

**Tandridge District Council**  
**DRAFT Private Sector Housing Assistance Policy**

**1.0 Introduction**

- 1.1 The Council is committed to supporting the availability of good quality private sector housing stock in the District so that all residents have choice and opportunity to access housing that best meets their needs.
- 1.2 It is well understood that poor quality housing negatively influences health, independence and wellbeing outcomes and by ensuring the availability of good quality and safe housing, the Council can contribute towards the generation of savings for the wider public purse. Providing financial support for works that enable people to live independently in their own home for longer and which reduce accidents helps alleviate pressure on other acute services and care.
- 1.3 The support available through this policy will help prevent those who are vulnerable through age, disability or ill health and who are on low incomes from having to live in the worst maintained and unsafe housing and as a result, achieving the poorest health outcomes.
- 1.4 While this policy promotes the Council's ability to help achieve these important outcomes, primarily it remains the home owner's responsibility to maintain their property. The aim of this Policy is to provide support in a targeted way to those homeowners and qualifying tenants who are disabled or vulnerable, are on low incomes and in the greatest need, who are unable to make their properties safe without assistance.
- 1.5 This policy sets out the types of financial assistance available from the Council in the form of grants or loans to undertake essential works as follows:
- Mandatory Disabled Facility Grants (DFGs), which are provided under the Housing Grants Construction and Regeneration Act 1996.
  - Discretionary financial assistance (which can be given either in the form of a grant or a loan), given under Article 4 of the Regulatory Reform (Housing Assistance) (England and Wales) order, may be available to carry out repairs, improvements and adaptations, along with the conditions attached to any discretionary award made.

**2.0 Policy Aims and Framework**

- 2.1 This policy has been developed to meet local priorities in the District having had regards to local housing conditions in the District, the Better Care Fund: policy framework guidance 2014 and Circular 05/03 "Housing Renewal" issued by the Office of the Deputy Prime Minister in June 2003. The link

between health and housing has also been reinforced through the housing health and safety rating system which came into force in April 2006 and now forms part 1 of the Decent Homes Standard.

2.2 This Policy has also been developed with regards to the Housing Grants Construction and Regeneration Act 1996 which sets out the framework for the delivery of disabled facility grants (DFGs) and also the DFG delivery guidance published in March 2022: Disabled Facility Grant (DFG) Delivery: Guidance for Local Authorities in England.

2.3 This policy aims to:

- To reduce the number of homes with serious hazards as identified by Health and Housing Safety Ratings System;
- To ensure the Council complies with statutory duties in relation to the award of mandatory DFGs and where budget allows, to enable effective use of discretionary DFGs to promote the health, wellbeing and independence of people who are disabled or who have a long-term health condition;
- To assist Health to achieve safe discharge from hospital to home for residents of the District where the fast installation of adaptations and minor works can ease “bed blocking”;
- To provide support to help those who are elderly, disabled or who have a long-term health condition to continue to live safely in their home.
- The Council also aims to maximise the use of any financial assistance given under this policy and to this end will seek repayment of any grants or loans awarded under this policy. This is to enable the money repaid to the Council to be re-used to assist as many others, who fall within the scope of this policy, as possible.

### **3.0 Mandatory Disabled Facility Grants**

#### **3.1 Eligibility to apply**

The eligibility criteria and conditions for a DFG are set out in statute and the Council must adhere to these. If the conditions for a DFG are met, the Council must award the grant.

A DFG can be applied for if you, or someone living in your property is disabled.

3.2 DFGs are available, irrespective of tenure and so are available to owner occupiers, privately rented and social housing tenants, licensees and occupiers. A landlord can also apply if they have a disabled tenant.

3.3 While the entitlement to apply for a DFG is open to all tenures, major adaptation works for Tandridge District Council tenants are handled via the

Council's adopted Aids and Adaptations Policy for Council homes and are wholly funded using the Council's own Housing Revenue Account (HRA) capital budget as DFG grant funding cannot be used for works in Council homes. The Council's Aids and Adaptations Policy for Council Homes has been developed to mirror the provisions of mandatory DFGs with some additional flexibilities to enable the Council to best manage its housing stock.

- 3.4 Where a Tandridge District Council tenant has been refused works under the Aids and Adaptation Policy for Council homes, they are able to access the mandatory DFG application process set out under the Housing Grants Construction and Regeneration Act 1996 and in line with this policy. If the conditions for a mandatory DFG are met, the "grant" will be awarded but Council cannot use DFG funding to pay for the works and must still fund all the agreed eligible works from its own HRA capital budgets.
- 3.5 Due to the increasing use of DFG funding for Housing Association properties, the Council seeks to work collaboratively with Housing Associations operating in the District to provide major adaptations quickly. Housing Associations have equality duties towards their tenants and can access funding from their own internal adaptation budgets to meet the needs of disabled people living in their homes. To make the best use of the public funds available so that as many people as possible can be assisted with grant funded major adaptations, Housing Associations will be asked to contribute funding towards the cost of major adaptation work in their homes as follows:
- Cost up to £1,000 – housing associations to fund 100%;
  - Cost between £1,000 and £10,000 –housing associations to fund 40% and Tandridge District Council to fund 60% via DFG (where mandatory DFG eligible);
  - Cost over £10,000 – Tandridge District Council to fund 100% via DFG (where DFG eligible).
- 3.6 Not every applicant will qualify for a DFG. Those who are not eligible for DFG assistance still require access to reputable contractors of good quality and so may still use the Council's Home Improvement Agency (HIA), to progress the work to their property privately (subject to the HIA having adequate capacity to take on private works).

### **3.7 Eligible Works**

Tandridge District Council will decide what works are eligible to be included in a DFG application by confirming that the works are necessary and appropriate. This will be confirmed by consulting with the Adult Social Care department at Surrey County Council following a referral from an Occupational Therapist.

- 3.8 Tandridge District Council will then assess whether the works are reasonable and practicable considering the age and condition of the property.

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

3.10 Mandatory DFG funding can be awarded for the following purposes:

- For works to aid entry and exit from a building e.g., installation of ramps;
- For works to aid access into and around living areas e.g., installation of stair lifts;
- Provision of accessible kitchen and bathroom facilities;
- Improvement of access into and around the home;
- Access to suitable sleeping facilities;
- Facilitating access by the disabled occupant:
  - To and from the dwelling;
  - To a room used or usable as the principal family room;
  - To a room used for or usable for sleeping;
  - To a room where there is a lavatory;
  - To a room in which there is a bath or shower;
  - To a room with a wash hand basin and;
  - To enable the disabled person to give care.

3.11 The maximum amount of grant allowed will be £30,000, or other such amount determined by the Secretary of State and the grant award will include funding to cover the cost of works, any professional fees and VAT where payable.

Where the cost of the agreed eligible works exceeds the £30,000 threshold, top up funding of up to £10,000 can be applied for under this policy.

3.12 Applications for grant aided work will not normally be considered where works have started but have not been completed or where work has been completed before applying for a grant.

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

3.14 Should the applicant wish to slightly enhance the recommended adaptation over and above the referral recommendations then they may do so at their own expense and should discuss this with the contractor directly as a private arrangement.

3.15 If the applicant's preferred scheme is more extensive than the Council's accepted scheme, the Council may consider providing an offset grant. An offset grant is where the mandatory DFG is provided as a financial contribution towards the applicant's preferred scheme. This must be discussed at the outset of making an application for grant funded works and there will be additional conditions on the grant notice to protect public funds and ensure that what is delivered on site meets the needs of the disabled person.

- 3.16 Tandridge District Council will consider a minimum of two contractors to quote for the recommended adaptation works unless there are exceptional circumstances, such as the works are only delivered by one specialist provider.
- 3.17 The Council will always choose the most cost-effective quote, and should the applicant wish to approve a more expensive quotation the additional cost must be met by the applicant directly.
- 3.18 Works funded by DFG monies will be the simplest and most cost-effective adaptations that will meet the clients assessed needs. For example, facilities will be provided on the ground floor unless the council judges that to be impractical or more costly. Wherever the Council judges it to be a practicable and realistic option, the re-ordering and/or change of use of existing rooms will be the preferred solution and will take precedence over both the construction of extensions and the installation of equipment.
- 3.19 Where adaptations are deemed not reasonable practical by the Council a Disabled Relocation Grant as set out under this policy at 4.10 may be offered to help the applicant obtain a more suitable property that can be adapted.

### **3.20 Means Testing**

A mandatory DFG is subject to a means-test set out in regulations (unless the application is for a child and then no means test is applied).

- 3.21 The amount of grant awarded is reduced by any client contribution calculated under the means test. This means that in some cases, an applicant will have to pay the cost of some or of all of the works, depending on their level of assessed contribution.
- 3.22 The Council offers a discretionary grant of £1,000 to cover an applicant's contribution towards the cost of adaptations, which can in exceptional circumstances at the discretion of the Resident Support Specialist responsible for this policy, be increased to a maximum of £2,000.
- 3.23 If an applicant is found to have a contribution that exceeds the cost of the adaptation works, the Council will be unable to offer any grant funding.
- 3.24 In these circumstances, the applicant will be advised they may proceed with a NIL grant.

This means that the applicant may make a DFG application and if eligible, a NIL grant will be awarded, and the applicant will have to cover the cost of the work themselves. The benefits of proceeding with a NIL grant are that if an applicant's health or mobility deteriorates (within five years for tenants or 10 years for owners), any further mandatory DFG application would not be subject to any means test and could be awarded in full.

- 3.25 To ease hardship further on low-income households, the Council will also include Council Tax Relief as a passported benefit under this policy. This will

enable any household in receipt of Council Tax Relief to receive a non-means tested mandatory grant.

### **3.26 Supervision and payment of Works**

Applicants are advised to use a suitably qualified person or Agent to supervise and arrange the works. This can be the Council's Home Improvement Agency, Millbrook Healthcare Ltd or another approved surveyor to assist with their application and take forward the works.

- 3.27 Relevant fees can be paid to the Home Improvement Agency or any other approved managing agent and included as part of the eligible works up to a maximum of 15% of the eligible costs. Building Regulations or Planning approval, or any other agreed professional fees, can also be paid out of the DFG award.
- 3.28 The Council will specify the maximum amount for assistance. These maximum amounts are inclusive of all costs including Value Added Tax and fees. If the final cost of the works is less than the maximum amount specified in the grants notice, the applicant is not due the balance of costs. The remaining funding that has been committed in the grant notice will be returned to budget to be reallocated.
- 3.29 The building works contract will be between the applicant and their chosen contractor. The Council facilitates the grant process only and is not party to any contract for works.
- 3.30 The Council (or the Council's Home Improvement Agency) will check the quality of all works installed to ensure they are carried out according to the specification of works and in accordance with good building practice. The Council and its officers are not liable for any poor workmanship and do not provide any guarantee of work. Any faults with the works will be a matter between the applicant and their contractor and must be discussed directly between these two parties.
- 3.31 Where eligible works are not of an acceptable standard, the Council may withhold grant monies and will require the applicant to discuss with their Agent or the contractor directly the correction of any issues at their own cost. There can be no additional grant money to rectify problems and to ensure that the standard of works installed are to the satisfaction of the Council.
- 3.32 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.
- 3.33 Interim payments can be made if necessary at the discretion of the Council.
- 3.34 The applicant's contribution (if any) will be taken into account in any payment. Any assessed contribution must be paid to the contractor first before any

grant monies can be released and evidence of payment provided to the Council.

- 3.35 Payments can only be paid for work completed and not for materials not yet used or installed.
- 3.36 Eligible works must be carried out to the satisfaction of the Council and an acceptable invoice supplied.
- 3.37 Normally all payments for works are paid direct to the builder and fees are paid directly to the Agent or surveyor supervising the works but in appropriate situations (such as for fees), payment may be made to the applicant or another third party directly where the applicant has already paid such costs.
- 3.38 Where an escrow agreement exists, payment may be made to such a scheme at the agreement of both parties.
- 3.39 Payment of a mandatory DFG may be delayed at the discretion of the Council by up to six months where existing budgets have already been committed.

#### **3.40 Repeat mandatory DFG applications**

Should an applicant have previously received a DFG, in consultation with the Occupational Therapist, their eligibility for a further grant will initially take into account any decline in their physical or mental health or change in need followed by the application of the eligibility criteria described in this section.

#### **4.0 Discretionary Financial Assistance (Grants and Loans)**

- 4.1 The Council's discretionary financial assistance provides targeted support for works that do not fall within the provisions of a mandatory DFG and which promotes the health, wellbeing and independence of residents, prevents admissions to hospital and supports successful and safe hospital discharge.
- 4.2 Registered Social Landlords (RSLs) have a prescriptive duty of care towards their tenants and can access other sources of funding due to their RSL status to ensure their homes meet certain standards and targets relating to the condition of their properties. This being the case, RSL tenants are only able to access mandatory DFG funding under this policy. RSL tenants are also unable to be considered for any type of discretionary funding, with the exception of the discretionary contribution grant.
- 4.3 Adaptations and minor works for Council tenants are handled via the Council's Aids and Adaptations Policy for Council Homes and this being the case Tandridge District Council tenants are also unable to be considered for any type of discretionary funding under this policy. However, where a Council tenant has been refused assistance under the Aids and Adaptations Policy for Council homes, they may apply for a mandatory DFG only.
- 4.4 The Council seeks to encourage private landlords who are willing to make their properties available to those rent privately for at least 5 years, thereby increasing the supply of affordable housing in the District. This being the case, discretionary funding, which is means tested, will only be available to tenants in the private rented sector, where the landlord is willing to let to the tenant for at least the next 5 years.
- 4.5 Any request for discretionary grant or loan assistance must be supported by a recommendation from an Occupational Therapist, either working for Surrey County Council or working independently in the private sector or by a member of the Council's Private Sector Housing Team. Should an applicant provide an independent Occupational Therapist's recommendation the Council will consult with the Occupational Therapy Service at Surrey County Council before processing any application.
- 4.6 Not all properties can qualify for discretionary assistance under this policy. Houseboats and caravans are excluded from the discretionary support available but can apply for a mandatory grant as set out in the Housing Grants Construction Regeneration Act 1996. Sheds, outhouses and extensions such as conservatories that do not have Building Regulations approval cannot be considered and neither can non-residential buildings.
- 4.7 Cases requesting discretionary assistance will be considered on a case by case basis and help is only available subject to budget. Therefore, the discretionary assistance set out in this policy can be withdrawn temporarily and without notice at any time. Once the budget has been committed, it is not possible to consider any further discretionary awards under this policy.
- 4.8 Discretionary funding can be made available in the form of a grant or a loan, or a combination of both if applicable.



4.9 The types of discretionary assistance available under this policy are below:

#### **4.10 Discretionary DFG Relocation grant**

This grant is only available to those who are eligible for a mandatory DFG and who own their home.

4.11 It is not always possible to adapt every property to meet the needs of the disabled occupant. The Council will consult with Social Services regarding the needs of the disabled person and will reach a decision whether adaptation works are reasonable or practicable or are not possible on grounds of expense in each case. Where works are not reasonable and practicable, the Council may offer a DFG relocation grant to homeowners to enable the disabled person to move to another property that would be more suitable to adapt.

4.12 The maximum DFG Relocation Grant offered is a maximum of £5,000 if the disabled person is moving to a new property outside the District and a maximum of £10,000 if moving within the Tandridge District.

4.13 A land charge is registered on the new property to the value of the grant given for a 10-year period from the date the grant was agreed. During the 10-year grant condition period, the grant is repayable if the property is sold or otherwise disposed of, or if the applicant dies or no longer occupies the property.

4.14 Eligible moving costs include:

- Legal fees;
- Estate Agent's fees;
- Stamp duty;
- Removal costs;
- Survey and valuation costs;
- Reconnection of services, for example, electricity, gas and telephone;

4.15 The grant is to assist with moving costs and not the cost of additional capital needed to purchase a property. The disabled person (in case of a child, the parent) must provide agreement in writing that they are in agreement to move.

4.16 Financial eligibility for a relocation grant is determined on the same basis as eligibility for a Disabled Facility Grant. A cost benefit analysis will also be undertaken by the Council to justify the award which will consider information provided by the referring Occupational Therapist and the Council's Home Improvement Agency. The Council and Occupational Therapist must also agree the suitability of the new property the disabled person is moving to.

4.17 A further DFG could potentially be awarded at the new property (providing all the usual qualifying conditions for a DFG are met) but if they the disabled person moves to an alternative home out of District, the application would need to be made to the appropriate Council for the area in which the property is located and be considered under their policy. Other Local Authorities may have more demand than they can fulfil and so may hold a waiting list.

#### **4.18 DFG Home Repair Assistance Grant**

In some circumstances, a disabled persons home may need additional repairs undertaken to make any adaptations identified as being eligible for funding via a mandatory DFG, viable.

4.19 This grant is only available to applicants who are eligible for a mandatory DFG and the application must be made by the homeowner (or for a tenant's application, the landlord).

4.20 This grant can be used to fund repairs to enable the adaptation to function properly, such as repairs to walls or ceilings, small upgrades to electrical wiring or small drainage works.

4.21 The maximum grant that can be awarded is £7,000 and the Resident Support Specialist responsible for this policy has the discretion to increase this amount in exceptional circumstances.

4.22 A land charge is registered on the property to the value of the grant given for a 10-year period from the date the works are agreed as being complete (the certified date). During the 10-year grant condition period, the grant is repayable if the property is sold or otherwise disposed of, or if the applicant dies or no longer occupies the property.

#### **4.23 DFG Contribution Grant**

Mandatory DFGs for adults are subject to a means test to determine whether the applicant is required to contribute financially towards the cost of the works.

4.24 The means test is set out in regulations and the Council has no discretion in applying it. *[footnote – If a second DFG application is submitted within five years of the first application for a tenant's application or within ten years for an owner's application, the applicant's contribution paid towards the cost of the first DFG is offset against the new grant application and so a further means test is not applied, giving a free mandatory grant.]*

4.25 However, the Council recognises that there are cases where an applicant may have a contribution to make towards the cost of works when their income and savings are just over the benefit threshold and that in these circumstances paying a financial contribution towards the cost of the works can cause hardship.

4.26 Where an applicant qualifies for a DFG and has a financial contribution, the Council will consider awarding a discretionary grant of £1,000 to cover the first £1,000 of any financially assessed contribution towards a DFG.

- 4.27 The Council also recognises that there may be exceptional circumstances where an applicant will have an assessed contribution of over £1,000 but funding their contribution will cause financial hardship: perhaps for example, due to having to pay for private care. In such cases, this may prevent much needed adaptations being installed and all the preventative benefits of a DFG lost. Where paying the assessed contribution would cause hardship, at the discretion of the Resident Support Specialist responsible for this policy, a discretionary contribution grant which exceeds up to a maximum of £2,000 can be awarded to cover all or some of the costs of an applicant's assessed contribution.
- 4.28 If an applicant is found to have a contribution that exceeds the cost of the adaptation works, the Council will be unable to offer any discretionary grant funding under this policy.

#### **4.29 DFG Discretionary Top-Up Grant**

The maximum amount of mandatory DFG that can be awarded was set out in legislation in 2008 [*footnote – legislation details*] as being £30,000.

- 4.30 Since this time, there has been an increase in building costs for major adaptations, plus due to developments in medical treatments, more people are living longer, with more complex and chronic conditions and so require more complex and higher-level support.
- 4.31 As a result, in some instances, the mandatory ceiling of £30,000 has proved insufficient to meet the needs of the disabled person; this is particularly the case in relation to applications for major adaptations for children.
- 4.32 The Council will consult with Surrey County Council on developing schemes that meet the needs of the disabled person and every effort will be made to design a scheme of works that falls below the mandatory threshold.
- 4.33 Where it is not possible to contain costs below the £30,000 threshold, the Council will consult with Surrey County Council to ensure that the total cost of works is both reasonable and practicable and necessary and appropriate.

Where this is agreed, the Council will consider whether it is possible to exercise discretion and award top up funding for the balance of the cost of works.

- 4.34 The maximum top up funding that can be awarded is £10,000.
- 4.35 Factors the Council will consider before awarding top up funding are as follows:
- The applicant must meet the criteria for a mandatory DFG;
  - Does any other agency have a statutory duty to provide funding to meet the eligible needs of the disabled person [*footnote – County's duties to children under the Chronically Sick and Disabled Persons Act and Childrens Act and Health National Framework for Continuing Health Care to meet the needs of an identified health need*];

- Is the applicant able to raise their own finance to pay the top up;
- Is there any charitable funding that can be accessed to cover the costs;
- The budget available to the Council at the time of the request;

4.36 The standard financial means test will be applied to top up funding requests as follows:

- The means tests for adult mandatory DFGs will be applied once at the point of the initial DFG application. If the applicant/disabled person has an assessed financial contribution to make towards a mandatory DFG of £30,000, the means test will not be reapplied for a second time to the request for top up funding. This is to avoid the applicant paying two amounts of financial contribution;
- Children's mandatory DFG applications are not subject to any means test. Therefore, the standard DFG means test will be applied to any top up amount identified only and will need to be paid directly to the contractor first. Where the assessed contribution is larger than the maximum top up funding award, no discretionary funding will be awarded.

4.37 A land charge is registered on the property to the value of the top up grant at the point the date the works are agreed as being completed (the certified date). If the property is sold or otherwise disposed of, or if the applicant dies or no longer occupies the property the top up funding charge is repayable. This will be in addition to any land charge relating to the mandatory DFG the top up grant supports, although any land charge relating to a mandatory DFG will expire after 10 years, after which time it will not need to be repaid.

#### **4.38 Stairlift/Ramp Discretionary Grant**

Where an Occupational Therapist has identified a need for a stairlift and or a ramp in a disabled persons home, a discretionary grant up to £15,000 can be provided to install either a stairlift or a ramp or both.

4.39 This grant has no conditions and no means test is applied to enable these works, which are a quick and simple way to promote independence and safety to be provided as quickly as possible

4.40 The responsibility for the maintenance and servicing of any stairlift lies with the grant recipient, including the purchase of any extended warranty. The Council will identify the preferred contractor to supply and fit the stairlift.

4.41 Works in excess of this amount will need to be addressed via a mandatory DFG.

#### **4.42 Discretionary Winter Warmth Grant**

This grant enables older and vulnerable residents, living with long term health conditions who own their homes to ensure their home is safe and warm (landlords cannot apply). It also enables the Council to make a positive contribution towards reducing the high winter death rate amongst older people associated with excessive cold.

4.43 The grant is available to households on a means tested benefit (including Council Tax Relief) and can pay for heating (normally replacement gas boilers, controlled by a room-stat, programmer and thermostatic radiator valves as ECO3 rules favour first time installations) or other insulation measures, such as replacement windows and doors, for which there is no other grant funding available.

4.44 Works can be considered for funding in the following circumstances:

- Where ECO funding is not available or is not viable (confirmation required from Action Surrey);
- The applicant is over 60 and has a long-term illness;
- Confirmation of the long-term illness has been confirmed by a health professional. The cost of obtaining any medical report is the responsibility of the applicant but the cost can be added to the grant and reimbursed.

4.45 Eligible health conditions are as follows:

- Atrial fibrillation or heart flutter
- Angina or coronary heart disease
- PAD or peripheral arterial disease
- hypertension or high blood pressure
- Osteoporosis or brittle bones
- TIA or mini stroke
- Asthma
- COPD
- Rheumatoid arthritis
- Diabetes
- Cancer.

4.46 The maximum grant allowed is £7,000.

4.47 The grant is only available to homeowners and is subject to repayment conditions for 10 years from the date works are agreed as being complete (the certified date). During the 10-year grant condition period, the grant is

repayable if the property is sold or otherwise disposed of, or the applicant dies or no longer occupies the property.

#### **4.48 Homeowner Repair Loan**

Where an owner-occupied property has an identified category 1 Hazard identified by the Council's Private Sector Housing Team under the Health and Housing Safety Rating System (HHSRS), the Council can make available a Homeowner Repair Loan of up to £7,000 to remedy the hazard. Landlords and tenants are ineligible for this assistance.

- 4.49 This loan is only available to owner occupiers who are in receipt of a means tested benefit (extended to include Council Tax Relief) or who have a financial contribution of less than £7,000 under the statutory DFG means test.
- 4.50 This loan is available to remedy serious hazards in the home rather than minor works and repairs such as repairs to heating systems. Works costing less than a £1,000 will not qualify for assistance.
- 4.51 Annual compound interest will be charged on the loan at base rate, plus 1.5%.
- 4.52 The loan (plus interest) must be repaid to the Council when:
- The property is sold or otherwise disposed of (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);
  - On the death of the applicant or on the death of both applicants if a joint application;
  - Or if the applicant(s) no longer live in the property as their principle home. Loans will become repayable where the applicant(s) has not lived in the property for six months.
  - If it appears to the Council that the applicant was not entitled to the loan at the time of the loan application being approved, no payment shall be made, and the loan cancelled. If any interim payments have been made, no further payments will be made and the Council may recover any previous payments.
- 4.53 When deciding to award a loan the Council will take into account:
- The value of any mortgage or other loans secured on the property;
  - Any large unsecured debts;
  - No loans can be offered if the applicant has outstanding Council Tax arrears or other debt owing to the Council.

- 4.54 The loan will be registered preferably as a legal charge and the cost for registering the charge added to the cost of the loan. If it is not possible to register a further legal charge, a local land charge will be registered instead.
- 4.55 It will be a condition of the loan that it is repaid when the property is sold, or otherwise disposed of, or if the applicant dies (if the application is a joint application, when both applicants die), or no longer occupies the property. "Disposal" includes the sale, assignment or transfer of the whole or part of the property or the grant of a leasehold interest for a period of 21 years or more.
- 4.56 When the loan is due to be repaid, the Council will write to the applicant, advising of the date the loan is to be repaid, setting out clearly the interest payable. If the loan is not paid by the due date, interest at base rate, plus 1.5% will be charged **daily** until the loan is paid. Where there is a breach in loan conditions, the loan will be immediately repayable, and interest will be charged at base rate, plus 1.5% daily until it is repaid.

#### **4.57 Supporting Discharge from hospital and preventing admission to hospital**

#### **4.58 Community Equipment Service**

The Council provides an amount of funding, which is agreed each year, under its discretionary powers to support Surrey County Council's Community Equipment Service (CES). This is to enable the CES to provide free of charge, key safes, ramps and grab rails to residents, who have an eligible care need under the Care Act.

- 4.59 This funding supports residents by preventing accidents and preventing hospital admission and also enables them to return home safely after a hospital stay.
- 4.60 The Council also provides the CES with funding to facilitate the speedy installation of ceiling track hoists, which are a major adaptation that can be funded via a mandatory DFG. This arrangement has been implemented to ensure fast access to this specialist equipment.
- 4.61 The Council provides funding to the CES to install hoists which cost below £15,000, to avoid the disabled person having to undertake the DFG application process. Hoists which cost over this amount must be considered via the mandatory DFG process.

#### **4.62 Handyperson Service**

The Council operates a Handyperson service, which provides a trusted contractor to undertake small jobs in resident's homes, for which it is difficult to engage a contractor.

- 4.63 The work undertaken by the Handyperson is small scale and must be able to be completed within two hours and covers a wide range of works including putting up shelving, small amounts of tiling and building flat pack furniture. The service user pays for materials themselves, with labour being charged at a reduced rate.

4.64 As the Council's Handyperson Service has been in operation for more than 20 years, the service has a high profile and excellent reach across the rural Tandridge District, making the service an excellent way to engage with vulnerable and disabled residents.

4.65 Using the Council's discretionary powers, discretionary funding is provided to the Handyperson service to supplement the work of Surrey County Council's Community Equipment Service to install grab rails, ramps and key safes free of charge in resident's homes. These free works extend the accessibility of these items to older and vulnerable residents and are offered on a preventative basis, as unlike the CES, it is not a requirement that residents have an eligible need under the Care Act to access the Handyperson service.

#### **4.66 Repeat requests for discretionary grants or loans**

Further grants or loans will not be awarded for works previously funded under this policy, except for where an item has reached its normal life expectancy.

4.67 A further loan may be awarded when the original loan has been repaid or when the grant conditions expire but another discretionary financial award may be given in exceptional circumstances at the discretion of the Resident Support Specialist responsible for this policy.

#### **4.68 Maintenance of equipment provided via grant funding**

The Council will only fund a standard one-year manufacturer warranty to ensure that the item provided is safe and free from manufacturing defects. Therefore, suitable arrangements will need to be made going forward to service and maintain the grant funded item as follows:

- Home owners will be responsible for the ongoing servicing and maintenance of any equipment installed as part of a grant;
- Housing Association tenants may find their landlords will take on the servicing and maintenance provision but as a result they may increase the applicants rent to cover the additional cost. Other housing associations may decide that it is the applicant's responsibility to service and maintain the equipment that has been specifically installed. Before the applicant agrees to go ahead with the DFG they need to discuss, and agree, the future servicing and maintenance requirements of any of the specifically installed equipment with the relevant housing association. A discussion also needs to take place regarding the removal of any equipment should the tenant no longer reside in the property.
- Applicants who are private tenants will also need to discuss, and agree, the future servicing and maintenance requirements of any specifically installed equipment with their landlord, and the impact, if any there is on their rent before agreeing to commence with the DFG. A discussion also needs to take place with the landlord regarding the removal of any equipment should the tenant no longer reside in the property.



4.69 Where the applicant/disabled person is to fund their own servicing package and warranty, they will need to explore purchasing this directly; it is usually cheaper to purchase this at the time of installation. If the cost of an extended warranty/service package cannot be met by the applicant, an approach can be made to various organisations and/or charities to try to identify funding to cover some or all the cost. The Council's Home Improvement Agency can advise on this.

#### **4.70 Grant Conditions and repayment of grants**

To maximise the availability of funding for adaptation works for as many people as possible, the Council will ensure that wherever it is possible and reasonable to do so, funding awarded in the form of a grant or a loan is repaid to the Council as set out in s.3 Housing Grants Construction and Regeneration Act 1996: Disabled Facilities Grant (Conditions relating to approval or payment of Grant) General Consent 2008. This is to enable grant funding previously awarded to be recycled to help others.

4.71 Unless stated otherwise, a mandatory 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. Where the application is a joint application, the grant is not repayable until the death of both applicants.

4.72 Where a discretionary grant is provided or a discretionary loan the land charge will last indefinitely until the property is sold or otherwise disposed of (except for the discretionary contribution grant awarded for mandatory grants which will be recovered in line with the General Consent Order).

4.73 If there is evidence that repayment of a grant or loan will cause extreme hardship, then the grant repayment amount can be reduced or waived. Any request must be put in writing and agreed by the Executive Head of Communities.

4.74 Applicants must provide the relevant certificate with their application (owners or tenants certificate) to confirm that they have at least 10 years interest left at the property and that they intend to live there, as their main residence, for at least the next five years from the date the works are complete.

4.75 For mandatory DFGs only a portion of the grant awarded can be recovered for the costs between £5,000 and £15,000 (a maximum of £10,000).

#### **5.0 Method of Application**

Initial enquiries about assistance can be made to Millbrook Healthcare Ltd., the Council's contracted out Home Improvement Agency by telephoning 03301 243 758 or emailing [surreyHIAcontactus@millbrookhealthcare.co.uk](mailto:surreyHIAcontactus@millbrookhealthcare.co.uk).

- 5.1 Enquiries can also be made by writing to: Millbrook Healthcare Ltd., The Old Crumpet Factory, 16 Brockham Lane, Brockham, Surrey, RH7 3EL.
- 5.2 Applications for assistance must be on the forms prescribed by the Council, which Millbrook Healthcare Ltd. provide to applicants. Millbrook can also provide support to applicants to complete the application process.

## **6.0 Complaints**

If an applicant is dissatisfied with any decision made under this policy, they should raise the matter informally in the first instance and every effort will be made to address the concern raised.

- 6.1 If it is not possible to resolve the matter informally the Council's formal complaint process may be accessed. The Council offers a two stage complaints process, after which the complainant may complain to the Local Government Ombudsman.
- 6.2 Details of the Council's complaint process and policy are available on the Council's website.