

SEFTON METROPOLITAN BOROUGH COUNCIL

PRIVATE SECTOR HOUSING ASSISTANCE POLICY

2014 Update

**PRIVATE SECTOR HOUSING ASSISTANCE POLICY
2014**

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SEFTON METROPOLITAN BOROUGH COUNCIL

PRIVATE SECTOR HOUSING ASSISTANCE POLICY

AIM

The aim of this Housing Assistance Policy is to assist disabled people with adaptations to facilitate their movement in and around their home and where possible to direct help towards the most economically vulnerable people living in the worst housing conditions and to help improve the physical housing condition of homes and neighbourhoods where the combination of these conditions exist.

This (2014) Policy update is intended to provide further clarity on the Council's current approach to housing financial assistance, given the financial limitations it works within.

1 Introduction and Context

- 1.1 The Government introduced regulations in 2002, which governs the way Local Authorities provide financial assistance to ensure the repair and maintenance of property to an adequate standard. The Council recognises that while responsibility for private sector houses rests first and foremost with the owners, poor quality housing can have an adverse impact on the health and well being of vulnerable residents who may not have the necessary resources. The Council can have a role in providing assistance to such residents. This main policy has been linked to the 2013 Sefton Private Sector Stock Condition Survey, Sefton's Private Sector Housing Strategy, as well as relevant national, regional and local policies/ strategies.
- 1.2 The Council will deliver the policy in a fair and inclusive manner and ensure that our performance is continually monitored and reviewed. The Council will work in partnership with other agencies to deliver the improvements. However, financial assistance activity will need to be constrained within the limits of available resources and the priorities determined by the Council. For this reason, the Council first reviewed its Financial Assistance Policy in September 2011, following the introduction of Government austerity measures and the loss of housing capital funding allocations.
- 1.3 The Council recognises the adverse impact poor quality housing has on the health and well-being of its occupants and the link between poor housing and social and economic deprivation.
- 1.4 The Regulatory Reform Order 2002 requires the Council to publish a policy framework for assisting all property owners in Sefton. This policy outlines how available assistance will be targeted at the strategic priorities outlined in sections 2 & 3 below.

The Council will look to provide advice to owners who are excluded from receiving financial assistance. Such advice may include information on property maintenance, energy efficiency, accessing finance and reputable builders.

The Council will accept enquiries from any person regardless of their tenure.

2.0 CORPORATE PRIORITIES

Sefton's Vision.

Together we are Sefton – a great place to be!

We will work as One Sefton for the benefit of local people, businesses and visitors.

Corporate Priorities

Below is a summary of the corporate priorities of the **Council**. This sets out the Council's approach and we need to ensure this Private Sector Housing Policy supports its corporate priorities and 4 main objectives:

1. Together develop healthy & well supported communities wellbeing
2. Together develop access to opportunities for all
3. Together develop attractive & sustainable places & communities
4. Together empowering and supporting residents

The 6 Priority Themes emerging from this are; Economy, The Most Vulnerable, Health & Wellbeing, Reshaping the Council, Resilient Communities, and Environment.

3.0 PRIVATE SECTOR HOUSING STRATEGY

- 3.1 The Private Sector Stock Condition survey report was produced in 2013. It found that 89,719 dwellings (84.2%) meet the requirements of the Decent Homes Standard and can be regarded as satisfactory. The remaining 16,858 dwellings (15.8%) fail the Decent Homes Standard. This compares to 22.0% of private sector housing nationally (English House Condition survey 2012/13). While the overall picture in Sefton is relatively good, a number of key issues have been highlighted.

The main findings of the survey indicated that:

- 28.3% of economically vulnerable households (4,236) live in non-decent homes
- The main causes of non-decency are Category 1 hazards associated with excess cold and general disrepair
- Average costs to address non-decency are £6,105

The report indicated that three main geographic areas of the borough, Linacre/ Derby, Southport East and Southport North, have the highest concentration of

non-decent houses. The findings of this survey will influence how the Council might assist residents in the private sector.

3.2 This strategy has considered relevant policies and strategies from a national, regional and local level in addition to evidence gathered at a local level primarily drawn from the 2013 Stock Condition Survey. From all this evidence a number of Actions are proposed including:

- Targeting support and assistance to disabled residents in order for them to be able to access their homes and use essential facilities. Promote independence and allowing residents to remain in their own homes for as long as reasonably possible
- Continued intervention in the private rented sector including mandatory HMO licensing, enforcement actions where appropriate, and landlord encouragement for home improvement through a Landlord Accreditation scheme (introduced in July 2013)
- Targeting support for economically vulnerable people living in Non Decent Homes across all tenure sectors
- Encouragement of owner-occupied home improvement through increased awareness of condition issues and possible use of loan support should resources become available
- Providing advice and assistance to homeowners who cannot be helped financially
- Exploitation of energy funding streams including Green Deal and Eco funding within a comprehensive fuel poverty strategy
- More detailed examination of health service partnerships for housing intervention using survey information on house condition and household health information

4.0 PRIORITY ACTIVITIES

4.1 The Council's Private Sector Housing Strategy indicated a number of key priorities, which reflects the Council's priorities in assisting vulnerable residents.

4.2 The **first priority** is to ensure that assistance is provided to enable people to live independently in their own homes. The Council is committed to provide Disabled Facilities Grants to enable disabled people to live comfortably and independently.

4.3 The **second priority** is to provide support and advice to all residents in Sefton, targeting the 'vulnerable' who are seeking to improve their homes. As the Council cannot financially assist everybody, we will provide advice via the internet, leaflets and any other relevant sources which become available or we will signpost residents to other agencies who may be able to help them.

4.4 The **third priority** is to assist the most economically vulnerable residents whose properties are subject to Category 1 Hazards as defined by the Housing Health and Safety Rating system. Initially the Council will target those economically vulnerable households affected by Category 1 Hazards, to provide advice, or to take enforcement action on their behalf.

- 4.5 The **fourth priority** is to improve the quality of private rented accommodation which we will try to achieve through Landlord (Property) Accreditation, or enforcement activity.
- 4.6 The **fifth priority** is to reduce the number of long-term vacant homes in the borough especially in the areas identified in the Stock Condition Survey, where a large proportion of empty properties are located. The Council adopted a refreshed Empty Property Strategy in July 2014, which outlines the measures the Council will take to address this issue. It is unlikely that funds will be available to assist empty home owners to acquire and refurbish such properties.

5.0 RESOURCES

5.1 The resources available to the local authority to implement this strategy are reliant on the level of Capital funding allocated from Government to the Council and the contributions the Council can make from its own resources. The level of assistance the Council can provide is also affected by demand and rising costs. Since 2011, there have been no Government general housing funding allocations, only specific allocations for Disabled Facility Grants. Over the last few years the total spend on financial assistance has remained constant at around £2.0m per year. The latest figures for the year 2014/15 show:

- Disabled Facilities Grant (DFG) £2.2m, made up of £1.63m government funding and £0.57m Council financial resources.

It is anticipated that all the identified resources will be spent on DFG's, which, as it is a mandatory grant, reduces the availability for other forms of activity and assistance. Given the ageing demographics of the borough's population, it is anticipated that demand for DFGs may grow in the future, placing further financial demands on this resource.

5.2 The Government has advised local authorities that resources to improve private sector housing must be linked to available equity in the property. Owners must look to the financial institutions to provide the necessary resources, especially if they have equity available. Therefore, in the first instance, homeowners should look to the financial institutions to secure funds for home repair and maintenance. They should seek advice about the most appropriate types of loans available, which may include Equity Release loans. The Council has partnered with Age Concern, who can provide advice and help home owners apply for such funding.

5.3 The Council will provide assistance by means of a grant only in the following cases:

- Disabled Facilities Grant – up to the statutory maximum level

In all other cases, due to limited resources the Council will only be able to provide limited advice and signposting to other services. The Council has and will apply

discretion to increase the DFG assistance above the mandatory limits, as described in Section 7 & 8, below.

6.0 LANDLORDS AND TENANTS

- 6.1 The Council will not normally agree to offer assistance to a tenant as the responsibility for property maintenance rests with the owner. Exceptions to this rule will be assistance of Disabled Facilities Grants and (if external funding is sourced) possibly the provision of energy efficiency works to a property. Failure by any landlord to adequately maintain their property may result in enforcement action.
- 6.2 The Council believes that all landlords are responsible for resourcing the repair and improvement of their properties. Therefore financial assistance will not normally be given to landlords.
- 6.3 Landlords who are members of the Council Accreditation scheme introduced in July 2013, may be assisted (not financially) by the Council as part of the Accreditation process.

TYPES OF ASSISTANCE

7.0 Disabled Facilities Grants (DFGs)

- 7.1 This form of assistance remains mandatory and is the only grant offered by the Council. Such grants are used to adapt the home of a disabled person to meet their needs as identified and assessed by the Occupational Therapists from Seftons' Health & Social Care Directorate.

To be eligible for a DFG the applicant must be:

- An owner occupier
- A private tenant
- A private landlord on behalf of the disabled tenant

The Council must be satisfied that the proposed works are:

- Both necessary and appropriate for the disabled person
- Reasonable and practical taking in account the age, condition and location of the property

- 7.2 DFGs are designed for the following circumstances:

- Facilitating access to and from a dwelling or the building in which the dwelling is situated and making the dwelling safe for the disabled person or any other person residing with them
- Facilitating access to a room used as the principal family room
- Facilitating access to or providing a room used for sleeping
- Facilitating access to or providing a room in which there is a lavatory, bath or shower and hand wash basins or facilitating the use of any of these
- Facilitating the preparation and cooking of food by the disabled person, improving the heating system to meet the disabled persons needs or providing a suitable heating system
- Facilitating the use of a source of power, light or heat
- Facilitating access and movement around the home to enable the disabled person to care for someone dependant on him or her who also lives there

7.3 The Council has a duty to carry out a test of the financial resources of the grant applicant and assess how much they have to contribute towards the cost of the works. The grant covers all reasonable costs in excess of the owner's contribution subject to a mandatory limit of £30,000. The number of DFG requests, which are in excess of the £30,000 maximum while still small, are continually growing in number.

The Council has the option to apply discretion to increase the assistance above £30,000, when and where sufficient financial resources are available. Currently the Council has insufficient resources to provide discretionary assistance. However, it will consider such requests in exceptional circumstances. In cases where expenditure is in excess of £30,000 the additional assistance may be provided by means of Home Repairs Assistance, where the excess is less than £5,000 (see section 8 for further information). Such additional assistance will be repayable on the disposal or transfer of the property.

7.4 Minor adaptations work (works costing less than £1,000) will be funded directly from the Health and Social Care budget and will be excluded from the DFG process. Privately rented property requests will require written landlord permission prior to works being carried out. Where there is an assessed need for a minor works provision under £500 then this will be managed via the Home Improvements Service, Minor Works Team. Orders between £500 - £1,000 require an application to Sefton Community Equipment Service, Specials Panel for consideration and if agreed will be actioned via the Home Improvements Service, Minor Works Team.

Minor adaptation work within RSL properties will be referred direct to the RSL for their consideration / provision.

7.5 *Repayment of Assistance*; Any discretionary loans, which have been provided to owner-occupiers, in excess of the maximum grant, have to be repaid in full upon the sale, disposal or transfer of the property. In addition an owner occupier must also repay a third of the mandatory Disabled Facilities Grant upon the sale, disposal or transfer of the property.

In the case of applicants who are tenants there will be no requirement to pay back any of the assistance. This is because they have no financial interest in the property and any such interest rests with the owner. Unfortunately, discretionary loans will not be considered for tenants. In cases where the maximum DFG limit is reached in tenant's applications the council will work with the Housing provider to seek suitable alternative accommodation options.

- 7.6 Where the costs of adapting an existing home is likely to be economically excessive the Council may consider the use of a Disabled Facilities Grant to permit the applicant to move to more suitable accommodation. The Council may also consider providing assistance to a Registered Social Landlord to adapt an alternative property to meet the needs of the applicant.

Due to funding limitations at this time the Council is not able to offer any additional forms of discretionary financial assistance for housing improvement, repair or adaptation. In lieu of this the Council wishes to retain certain powers (detailed below) which it may exercise in the future or as and when resources become available. The Council will try to exploit any external funding opportunities as may become available.

8.0 Home Repairs Assistance (currently unavailable)

- 8.1 Applications for a Home Repairs Assistance will be considered for works up to £5000 (excl VAT & fees) maximum. The cost of works being considered for loan assistance must be greater than £300.

To qualify for the loan the applicant must be an owner occupier who:

- Has owned and lived in the property for at least 3 years
- Be aged 18 or over
- Be in receipt of qualifying benefits
- Live in the dwelling as the main residence
- Has an owner's interest
- Has a duty to carry out the works

- 8.2 Applications for Home Repairs Assistance will only be considered via a referral from:

The Housing Standards Team for emergency referrals in relation to life threatening or potentially dangerous situations, which would be classified as a Category 1 Hazard.

- 8.3 The availability of loan assistance is subject to the Council having sufficient resources available. On completion of the works, to the satisfaction of the Council the loan will be registered with the Council's Legal Department (Land Charges Section). The loan will have to be repaid on disposal or transfer of the property.

8.4 A referral in connection with an Excess Cold Category 1 Hazard will be referred to the Energy Efficiency Team in the first instance. Warm Front Resources may be more appropriate in these cases.

9.0 Empty Homes Assistance (currently unavailable)

9.1 In Sefton our aim is to target action at Long Term vacant premises (empty for 6 months or more). Such properties can blight an area due to a variety of anti-social and environmental problems. The highest concentrations of such properties are in Southport and Bootle.

9.2 In general the Council will target it's efforts at the empty properties in these areas, although we do offer help to owners of Empty Homes all over the borough. We are currently unable to offer any financial assistance, however we do make contact with empty home owners through letters and newsletters, offering advice about some possible solutions to bringing their property back into use.

10.0 Group Repair (currently unavailable)

Group Repair involves major external renovation and improvement to a terrace or street of houses with the aim of ensuring that the external facade of the terrace is improved to a high degree and is aesthetically pleasing. The extent of works is dependent on existing property condition and available resources but would normally include roof replacement/major repairs, new windows/doors, new front garden/rear house walls, new rainwater goods, external painting and re-pointing/rendering. This type of scheme has a dramatic visual impact on the street scene.

Works to the inside of the property will be restricted to making good internal surfaces affected by external works.

11.0 Facelift Schemes (currently unavailable)

These schemes usually target the front facade of a terrace or street of houses and are not as expansive or expensive as the Group Repair Scheme. Nevertheless the improvement to the front of the terrace/street can be very effective. Typically works would include painting windows, rainwater goods, and repairs to rendering, pointing, roofs and boundary walls etc.

12. Applying for Financial Assistance for Disabled Facilities Grants

If you would like to know more about applying for a Disabled Facilities Grant, please contact our Home Improvement Team on 0151 934 4155/3527/4450 or complete the enquiry form available on the Council's web-site, at:

<http://www.sefton.gov.uk/housing/adapting-your-home.aspx>

There is also a guide to making an application available on this web page.

Before we would consider an application for DFG, a Sefton Council Occupational Therapist (OT) will need to complete an assessment of need and if this identifies a major adaptation is required then they will refer across to the Home Improvement Team. Social services can be contacted on Tel 0151 934 3737 to request an OT assessment or for enquiries regarding the assessment procedure.

13.0 EXCEPTIONAL CIRCUMSTANCES

13.1 The Council recognizes that there may be some exceptional cases where individual circumstances fall outside the scope of this private sector housing assistance policy and qualifications as set out. An exception will be considered on their individual merits. However there are some exceptions, which will not be considered:

- Where an owner has bought a property aware of its condition
- Where the required works are or should be covered by insurance
- Where the owner has a sufficient equity in the property to meet the costs of repair or improvement
- Where the works cost less than £1000

13.2 Exceptional cases criteria may be applied to applications where required work is extensive and projected costs are in excess of the stated maximum level. Consideration will be given to the likely impact of a property on the local area given the condition of the property as well as alternative courses of action such as closure/demolition or relocation.

13.3 Assistance for such properties may be considered if the following eligibility conditions are met:

- An economically vulnerable person who has both owned and lived in the property for a minimum of three years and have insufficient equity to fund the required works
- The property must be their sole residence
- Applicant must be in receipt of a means tested benefit
- Only referrals from The Housing Standards Team, which indicate that the property is suffering from multiple Category 1 hazards
- An Independent Financial Advisor must certify that the applicant lacks sufficient resources to carry out the works and cannot obtain financial assistance from High street lenders
- On completion of the works the property must be free from Category 1 Hazards

All requests for assistance in exceptional circumstances will be considered and determined at the discretion of the relevant Service Director. Assistance in these cases, if deemed appropriate, can only be provided where sufficient discretionary resources are available.

Requests for additional DFG Assistance must be in writing and include the specific grounds on which the request is based. A particular case will be deemed as

exceptional and justified for further consideration for assistance by the local authority alone. The appropriate Director will provide a written response to the applicant within 28 days of receipt of the request for assistance under exceptional circumstances.

14.0 APPEALS

- 14.1 The Council welcomes any comments and suggestions about changes or improvements to the policy. Such comments or suggestions will be carefully considered and where appropriate they will be incorporated in any future revisions of the policy.
- 14.2 An appeal against the policy in respect of an individual case will be considered by the appropriate Service Director.
- 14.3 Appeals must be in writing and include the specific grounds on which the appeal is based. Appeals will only be considered on the following grounds:
- The policy has not been applied correctly
 - A particular case is exceptional and justifies further consideration for assistance by the local authority

An appeal will not be considered where the applicant disagrees with the policy.

- 14.4 The appropriate Director will provide a written response to the applicant within 28 days of receipt of the appeal. If the Director finds that neither of the grounds of the appeal has been satisfied then the appeal will be refused with no further appeal allowed. Where the Director finds that one of the grounds of appeal is satisfied then he / she will make the decision, which may authorize a discretionary loan or other assistance as an exception to the policy.
- 14.5 Decisions to authorise assistance on the grounds of 'exceptional circumstance' will be made by the appropriate Director only. Any changes to the policy must have the appropriate Cabinet Member's approval.
- 14.6 All appeals must be in writing and should be addressed to the Head of Investment Programmes & Infrastructure, 4th Floor, Magdalen House, Trinity Road, Bootle, L20 3NJ.

15. COMPLAINTS

Complaints and Feedback

At Sefton Council we want to give you the best possible service we can. We welcome your feedback on our services, as it gives us the opportunity to see where we can make improvements.

However, if something goes wrong and you are not happy with a service you receive, please let us know and we will do our best to put the matter right as quickly as possible. This section is for formal complaints, comments or compliments only. To report an issue or for general service requests please contact the relevant Department for advice.

If you would still like to contact us then please use our [online complaint, comment or compliment form](https://forms.sefton.gov.uk/cccfom/). <https://forms.sefton.gov.uk/cccfom/>

Please give us as many details as you can about your issue. If possible this should include the name of the person you spoke to, the date, what the issue is, and how it has happened (if applicable).

The complaints process does not include issues where there is a right of appeal (such as refusal of planning permission, tripping claim, issue of a Penalty Charge Notice, housing or council tax benefit appeals etc) or complaints already referred to the Local Government Ombudsman.

What Happens Next?

If you've paid us a compliment or provided general feedback or comments we will pass this on to the relevant staff.

If you have made a complaint, we will follow these three stages:

1. Respond to you within two weeks.
2. Carry out an investigation within a further two weeks, if things are not resolved.
3. If the matter is still not resolved, contact us again. The Chief Executive will review your complaint, and respond to you within a further two weeks.

If after completing all these stages, you are still not satisfied with the Council's response, you can take your complaint to the Local Government Ombudsman.

This policy will continue to be reviewed bi-annually.