</li><li>• Repayable if property sold or applicant(s) die within 10 years.</li><li>• Applicant must be eligible for a Disabled Facilities Grant.</li><li>• Will be subject to a means test.</li></ul>
<p><b>3. <u>Disabled Adaptation Loan</u></b></p> <p>Where a person is in receipt of a Disabled Facilities Grant (DFG) and Disabled Independence Grant(DIG) to exceed the maximum DFG grant limit of £30,000, a loan of up to £20,000 will be made available to fund the cost of eligible works that exceeds the DFG maximum.</p>	<ul style="list-style-type: none"><li>• Repayable if property sold, unoccupied or on death.</li><li>• Applicant must be in receipt of a Disabled Facilities Grant.</li><li>• Will be subject to a means test.</li></ul>

## **HOUSING ASSISTANCE POLICY 2021**

<p><b>4. <u>Disabled Facilities Grant</u></b></p> <p>A mandatory grant to provide adaptations to homes occupied by disabled people. Maximum grant of £10,000 including fees. Grant conditions apply</p>	<ul style="list-style-type: none"> <li>• Means tested grant</li> <li>• Grant may be repayable if sold or the applicant(s) die within 5 years;</li> <li>• Both owner occupiers and private tenants can apply</li> </ul>
<p><b>5. <u>Disabled Independence Grant</u></b></p> <p>A grant of up to £30,000 for adaptations where the applicant is eligible for a DFG. Plus, up to £5000 towards fees and £3,000 towards any essential works of repair. No conditions on the first £15,000 of grant assistance.</p>	<ul style="list-style-type: none"> <li>• Applicant must be eligible for a Disabled Facilities Grant</li> <li>• Generous mean test, most applicants will pass.</li> <li>• Grant repayable if sold or the applicant(s) die within 5 years;</li> <li>• Both owner occupiers and private tenants can apply</li> </ul>
<p><b>6. <u>Stairlift Grant</u></b></p> <p>Where there is an urgent need for a stairlift, a grant of up to £6,000 may be provided in eligible cases.</p>	<ul style="list-style-type: none"> <li>• Means tested.</li> <li>• No conditions</li> </ul>
<p><b>7. <u>Urgent Home Assistance Loan</u></b></p> <p>This is a loan of up to £20,000 to owner-occupiers who whose home contains a serious hazard(s).</p>	<ul style="list-style-type: none"> <li>• Interest free loan.</li> <li>• Repayable if property sold, unoccupied or on death.</li> <li>• Only owner occupiers can apply.</li> <li>• Subject to a means test.</li> </ul>
<p><b>8. <u>Winter Warmth Grant</u></b></p> <p>A grant of up to £7,000 to pay for heating or insulation for the over 60's with health conditions</p>	<ul style="list-style-type: none"> <li>• repayable if sold within 10 years.</li> <li>• Applicant to be over 60 with long term health condition.</li> </ul>

<p><b>9. <u>Empty Property Loan</u></b></p> <p>Where a KCC no use empty loan has been approved a further loan is available from DDC.</p>	<ul style="list-style-type: none"> <li>• Only available to owners receiving a KCC no-use empty loan;</li> <li>• Loan administered by KCC.</li> <li>• Loan repayable after 3 years</li> </ul>
<p><b>10. <u>Other Assistance</u></b></p> <p>a) Dover Home Enablement Service</p> <p>b) Handyperson scheme</p> <p>c) Health and Housing Coordinator Service</p> <p>d)</p>	<p>This assistance is provided by the East Kent Homes Improvement Agency to provide help and increase the independence in the home for vulnerable people.</p>