

CRAVEN

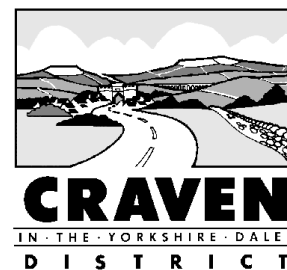
IN · THE · YORKSHIRE · DALES

D I S T R I C T

REPAIRS ASSISTANCE SCHEME

POLICY

(TERMS & CONDITIONS)



Regulatory Reform Order (Housing Assistance)(England and Wales) Order 2002

**REPAIRS ASSISTANCE SCHEME
 TERMS AND CONDITIONS**

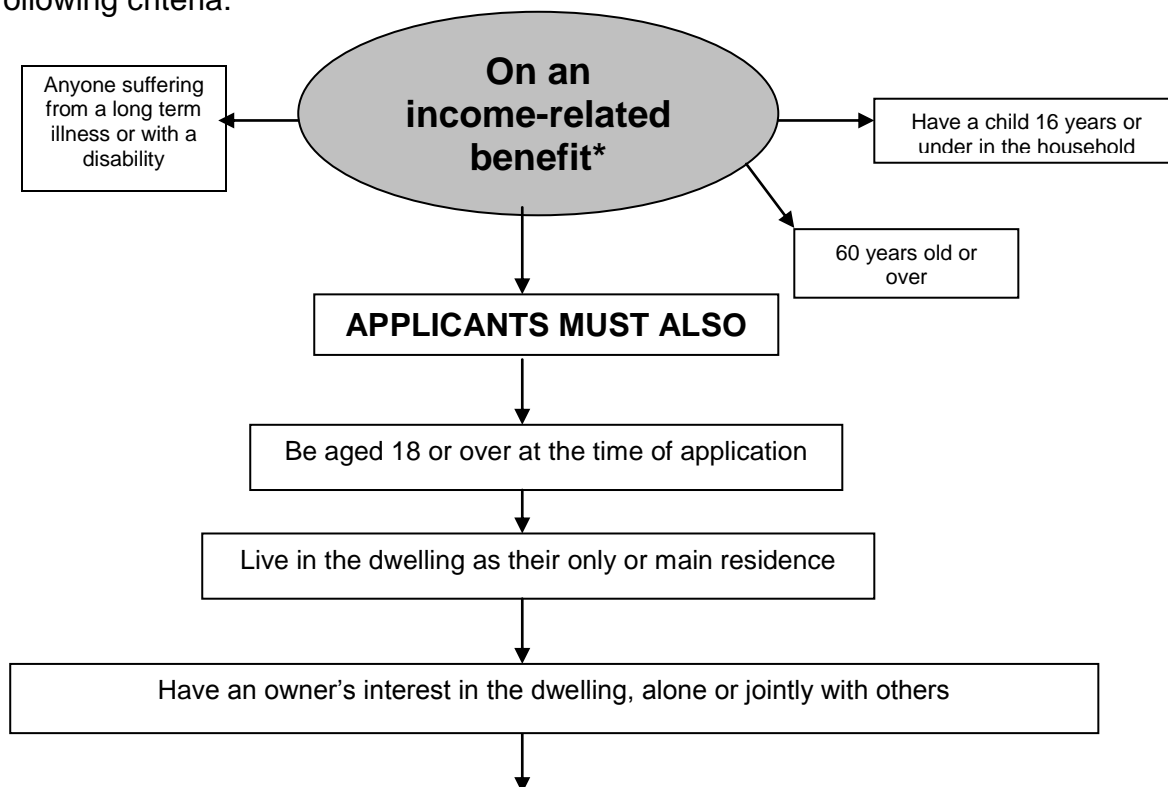
IMPORTANT NOTE – For owner-occupiers, financial assistance under the Repairs Assistance Scheme will be offered in the form of an interest-free loan, registered either as a legal charge or a land charge under the above legislation, on the property where the works have been carried out.

The amount of assistance (without interest) will become repayable to the Council on the future sale or transfer of the property.

1. WHO QUALIFIES FOR ASSISTANCE?

1.1 The Applicant

The assistance is targeted towards those on lower incomes who fall into one of the following criteria:



Have a duty or power to carry out the works in question.

ALL applicants must receive an income-related benefit to qualify for assistance. Qualifying income-related benefits are:

- Income Support
- Income Based Job Seekers Allowance
- Minimum Income Guarantee Pensions Credit
- Employment & Support Allowance
- A means tested Council Tax Benefit

In addition, you must be able to show that you meet one of the following criteria:

- Aged 60 years old or over
- Have children under 16 living in the household
- Are suffering from a long-term illness or disability *

*To show that you are suffering from a long-term illness or disability, you must be in receipt of one of the following benefits:

- Working Tax Credit Disability Element
- Long Term Incapacity Benefit
- Disability Living Allowance
- Industrial Injuries e.g. Industrial Injuries Disablement Benefit
- Attendance Allowance
- War Disablement Pension

1.2 The Property

The property must be a dwelling house and must be at least 10 years old.

(A dwelling house means a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it. **NB** Works will only be eligible for assistance under the Repairs Assistance Scheme if they relate to the main habitable building.)

2. WHAT TYPE OF WORK CAN I GET ASSISTANCE WITH?

Whilst financial assistance under the RAS is intended for small to medium sized works of repair it is **not** intended to cover items of minor disrepair or routine maintenance nor works covered by current buildings insurance. Work **must** be undertaken by a bona fide contractor or builder.

The main aim of the RAS is to assist the applicant in securing the basic fabric of a property from the likely entry, in normal circumstances, of wind and rain and to protect the occupants from immediate exposure to danger and to ensure that the house is free from Category 1 hazards (**See Note 1 at the end of the document**).

Outbuildings, garages, and conservatories, etc. will not normally attract financial assistance.

The following works are regarded as **HIGH PRIORITY CORE WORK**:

- **ROOF** - Works to make a roof weather proof e.g. broken or missing roof slates or tiles, perished and missing pointing, defective lead to soakers, flashings and aprons, chimney pots that require re-bedding. Rotten fascia boards and soffits, leaking and defective rain water gutters and down pipes.
- **WINDOWS/DOORS** – Works to make windows and doors weather-proof. Where components can be overhauled satisfactorily, this will be the option considered. Replacement will only occur where a unit is beyond reasonable economic repair, or where there is insufficient ventilation to a room. The specification for any replacement units will incorporate suitable crime prevention locking mechanisms.
- **HEATING** - RAS is not available for routine servicing of appliances or for the conversion to a different fuel type. The only exception would be in the case of solid fuel. If a heating system is dangerous, obsolete or beyond repair RAS will be considered. For gas appliances a report from a **GAS SAFE**** registered installer will be required, which will be used to determine the nature of works offered.

If the required work could be covered by way of a different Government funded grant, e.g. **Warm Front** and the applicant fulfils the eligibility criteria, then a referral will be made in the first instance to that scheme. Only if the works are of an urgent nature and unreasonable delay would occur through a referral to another grant provider will an application for a RAS be considered. Financial assistance is not available for the replacement of portable heating appliances.

- **ELECTRICAL SAFETY** – Work to replace wiring that is suspected of being unsafe or wiring which is old will be considered for financial assistance. In appropriate circumstances, and where a report has been obtained from a competent electrical contractor (for example a member of the National Inspection Council for Electrical Installation Contracting - NICEIC), full rewiring of properties may be eligible for assistance under RAS. Partial rewires will also be eligible in some cases. Normally only wiring and fixtures to the main structure of a property will rank for grant assistance: outbuildings, garages and add-on porches etc. are excluded.
- **STRUCTURAL DEFECTS** – Works, including works to rectify severe rising damp, will be considered for assistance providing there is a report from a suitably qualified surveyor/engineer outlining the problem and specifying suitable remedial works.

**** From 1 April 2009 the GAS SAFE REGISTER replaced CORGI gas registration as the gas industry's official safety stamp.**

The following works are regarded as **LOW PRIORITY CORE WORK**:

- **WALLS** - Work to remedy dampness as a result of water penetration through the walls caused by defective pointing, unkeyed render, porous brickwork.
- **TIMBERWORK** - Treatment or replacement of timberwork affected by wet rot, dry rot or woodworm etc. Work may include roof or floor joists, floorboards and skirting boards.
- **PLASTERWORK** - Considered when associated with problems of damp penetration or other disrepair necessitating re-plastering. (greater than one metre square in area).
- **AMENITIES** - Replacement amenities will be considered (i.e. sinks, wash hand basins, baths and WC's) if the unit is unsanitary, where there is a safety issue or an irreparable leak to a fitment, giving rise to severe dampness. The scheme does not include assistance for routine maintenance e.g. re-washing taps or overflows, leaking waste pipes etc.
- **WATER SUPPLY** – The scheme covers the provision of adequate wholesome supply of water to the property at an acceptable pressure, adequate supply of cold water to the W.C., wash hand basin, bath and sink, and hot water to the wash hand basin, bath and sink. It does not include repairs to burst pipes.

3. WHAT IS THE LEVEL OF FINANCIAL ASSISTANCE THAT I CAN GET?

Financial assistance can be up to a **maximum of £6,000 per application**, with a maximum amount of assistance of £6,000 available over a 3-year period. This allows for an applicant to use their full entitlement on one application where there are large items of work that require immediate attention, or a number of smaller applications over a rolling three-year time frame.

The amount of financial assistance given on any former Home Repair Assistance grant will be taken into account when calculating the maximum amount of assistance available under the new scheme (i.e. the Council will take into account any previous grant assistance through the Home Repair Assistance scheme within the last three years).

4. WILL APPLICATIONS BE PRIORITISED

The Council may prioritise applications for High priority Work and hold those for Low Priority Core Work on a waiting list to see whether sufficient resources are likely to be available from the Council's Repairs Assistance Scheme budget. If demand for High Priority Core work is not projected to take up all of the available resources for RAS assistance, the Council would notify those on a waiting list for Low Priority Work and would process any applications in date order.

5. WHAT OTHER WORK MAY BE AVAILABLE IF I QUALIFY FOR ASSISTANCE ON ANY OF THE WORK CATEGORIES ABOVE?

- **ENERGY EFFICIENCY** – if related core work is being carried out, the following additional energy efficiency work can also be included within the Repairs Assistance Scheme application for financial assistance:
 - Loft insulation
 - Hot water tank and pipe insulation
 - Draught-proofing
 - Cavity wall insulation
 - Sedbuk A or B rated boiler replacement / thermostatic radiator valves (where work is required to heating systems)

NOTE: Eligibility under other grant schemes (such as Warm Front) will always be checked first.

- **SECURITY** – if related core work is being carried out, the following additional home security work can also be included within the RAS application for financial assistance:
 - Provision and installation of improved door locks
 - Provision and installation of new or improved window locks
 - Provision and installation of up to two security lights where associated rewiring is taking place

6. WHAT WORKS ARE NOT ELIGIBLE FOR RAS?

The following works are specifically not eligible for RAS assistance:

- Routine maintenance – for example, cleaning out gutters, servicing of gas appliances, repairing leaks etc.
- Internal redecoration
- External redecoration (exceptions may apply if related to other core work)
- Cosmetic work, i.e. wall tiling where there is no repair issue
- Any work that is covered by current buildings insurance to the property.

7. RECYCLING FINANCIAL RESOURCES – CONDITIONS OF ASSISTANCE AND REPAYMENT LIABILITY

- 7.1 For owner-occupiers, financial assistance under the Repairs Assistance Scheme will be registered either as a legal charge or a land charge on the property and the whole of the amount given as assistance will become repayable in the future. The assistance is therefore effectively an interest-free loan.
- 7.2 It is a condition of assistance that, if an owner makes a relevant disposal or the ownership of the property is otherwise transferred, the amount of assistance will become repayable in full to the Council. (A relevant disposal is the conveyance of the freehold or an assignment of the lease, or the grant of a lease (other than a mortgage term) for a term of more than 21 years.) The registering of the financial assistance either as a legal charge or a land charge will ensure that the Council is notified automatically of the disposal or transfer.
- 7.3 The owner may choose to repay the amount of assistance in full to the Council at an earlier date than the disposal or transfer of the property if he/she chooses. In this case the legal charge or land charge would be removed from the property.
- 7.4 This principle of repayment has been adopted by the Council in order to ensure that a proportion of local authority financial resources are recycled at some point in the future, thus maximising the amount of assistance that the local authority can offer to local residents within its limited resources.
- 7.5 Applicants, especially owner-occupiers, are strongly advised to take independent financial advice on what the terms of the assistance and any repayment conditions mean to them prior to taking up any offer of assistance. The Council can provide copies of a leaflet from the Financial Services Authority advising consumers how to find an Independent Financial Advisor if requested by the applicant.
- 7.7 Following the offer of assistance, the applicant must sign an acknowledgement and agreement to the terms and conditions before proceeding with the application. This acknowledgement will also ask the applicant to confirm that the Council has advised them to seek independent financial advice before taking up the offer.

8. APPEALS PROCEDURE AGAINST REPAYMENT

- 8.1 The Council anticipates that, in the prevailing property market conditions in Craven District, at the time the repayment of the assistance from owner-occupiers is required, there will be sufficient equity accrued in the property to repay the amount of assistance in full. However, in exceptional cases, where extreme financial hardship would result from the repayment condition, for example if a property has fallen into negative equity, or there are other exceptional circumstances, the Council may agree to waive the repayment liability.

- 8.2 Appeals for waiver of the repayment condition should be made in writing to the Head of Strategic Housing, giving full reasons. Each case will be considered on its own individual merits. The Head of Strategic Housing will refer the matter to Policy Committee for decision.
- 8.3 The Head of Strategic Housing and the Policy Committee may request any additional information from the appellant that they feel is relevant in making a fully considered decision on this matter.

9 APPLICATION AND APPROVAL PROCEDURE

- 9.1 Applications for loans through the Repairs Assistance Scheme will only be considered on receipt of the Council's loan application form completed in full and signed by the applicant.
- 9.2 The loan scheme will be administered by the Council's Home Improvement Agency, Mears Home Improvement Ltd. An agency fee, currently 10% of the loan, will be included in the loan.
- 9.3 A schedule of approved eligible works will be prepared by the Council and estimates will be obtained from builders on the home improvement agency's preferred builders list.
- 9.4 In calculating the amount of loan assistance, High Priority Works will take precedent over Low priority Core Works.
- 9.5 The applicant will be notified of the loan approval in writing.
- 9.6 The Council will supervise the works in partnership with Mears Home Improvement Ltd that will:-
1. Provide specifications for the works required
 2. Obtain contractors' estimates for the works required
 3. Act as the contract administrator for all works conducted
 4. Certify payments for completed works.
- 9.7 If the applicant makes any false declaration the whole of the loan will become repayable.

Note 1

Category 1 Hazard as defined in the Housing Act 2004 means a hazard of a prescribed description which falls within a prescribed band as a result of achieving, under a prescribed method of calculating the seriousness of hazards of that description, a numerical score of or above a prescribed amount

If a local housing authority considers that a category 1 hazard exists on any residential premises, they must take the appropriate enforcement action in relation to the hazard.

