

**MENDIP DISTRICT COUNCIL**

**PRIVATE SECTOR  
HOUSING RENEWAL POLICY**

**April 2017 – 31<sup>st</sup> December 2020**



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## **Executive Summary**

- The year 2017 sees the 14<sup>th</sup> anniversary of the Regulatory Reform (Housing Assistance) Order 2002 which introduced significant changes to the way in which local authorities could undertake private sector housing renewal. The key changes that the Order made were:
  - The repeal of previous legislation covering provision of assistance to householders
  - Greater freedom for councils to target financial assistance to local priorities
  - Required a policy to be adopted and published in order for any financial assistance to be provided to the private housing sector, which should be updated at appropriate intervals.
- In response to the 2002 Order the Council introduced the Private Sector Housing Renewal Policy which was revised in December 2009 and April 2013 and has been revised once again in light of the changes in the provision of Social Care to adults & children and the pressure on local authority budgets at district and county level with the advent of the Better Care Fund.

Since the introduction of the original Policy in mid 2003 this is now the fifth version of the Private Sector Housing Renewal Policy.

- This revised Policy operates from April 2017 to 31st December 2020. The Policy will be refreshed when new relevant data and information is obtained such as updated housing needs surveys, or private sector house condition surveys, new housing legislation, guidance or initiatives or our ongoing effort to add innovative ways to assist private home owners. This Policy will help improve the general quality of the private sector housing stock in the district and maximise the housing options available to the community.
- The key issues contained in this policy are:
  - it consolidates existing policies on enforcement, grant assistance and low cost loans, disabled facilities grants and empty properties
  - it continues to place a focus on providing a local home maintenance and home improvement service added to wide ranging advice and information service to householders by working in partnership with other public, private, voluntary and home improvement & charitable agencies
  - it continues a simplified process for applying for financial assistance by making available just two types of means tested assistance i.e. Decent Homes Grant and Decent Home (low interest) Loans, aimed at vulnerable and low income households.
  - It recognises the council's responsibility for administering means-tested Disabled Facilities Grants but also adds further options for householders to consider, e.g. low interest loans via our partner, Wessex Resolutions, and leasing arrangements for disabled persons' equipment together with minor works grants for relatively small improvements to domestic properties to tackle, at an early stage, otherwise serious hazards around the home.

- It confirms that all financial assistance will be subject to conditions including repayment, if the property is sold within specified time limits to enable the recycling of funds to help future households.
- It confirms there will be targeted financial support to encourage empty home owners to bring their empty properties back into use as well as support for private sector landlords to repair and improve their lettings and possibly convert their rented properties into more useful units of accommodation.
- It also continues with grants and low-cost loans to assist first-time buyers in appropriate cases, to repair and improve their newly purchased home to encourage the re-use of older private sector stock which is often in very poor condition having often been vacant for very long periods.

It is recognised that further development work may be required from time to time during the period of this policy including:

- Integration of any new Housing Needs data or new stock condition survey data
- Incorporate future amendments to the Housing Act 2004 and other relevant housing legislation, any government guidance or initiatives and any Council-approved Landlord Accreditation Scheme.
- Provide more appropriate financial assistance to landlords and empty home owners to bring their properties up to the Decent Homes Standard and get them re-occupied.
- Provide better-suited financial assistance to assist elderly or vulnerable or disabled people to bring their property up to the Decent Homes Standard and to better meet their needs.
- Explore the possibility of area improvement, where appropriate, together with providing financial assistance and enabling the renovation and improvement of individual properties with respect to general repairs, amenities and improvement of domestic energy efficiency and reduction of domestic carbon emissions.
- Explore additional opportunities with various trusted partners to lever in funding to assist in achieving the Decent Homes Standard in the owner occupied and privately rented stock together with opportunities available through the Government's Energy Company Obligation (ECO) commitments and similar initiatives.

## **Introduction**

The Private Sector Housing Renewal Policy forms an important part of the Council's general strategy approach to housing and helps to address key local priorities of this Council in i) to improve the health & wellbeing of residents and communities in Mendip and ii) Supporting economic development and growth.

In addition to the above, one of the Housing Group's key service outcomes includes the commitment to help deliver decent, good quality homes in order to provide a wider choice of housing options to local residents.

The main priorities of the Private Sector Housing Renewal Policy will continue to be the elimination of risks and injury due to disrepair in private dwellings, with prioritisation of any financial assistance towards vulnerable households. It recognises that, in principal, owners should be responsible for the maintenance of their own properties, but also acknowledges that there are some within the population where intervention and assistance will be necessary to secure safe and decent housing for Mendip residents.

Mendip DC will continue to work closely with its main private sector renewal partners including Somerset Care & Repair (SC&R) and Aster Living Care & Repair (part of the Aster Co.), the Centre for Sustainable Energy (CSE) and Wessex Resolutions CIC as well as public sector bodies such as Somerset County Council and the Public Health service and various Somerset Voluntary Sector organisations in the operation of this policy.

The Policy endeavours to address Mendip communities' needs and priorities using recent local research including Housing Market Assessments, the countywide Joint Strategic Needs Assessment (JSNA), The Somerset Intelligence Network and the countywide GIS Private Sector Mapping exercise.

The Policy contains information about the subsidised loans available to home owners through our partners Wessex Resolutions CIC. These loan products are specifically designed to assist eligible Mendip residents and property owners to work towards bringing their properties up to the Decent Homes Standard.

## **The Regulatory Reform (Housing Assistance) Order 2002**

Mendip District Council has in recent years provided means-tested financial assistance to repair, renovate, maintain and adapt dwellings of owner-occupiers, landlords and those tenants who have a repairing responsibility. This assistance will include:-

- Decent Home Grants (DHG) – for properties that fall below the Decent Home Standard for owner occupiers and “repairing” tenants who are deemed to be in severe financial hardship and where a DHL (see below) is considered as inappropriate
- Decent Home Loans (DHL) – low interest loans to owner-occupiers, and “repairing” tenants, on lower incomes for improvements and repairs to at least meet the Decent Home Standard
- Landlords Grants (LG) – for private sector landlords to repair their rented properties that fall below the Decent Home Standard or to comply with the current Standards for Houses in Multiple Occupation with respect to fire precautions, means of escape and amenities.

The MDC will also comply with its responsibilities within the Housing Grants, Construction and Regeneration Act 1996 for the provision of disabled facilities adaptations in the following ways:-

- Mandatory Disabled Facilities Grants (DFG), subject to a test of financial resources, for specific works to enable disabled residents to remain in their homes.
- Discretionary Disabled Facilities Grants (DDFG), subject to a test of financial resources, limited to relatively grants for small scale works which fall outside the mandatory category or for top-up grant where all other reasonable efforts have failed to access alternative funding.
- Disabled Facilities Loans (DFL) – will also be offered as an option to disabled clients, where appropriate, together with advice on other options for financing disabled adaptations

Owners of empty properties will also continue to be encouraged to bring empty dwellings back into use through Mendip’s Empty Homes Strategy 2017. This strategy will continue to provide advice and support on how this can be done with links to any appropriate Landlord Accreditation Scheme, where appropriate, and the following financial assistance:-

- Empty Home Grants (EHG) and Empty Home Loans (EHL) - targeted to empty home owners to get the empty homes within the district back into use in particular areas of high need, at affordable rent levels for at least five years. This assistance may be used as a combination of EHG and EHL as deemed appropriate by the council.
- Conversion Grants (CG) - grants to private landlords to convert empty or existing rented properties into more than one unit of accommodation in areas of high need, at affordable rent levels for at least 5 years following the completion of works.

**N.B. All grants of any description will be registered as a local land charge and / or with the national Land Registry as appropriate for the period of the grant conditions.**

## **The PSH Renewal Policy foundations**

### **Key Community Information**

The information below has been identified on a district basis from sources referred to in the above Introduction but of particular note are

- Most of the serious disrepair to private dwellings is still concentrated within the older housing stock usually in the central wards of the main five towns of Shepton Mallet, Wells, Frome, Glastonbury and Street with parts of central Shepton, Frome and Glastonbury showing particularly poor areas of deprivation.
- Of a total of c.43000 privately owned (i.e. owner/occupied and private rented) dwellings, about 13% of these fail the Decent Home Standard. (MDC PSH Survey 2009 and DCLG English House Condition Survey 2015)
- Nearly half of the non-decent private homes were built prior to 1919
- Of those living in non-decent private homes 24% are occupied by vulnerable or low income households.(ref as per above)
- The main failures regarding the Decent Home Standard are due to (i) Category One hazards under the Housing Health & Safety Rating System (HHSRS) and (ii) a lack of thermal comfort which includes inadequate heating / inadequate insulation
- The 3 main Category One hazards are i) excess cold and ii) damp & mould and iii) falls whether they are on stairs or on a level or between levels.
- The private rented sector has the highest rate of non-decent housing by relative proportion to other sectors. The social rented sector is generally the best sector for decent housing.
- About a tenth of all households in the district contain at least one person who is disabled or suffering a long-term illness.
- 8% of the private sector has a low energy efficiency rating of less than SAP 35 but 43% had a very good SAP rating of over 65. The average SAP is c.60 compared to SAP 65 in the social rented sector (i.e. publicly owned or Registered (housing) Providers)
- Less than 2% of the private housing stock was found to be long or mid-term vacant but this still amounts to around 400 private properties with another 1000 or so being second or holiday homes or actively "For Sale"
- According to the Council tax database in October 2015, there are 249,183 dwellings across the county with around 46000 of those in Mendip housing c.110,000 residents.
- In Mendip 71% are privately owned with 12% socially rented leaving 17% in the private rented sector. The latter PRS percentage has risen significantly (5%) over the last few years and is now nearly equal to the south west regional average for the private rented sector.

Regional and national data and information suggests that there are still existing levels of private housing stock in serious disrepair, particularly in the private rented sector, and these require tackling. Those homes in particularly poor repair are often occupied by a significant number of low income and vulnerable households and these households may be living in substandard homes which are a risk to the health and safety of the occupants.

The Housing Act 2004 introduced the Housing Health & Safety Rating System (HHSRS) which encompasses much wider parameters than in the old fitness Standard, for inspection of the housing stock. It is based on hazards and risks to the occupants from “deficiencies” within and outside the dwelling and applies to all residential properties. The HHSRS is included in the Decent Home Standard (DHS) which applies to private sector housing as well as social housing and where the HHSRS identifies a Category One hazard (see below) then the property fails the DHS.

- Health and Social Needs Data amassed for the wide ranging and comprehensive county-wide Joint Strategic Needs Assessment indicates the following priority areas of deprivation within Mendip; Frome - Keyford, Frome-Welshmill, Frome-Market Glastonbury-St Benedict’s, Glastonbury-St Edmund’s, Glastonbury-St John’s and Shepton East (west) with all contributing to some of the lowest scores of Indices of Multiple Deprivation in the whole of Somerset. This information however can now be used to inform and target resources to those most in need.
- There is also hard-to-find general deprivation pepper potted in the rural parts of the district so the council is attempting to address those particular concerns and the issue of rural isolation.

### Decent Homes

The Government has issued guidance to local authorities requiring them to publish policies such as this document on tackling non-decent homes in the owner occupied and private rented sectors. A property is considered a Decent Home if it;

- Is free from Category 1 hazards under the HHSRS
- Is in reasonable repair
- Has reasonably modern facilities (mainly focused on kitchen, toilet and bathroom)
- Has a reasonable degree of thermal comfort

Under the Housing Act 2004 all Councils are obliged to review how it identifies the numbers of non-decent homes in its area and also the number of non-decent homes lived in by vulnerable persons and set a baseline from which to set targets for improvement. The Government had required all local authorities to work towards achieving a 70 percent target for vulnerable persons living in decent privately-owned homes by end of 2010 and this was achieved as indicated in the council’s PSH Stock Condition Survey of 2009.

However there is still effort required to meet the 75% of vulnerable households living in decent homes by the end of 2020. This improvement is to be achieved through a combination of advice, financial assistance and enforcement. The Somerset-wide Decent Homes Policy Guidance is still relevant and this guidance sets out the standards which the private rented and owner occupied sector is expected to achieve. There will require continued commitment by the authority in undertaking this work both in terms of staff and fiscal resources in challenging economic times.

### Houses in Multiple Occupation (HMOs)

A simple definition of an HMO is a house or flat that is occupied by persons forming 3 or more households who share at least one amenity.

[A common term for HMOs is a “property let as bedsits” with sharing of one or more amenities.]

Although this type of accommodation is greatly needed within the district, it is recognised that properties accommodating more than two households can pose a greater risk to their occupants should hazards such as fire precautions and amenity standards not be addressed.

Mendip District Council has a local service target to inspect and bring up to standard where necessary, a minimum of 12 HMOs each year with risk-rated priority given to the larger licensed HMOs. Reactive HMO inspections are achieved not only through complaint-led investigation but also by a proactive approach and inspection in accordance with the priority risk rating. The Housing Act 2004 included the introduction of licensing of larger high-risk HMOs, that is, those of 3 or more storeys with five or more tenants sharing at least one amenity. Proactive risk assessment of HMOs in the Mendip district shows there are c.85 known HMOs and 20% of that total are licensable and these have all been licensed to date. There are suggestions from Government that one and two-storey HMOs with 5 or more tenants will also become licensable in the next year or two, and this will present a challenging work load to be tackled in due course.

It is intended to continue with the advice and enforcement role provided to private tenants and landlords of HMO's and other private rented accommodation with means tested financial assistance provided to landlords for the upgrade of these properties to meet minimum standards where appropriate. It is recognised that this category of housing provides important affordable housing mainly to young or socially or economically disadvantaged occupants. The maintenance and improvement of good quality HMOs will therefore continue to form an important part of the council's approach.

## Housing Assistance

It is the Council's intention to continue to facilitate improvements in the condition of the private housing stock to protect the health, safety and welfare of Mendip residents and give them a wide range of options when considering their housing. It is widely recognised that maintaining and improving the private sector stock reduces the pressure on other areas such as social housing enabling people to remain in their own homes for longer.

The Council agrees that, with regard to the implementation of this policy:-

- Resources and capital to support this policy must be appropriate to deliver the policy with due fiscal prudence and financial management in challenging economic times. It will also be the intention of this council to set aside funding for the PSH Capital Programme in the form of low-interest loans and Decent Home Grants to help, in particular, vulnerable home owners to maintain and improve their homes as well as to landlords to provide decent homes for their private tenants. This additional funding will complement the annual Better Care Fund settlement from the Somerset County Council's needs-based allocation which is largely, though not exclusively, targeted towards Disabled Facility Grants for appropriate vulnerable households.
- Resources should not be directed to those who can reasonably afford to finance the work in full or in part, themselves or by using appropriate insurance claims.
- Resources should be directed fairly in relation to the owners' and landlord's ability to help themselves and therefore **all** assistance, whether in the form of a grant or loan, will be subject to an appropriate form of financial assessment and the applicant given a choice of options, where relevant, in financing the improvements to their property.
- In order to continue the enhanced benefit from the private sector housing capital programme, certain categories of financial assistance will be repayable on the sale of or transfer of ownership of the property (within 5 or up to 15 years dependent on the type of grant or loan) to provide a revolving fund to enable greater numbers of households to benefit from financial assistance in future years.

### Housing Assistance Delivery by Working with Partners

The Council considers that the greatest impact in the community can be achieved by working in partnership where appropriate.

The following key partnerships have been developed and will be continued where they provide good quality services and value-for-money:

- Somerset Local Authorities liaison

Comprising the 5 District Councils within the county and Somerset County Council, staff resources can be pooled for development of private sector housing renewal policies and, where appropriate, consistency on procedures and standards is sought. This partnership acts as a single point of contact for external agencies and allows increased negotiating power.

This body will also act as a lead negotiating unit with partner organisations in the NHS and Public Health sphere which have a joint ambition to provide high quality health, care & wellbeing services to the communities of Somerset.

- Wessex Resolutions (Community Interest Company)

The Regulatory Reform (Housing Assistance) Order 2002 enabled local authorities to engage third parties to provide assistance on their behalf. The Council will continue to work closely with Wessex Resolutions CIC to bridge the financial gap between local authority resources to offer financial assistance and householders' abilities to fund improvements themselves. Mendip District Council was part of the original (2005) Consortium of 11 Local Authorities which included all of the Somerset Authorities, North Somerset, Bath & North East Somerset, Bristol City Council, North Devon and South Gloucestershire. The Consortium originally developed a subsidised loan scheme called the Wessex Home Improvement Loan Scheme (WHIL) aimed towards those client groups with low disposable income. These loan products have evolved and continue to work as part of the Private Sector Housing Renewal Policy to provide a greater range of assistance to Mendip residents. The loan products have been incorporated within this Policy. The success of the scheme has seen the expansion of the Consortium to 35 local authorities in the South West region over recent years.

- The Care & Repair Home Improvement Agencies within Mendip

Mendip is fortunate in having two Care & Repair Home Improvement Agencies in the area who are key to the delivery of this policy. The countywide HIA, based in Wells, is funded by all the District Councils in Somerset, plus the NHS and County Council, and plays a crucial role in assisting our more vulnerable households.

Both this agency and the privately / charitably funded local HIA based in Shepton Mallet, work on behalf of its vulnerable client group i.e. the elderly or disabled and vulnerable families, to access financial assistance from the local authority, the county council and various charitable sources. They also provide the following range of services to this client group to support them in remaining in their own homes.

- All the local authority Disabled Facilities Grants and Disabled Facility Loans together with Decent Home Grants and Decent Homes Loans are largely managed with the involvement of the county-wide Care & Repair Home Improvement Agency. Homeowners do have the option to apply directly to the HIA for works to be privately funded or in special circumstances direct to the Council's Loan Provider (Wessex Resolutions CIC) for assistance.
- Caseworkers undertake comprehensive property audits to check for disrepair, home safety, energy efficiency, income maximisation and also advise on the best solutions.
- A handyperson scheme exists to carry out minor works.
- Client benefit checks can be undertaken.
- A Home from Hospital scheme is available
- Advice and signposting to other voluntary and statutory agencies is provided.

## **Assistance Available**

The assistance available through this policy aims to ensure that all Mendip residents have access to a good quality, decent and affordable home in line with the Private Sector Housing Strategy.

### **Area based Renewal and Regeneration**

Mendip District Council has some years ago delivered area-based Group Repair schemes, having completed 3 successful projects in the mid 2000s. The Council will however not be pursuing a Group Repair scheme for the time being but this can always be revisited in the life time of this document if considered appropriate.

The 2009 Private Sector House Condition Survey identified several areas within Mendip for area-based action and these areas will form a major focus (though not exclusively so) for renewal and regeneration options across the district. These areas include the central older parts of the Mendip towns (excluding Wells) and the emphasis for future projects will also be linked to Wards (though not exclusively so) identified through the county-wide Joint Strategic Needs Assessment (2012 onwards) as areas of deprivation and need, particularly of vulnerable households, already highlighted above. The council has identified Frome Market, Glastonbury St Benedicts and Shepton East (west) as areas of particular concern.

### **Assistance to Individual Householders**

Appendix C illustrates the structured response to individual requests for repairs assistance.

#### *i) Financial Assistance*

This assistance is based on targeting resources to those unable to fund repairs themselves and who are in the greatest need. All clients will be assessed for the suitability of a low interest loan prior to consideration for a grant. There are three main types of financial assistance available which are:

- Decent Homes Grants (DHG) –available to elderly, disabled or vulnerable clients living in non-decent homes. They will also need to be on an income-based benefit or a low household income of less than £20,000 pa. The maximum grant of £8000 including fees and VAT will be available. In exceptional cases of severe hardship and serious disrepair of the property, a grant will be considered of up to a maximum of £10,000 inclusive of fees and VAT.
- One-off Minor Works Grants of up to £1000 incl VAT for households with a vulnerable or disabled person, and a household income of less than £45000 p.a. The Government wishes to encourage early intervention by home owners and private tenants to install minor works of adaptation to assist the health and wellbeing of vulnerable and disabled persons within their household. This is intended to relieve the pressure on both Social Care and NHS budgets going forward and is to be used for such small works as installing handrails, low-riser steps, small modular ramps, possibly short-run straight stair lifts and the like. This is intended to provide a fast-track client-led opportunity to

install assistance they need (with appropriate advice from local home improvement agencies or council staff) and so avoid the unnecessary burden on Social Services and intervention by Occupational Therapists on very minor works of improvement.

- Wessex Resolutions CIC to assist eligible clients living in non-decent homes. Subsidised loans are approved subject to status and for sums of up to £15,000 over repayment periods of up to 15 years. N.B. All clients will be assessed for the suitability of a subsidised loan before any consideration for a DHG, the latter generally used for those clients in severe financial hardship or where the urgency of the works requires consideration of a DHG.
- Disabled Facilities Grants (DFG) are available to those clients who as disabled persons are entitled by law to apply for a DFG. Consideration of DFGs is a mandatory requirement on the council.

Appendix D and H detail the criteria relevant for each type of assistance and a professionally qualified officer will assess the works eligible for each type of assistance.

In order to make improved use of the capital funds available for private sector renewal, conditions are applied to all forms of assistance (although for loans, the conditions will be applied by Wessex Resolutions) for repayment of the grant in full if the property is sold or ownership transferred within:

- 5 years from completion of the works for Decent Homes Grant, Landlord Grants, Empty Home Grants and Conversion Grants
- 5 years from completion of works relating to a DFG where the amount recoverable is a minimum of £5000 and a maximum of £10,000

In addition, reclaiming of any grant assistance will usually take account of the time period left remaining from the date of the completion of works and the date of sale or transfer of ownership in a pro rata format to the nearest month.

Exceptions to the condition of repayment of any Grant are:

- Where the occupier is moving into residential care as his or her main residence.
- Where there is insufficient equity in the property to enable repayment and / or that the relevant person(s) from whom the finance will be required, would suffer financial hardship if the assistance was repaid.
- Where the occupier is moving for significant medical reasons

All exceptions to the repayment terms mentioned above will be assessed as necessary and agreed by the relevant Group Manager in conjunction with the relevant Portfolio Councillor.

*ii) Advice*

It is acknowledged that where financial assistance is not available or not warranted, the local authority is often in a position to assist more able households with repair advice. This advice is also relevant to successful applicants who receive financial assistance as part of the works package. The advice package includes:

- Home Maintenance information provided to every enquirer containing advice on basic home maintenance to prevent the onset or further deterioration of disrepair.
- Regular publicity in various forms will be undertaken where appropriate, to target areas of particularly low Indices of Multiple Deprivation identified through the Health and Social Needs Survey, JSNA, housing stock surveys and the like, providing information on Home Maintenance and the Private Sector Housing Renewal Policy.

*iii) Energy Efficiency*

All District authorities had a target under the Home Energy Conservation Act 1995, to improve the energy efficiency in all domestic properties by 30% by the end of 2010.

Although this target was achieved according to Government data, it has been superseded by climate change (Carbon reduction) targets and every opportunity will be taken to promote and provide energy efficiency and energy conservation measures, where appropriate, for Mendip households.

Appendix E illustrates how individual enquirers can receive a wide range of energy efficiency advice and assistance together with energy conservation and renewables information. This service has been part-funded by Mendip DC and provided through a partner, the Centre for Sustainable Energy (CSE) in Bristol and comprise a Freephone helpline 0800 082 2234 or postal service for property specific and bespoke energy advice for Mendip residents. The free, independent and unbiased service informs enquirers of any financial assistance, income maximisation and fuel tariffs which may be relevant, and provides advice on local installers.

Although the county-wide Warm Streets scheme has now been withdrawn due to a re-focusing of Govt targets and energy supplier funding, the partnership with the CSE in Bristol is still available to Mendip residents and offers advice on domestic energy efficiency improvements and how to lower fuel bills, check benefit entitlements and how to apply for heating and insulation grants and discounts. New government initiatives and the revised Energy Company Obligation (ECO) which will be getting underway by the summer of 2017 will hopefully provide renewed impetus for interventions in the area of domestic energy efficiency, heating and home insulation.

## Assistance within the Private Rented Sector

The Private Sector Housing Renewal Policy aims to provide assistance across all tenures within the district and includes advice on services relating to empty homes, housing law enforcement, landlord and tenancy advice, loan and grant assistance.

### *i) Advice*

Private Sector Housing staff provide a point of contact for private landlords and tenants requiring housing standards advice. An important part of this role is the education of new and existing landlords regarding current housing legislation and minimum standards. Privately rented accommodation provides homes for many residents who are unable, or choose not, to enter into owner occupation. It is essential, therefore, to work with landlords to ensure this accommodation does not pose a health and safety risk to its occupiers.

### *ii) Voluntary Landlords' Accreditation Scheme*

Even though the Council doesn't currently have a formal Landlords Accreditation Scheme in place, it recognises that within the time line of this Policy it may be beneficial to improve and maintain standards by the Council working closely with local private landlords and the National Landlords Association or similar body to promote an appropriate Landlords' Accreditation Scheme whether locally or nationally. These schemes are usually a voluntary scheme aimed at encouraging landlords to comply with minimum standards of accommodation and management and then to improve their properties beyond the Decent Homes Standard. In return the landlords recognise that good repair and management rewards often include:

- Confirmation that their property is up to the Accredited standard
- Reasonable rental income
- Links with the offer of tenants from the county wide Choice Based Lettings Scheme
- Support and advice from the Private Sector Housing Team on housing law and tenancy management
- Possible small grant incentives of up to £3000 including VAT to help with minor upgrades or improvements on a case-by-case basis (refer to terms of grant repayment above)
- And cheaper insurance and other services, such as gas and electrical safety checks, inventories and energy performance certificates are often available via a recognised private commercial sector provider under the scheme they join.

The advantage to the Council of private sector landlords joining an Accreditation Scheme is the knowledge that tenants from the Choice Based Lettings Scheme, in particular, are going to be housed in good quality, well managed accommodation. The support which accreditation offers will also reduce the risk of tenants being evicted as the relationships and understandings between private landlords and their tenants are improved.

### *iii) Enforcement*

Mendip District Council has duties, both mandatory and discretionary, under the Housing Acts, and other related law, to take action on properties with repair issues and, in particular, Category 1 Hazards under Part 1 of the Housing Act 2004 and also to license

certain types of Houses in Multiple Occupation. It is worth noting that the Government is currently considering whether to include 1 and 2 storey properties housing 5 or more tenants within the national HMO Licensing regime for larger HMOs. A precis of our newly revised Private Sector Housing Enforcement Policy is contained in Appendix F. Complaints about private housing vary from year on year but these complaints will continue to be dealt with by the Environmental Health staff within the Private Sector Housing Team.

*iv) Empty Homes*

Mendip District Council has a recently revised (2017) Empty Homes Strategy and aims to encourage owners to bring their long (2 years+) and medium-term (1/2- 2 years) empty homes back into use. This strategy contributes to Mendip's general housing strategy and Homelessness Strategy in aiming for access and choice in housing options being available to all of Mendip's residents

Unused dwellings within the district are a valuable but wasted resource and the Council's Private Sector Housing Team will continue to work within the Empty Homes Strategy in conjunction with private landlords, and registered social landlords, to provide much needed affordable housing for our local residents. There are many households within the district seeking this type of accommodation.

Part of the Empty Homes Strategy includes financial assistance to private landlords:-

- a) To convert empty properties into more than one unit of accommodation – the Conversion Grant.
- b) To improve the standard of existing individual empty homes in order for them to be reoccupied. A one-off Minor Works Empty Homes Grant (max £3000 inc VAT) and / or Empty Homes Loan, the loan being used to finance the majority of works whilst the MW Empty Home Grant is used for initial smaller works to encourage early intervention by the owner. These smaller works will include such things as electrical rewires, heating improvements, insulation improvements, small kitchen or bathroom refurbishments etc.
- c) A Large Works Empty Homes Grant of between £3000 and £10000 (inc VAT) in accordance with the calculation matrix referred to below

The amount of grant or subsidised loan available is dependent on the following factors:

- The suitability of that type of accommodation to meet the housing need in the area
- How long the property has been empty
- The seriousness of the works required to improve the property
- The overall costs of the works involved
- The resources of the landlord to finance some of the costs
- The landlord's record of management of other properties within or outside the district
- The landlord's acceptance of Council or partner RP nomination rights if appropriate
- The landlord's acceptance of the Council's right to set reasonable rent levels if appropriate
- The environmental benefit of that type of accommodation to the neighbourhood
- The accommodation must normally be available for letting for at least five years following completion of grant or loan works

Appendix G contains a calculation matrix to determine the Empty Homes Conversion Grant following the consideration of the above factors. The maximum Conversion Grant is currently £15,000 per project (i.e. not per unit of accommodation provided) whilst the maximum Larger works Empty Homes Grant is £10,000 inclusive of fees and VAT. The Empty Homes Loan maximum will be £15,000 and will be considered in accordance with the Wessex Resolutions CIC subsidised Loan Scheme and its terms and conditions at the time being in force.

On completion, the accommodation repaired or created, will meet the Decent Homes Standard (as determined by the Somerset Decent Homes Policy Guidance) and shall be let at affordable rent levels (i.e. usually taken as about 80% of market rent levels).

*v) Financial Assistance to Landlords.*

- The Council provides financial assistance to landlords of single household dwellings with low rent to bring the property up to the Decent Home Standard and then let at less than market rent i.e. an affordable rent. The Council will also consider requiring nomination rights over the property.
- Being a member of a voluntary Accreditation scheme may also mean grants or loans to landlords to bring their properties up to the minimum accredited standard and possibly up to a higher threshold e.g. Fire detection and precautions, security measures and domestic energy efficiency.

## **Disabled Facilities Grants**

The Regulatory Reform (Housing Assistance) Order 2002 confirmed mandatory Disabled Facility Grants and Mendip District Council will continue to administer these grants in accordance with current legislation. Appendix H outlines the criteria for mandatory DFG eligibility which are (currently) for a maximum DFG of £30,000.

Disabled Facilities Grants are means tested grants available to all people with disabilities living in the district. They are subject to a risk assessment by an Occupational Therapist (Social Services) who identifies the works that are necessary and appropriate to the person's disability, and then to a Council Officer's assessment of what is reasonable and practicable in all the circumstances of the case. The aim of DFGs is to support disabled persons to remain in their own homes.

Due to high demand for this type of assistance, all referrals from occupational therapists will continue to be prioritised in order to target the limited resources to those most at risk.

In the case of adaptations to provide ramps for access there will be a presumption of fitting modular ramping in all cases, where appropriate, and not the solid concrete ramping used in the past. The former is relatively quickly installed and cheaper and easy to remove and recycle.

In addition, where a straight stair lift installation is considered appropriate then there will be a presumption to use recycled and refurbished equipment in order to gain value-for-money where possible. There is also an intention in the longer term to encourage a stair lift hire-service and this will be developed as schemes come forward.

In addition to the continuation of mandatory DFGs, the local authority will consider an application for assistance falling outside of the mandatory categories of works in very special, limited circumstances. Each case will be determined on its own merits.

Appendix K details the policy for such Discretionary DFGs which have a maximum per application, including fees and VAT (if appropriate) of £10,000.

In order to give disabled clients options, all clients will, in the first instance, be advised of their option to apply for a low interest loan under the Wessex Resolutions CIC subsidised loan scheme. Where a loan would be available to the client through this scheme, the Council would normally expect the client to access a loan to the maximum permissible to them under the scheme. The client would then be in a position to consider which route would be most appropriate to their circumstances, in order to progress the necessary works to a conclusion.

The Council will of course always consider applications for a mandatory DFG application within their responsibilities and duties under the law.

## **Management and Delivery**

The implementation of this Policy will be undertaken by the Private Sector Housing Team in conjunction with Mendip District Council's housing partners.

The PSH structure for delivery is illustrated in Appendix I.

The Policy builds on the service provision provided under previous Private Sector Renewal Policies. Appendix L details our commitment to customer satisfaction and reflects the level of service we aim to achieve.

There are key responsibilities in the delivery of this Policy, these are detailed below.

### **Information and Advice**

Officers within the Private Sector Housing Team and, where appropriate at the Care & Repair Home Improvement Agencies, will be happy to provide home maintenance advice to householders.

In addition, specific property standards and tenancy management advice will be provided to landlords via the officers within the Housing Services Group and other council departments, where appropriate.

### **Eligibility for Financial Assistance**

Officers within the Private Sector Housing Team and at the Care & Repair Home Improvement Agencies will aim to encourage residents to access the most appropriate form of assistance relevant to their financial circumstances, the type of works required according to the condition of their property. Where appropriate, the PSH Team will take precedence on the choice of the relevant form of assistance.

### **Enquiries Falling Outside the Normal Requirements for Financial Assistance**

Any request for consideration to approve financial assistance outside of the criteria set in this policy must be considered by the Housing Services Group Manager or the Housing Portfolio Holder. Only in exceptional circumstances will any such request be considered.

### **Financial Assistance and Approval of Works over the Specified Grant Limit**

Any request for approval of financial assistance over the limits set in this policy will be considered by the Housing Services Group Manager or the Housing Portfolio Holder. Only in exceptional circumstances will any such request be considered.

### **Approval of Unforeseen Items of Work within Financial Assistance**

Once works have commenced on site it is sometimes the case that work items which could not have been foreseen on initial inspection are identified. In this circumstance (provided that the PSH inspecting officer is satisfied that the additional work items are genuinely unforeseen) financial assistance over the approved grant/loan notice figure can be agreed up to £1000. Any unforeseen works over £1000 will usually be pre-approved by the Housing Services Group Manager or Housing Portfolio holder.

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**Contacts**

Anyone wishing to apply for assistance under this policy should contact the Private Sector Housing Team by:

**Telephone:           01749 341490**

**Writing to:           Private Sector Housing Team  
Mendip District Council  
Cannards Grave Road  
SHEPTON MALLET  
Somerset  
BA4 5BT**

Any person wishing to comment on the contents of this policy please do so in writing to the Private Sector Housing Team at the above address.

**Appendices**

## **Appendix A - Consultees**

The following organisations have been consulted on this document:

- Centre for Sustainable Energy
- Somerset Care & Repair and Aster Living Care & Repair
- Aster Communities
- Other large scale Registered Providers (of social housing) in Mendip
- Mendip Strategic Housing Partnership
- NHS Somerset
- Mendip YMCA
- Somerset County Council Social Services
- Other Somerset Local Authorities comprising of Taunton Deane Borough Council, Sedgemoor District Council, South Somerset District Council and West Somerset District Council.
- Citizens Advice
- Local branch of the National Landlords Association

## **Appendix B -**

### **Landlord and Tenant Advice**

It is the intention of the Mendip District Council to facilitate and promote the best private landlords and tenants relations that they can throughout the district.

To this end the Council's Private Sector Housing Team will endeavour to foster good relations with individual landlords, landlords' organisations and private tenants and their support groups including the local Landlords' Forums and the implementation of a voluntary Landlord Accreditation Scheme.

The Private Sector Housing Team will continue to offer independent, unbiased and authoritative advice to both private landlords and their tenants relating to all aspects of tenancy law. There will be a clear intention to provide information and advice to educate both sides on their respective rights and responsibilities.

Having stated our intention to work closely with both landlords and tenants to reach an amicable and informal resolution to problems of tenancy disputes, the Council will not tolerate harassment or illegal eviction and the Private Sector Housing Team will not condone acts that contravene relevant Housing legislation including the Protection From Eviction Act 1977 (as amended) and the relevant Landlord and Tenant Acts.

The Private Sector Housing Team, in conjunction with Housing Options, will robustly investigate complaints and allegations of harassment and illegal eviction and although trying to resolve problems informally, will reserve the right to take formal action through the courts for acts of harassment and illegal eviction in appropriate cases.

### **Enforcement of Crowding and Space**

The Housing Act 2004 places a duty on councils to take appropriate action with regard to Category One Hazards under the HHSRS and gives discretion to act with regard to Category Two hazards.

All councils have to take account of the HHSRS Enforcement Guidance before issuing Hazard Awareness Notices or Prohibition Orders, Improvement Notices, Emergency Remedial Action or Emergency Prohibition Orders.

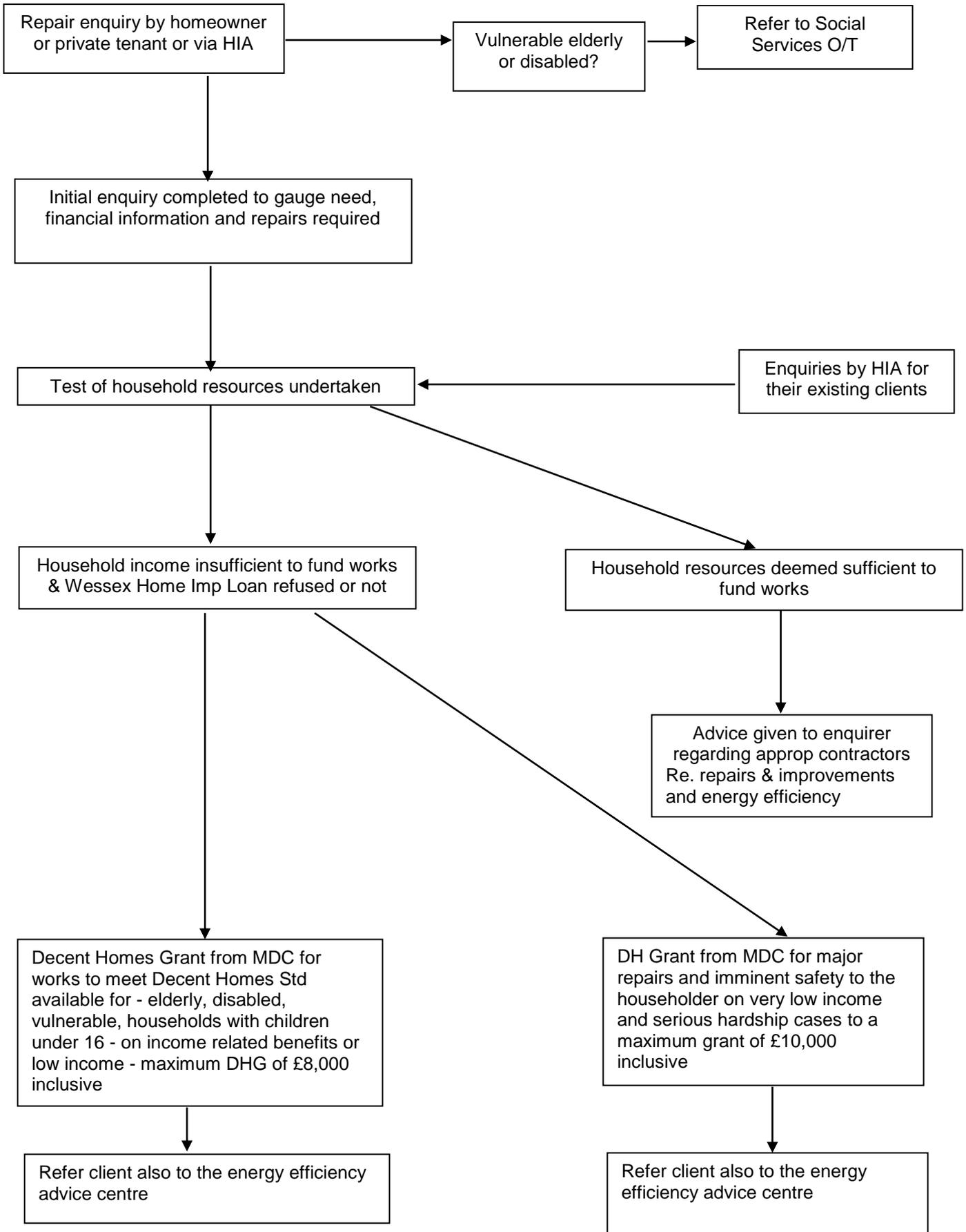
In the case of Crowding and Space, option appraisal includes assessing the tenure of the accommodation and, particularly in the private rented sector, the reasons why such overcrowding has taken place, with or without the collusion of the landlord.

Where Registered Providers are the landlord then they are expected to have thoroughly evaluated each case and what action they should take to alleviate or remedy the crowding and space hazard in their properties.

In all cases, the PSH Team will also consider the consequences of any enforcement approach on the wider issues of homelessness and re-housing, and act appropriately.

It is worth noting that the Housing Act 1985 Statutory Overcrowding provisions are still currently in force and where appropriate the PSH Team will use this standard as a baseline below which the accommodation is generally considered unacceptable for private rented or social housing accommodation.

### Appendix C – Financial Assistance to Individual Households (Repairs)



## Appendix D – Decent Homes Grant

To qualify for Decent Homes Grant an applicant must firstly have been assessed for a Wessex Home Improvement Loan and taken up such a loan as deemed appropriate to their circumstances under the loan scheme. Then the applicant can be considered for a DHG if necessary as itemised in a) or d) below **plus** b) and c) **and** either e) or f):

- a) Be aged 18 or over on the date of the application;
- b) Be an owner-occupier or a private tenant with a repairing duty, or an occupant who occupies the dwelling under a right of exclusive occupation granted for a period of at least five years;
- c) Must have owned or occupied the property for a period of at least 12 months prior to the approval of grant aid. This condition may be waived in cases of severe financial hardship, serious urgent works or to assist first time buyers
- d) Be over 60 years or disabled or vulnerable or be part of a vulnerable household in which there are children under the age of 17.
- e) Be on an income related or disability related benefit when assessed for grant (or its equivalent beyond March 2017) e.g.
  - Income Support
  - Housing Benefit
  - Council Tax Benefit
  - Attendance Allowance or Disability Living Allowance
  - Income based Job Seekers Allowance or Employment & Support Allowance
  - Pension Credit – either Guaranteed Credit or Savings Credit
  - Child Tax Credit (with an annual household income of less than £20K)
  - Working tax Credit (with an annual household income of less than £20K) and with parental responsibility for a child under 20 who is in FT Education ordinarily living with that person or severe disability or over 60 years of age)
  - Or see (f) below
- f) Have a weekly disposable income of less than £125 per couple when assessed by Wessex Resolutions for a Wessex Home Improvement Loan

The type of items that can be grant aided or subject to a WHIL include (amongst other things):

### Repairs

All Decent Homes deficiencies will be assessed by a professionally qualified officer using the Somerset “Decent Homes Guidance 2005” and will, amongst other matters, address Category One hazards within the criteria of the HHSRS.

Works will also be to secure compliance with the Decent Homes Standard which includes:

- securing the basic fabric of the property to make it wind and weather-tight and to protect occupants from immediate exposure to insecure or unsafe building elements e.g.
  - Repair or renewal of defective roofs, chimneys, walls, floors, stairs, ceilings and rain water goods
  - Windows and doors repair or replacement
  - Renewal of dangerous or defective wiring
  - Replacement of defective or insufficient plumbing
  - Remedy of penetrating or rising dampness or dry rot
  - Replacement of damaged or inadequate wash basin, WC, kitchen sink, bath (or shower where a bath is absent)

#### Modern Facilities

- Providing new kitchens and/or bathrooms where the:
  - Kitchen is 20 years old or more;
  - Kitchen does not have adequate space and layout;
  - The bathroom is 30 years old or more;
  - An appropriately located bathroom and WC;
  - NB. At least 3 of the above 4 items must be satisfied to fail this section

#### Thermal Comfort

- It does not provide a reasonable degree of thermal comfort
  - The dwelling is expected to have both;
    - Efficient and effective heating and
    - Effective insulation to loft and walls (where appropriate)

In the case of thermal comfort, the Officer will advise an applicant to firstly source grants from national or local energy efficiency or energy conservation initiatives or through energy suppliers. The Council will only entertain applications for thermal comfort measures under this type of assistance if they are satisfied that all other energy initiatives have been exhausted or the measures are matters of urgency and the applicant is in severe financial hardship.

Minor routine maintenance or decoration works will not be covered by this assistance and neither will works that are covered under an appropriate insurance policy.

#### Piper-Lifeline Installation

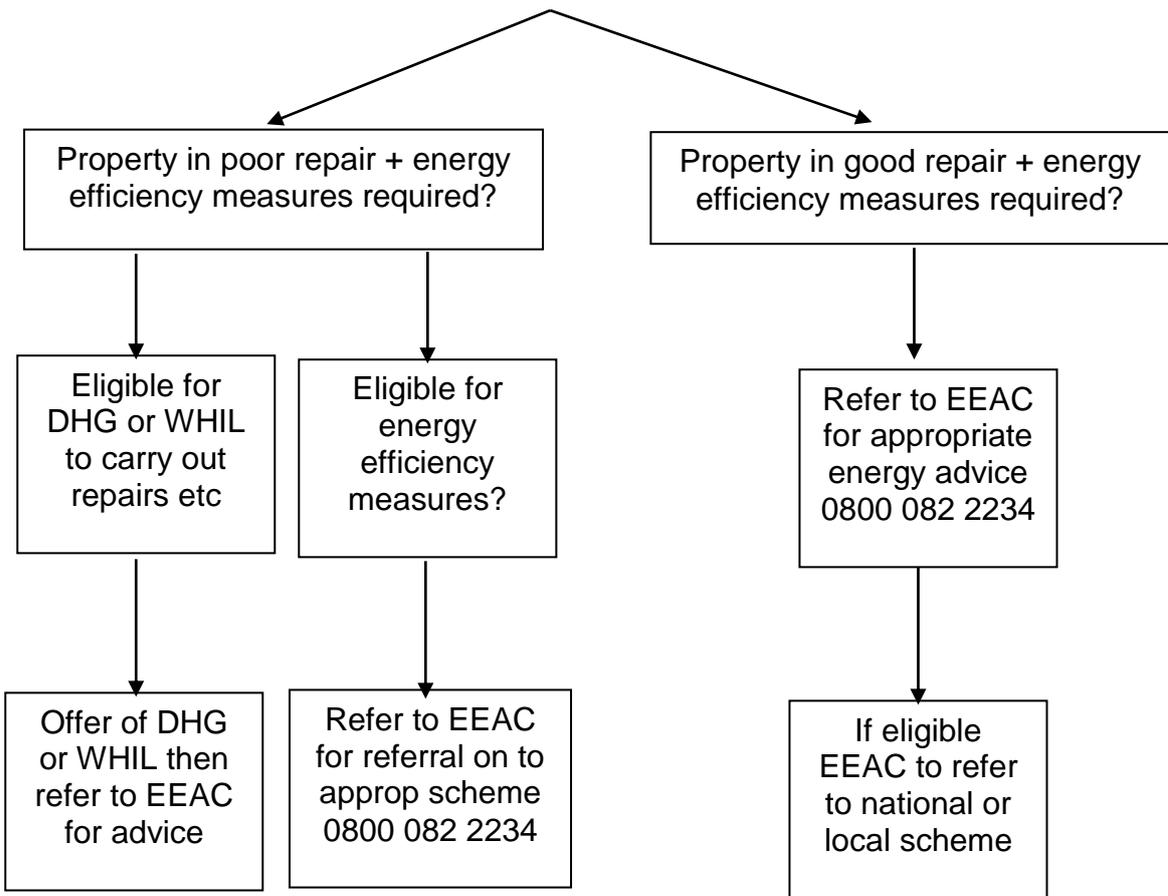
The installation of a lifeline and associated electrical and telephone installation may be grant-aidable via the DHG budget.

This installation is to enhance the safety, security and well-being of elderly or disabled residents.

Assistance is referred via Aster Communities or the Supported Housing Team.

**N.B. All Decent Homes Grants will be registered as a Local Land Charge for the period of the grant conditions**

### Appendix E - Energy Efficiency Advice



## **Appendix F – Private Sector Housing Enforcement Policy**

Our aim is to protect and enhance the health and wellbeing of residents of the district through healthy and safe housing by improving the housing stock within Mendip. The Council is reviewing the Enforcement Policy and the general principles and a precis of that Policy is below

### **The Private Sector Housing Team is responsible for;-**

Enforcement of housing conditions within the owner-occupied and private rented sector which includes amongst other things, Houses In Multiple Occupation (HMO) and single private rented units of accommodation and bringing empty homes back into use.

There are a variety of ways in which the Council can ensure that individuals meet their responsibilities including education, negotiation, advice, guidance, warning letters, formal notices, and works in default and prosecution. The Council believes strongly in working in partnership with owners, landlords and tenants to improve housing conditions. The Council offers information and advice to those it is tasked to regulate and seeks to secure co-operation whilst avoiding unnecessary bureaucracy, formality or excessive costs.

This appendix sets out the general principles the Council intends to follow in relation to enforcement and prosecution and readers are recommended to take account of the Council's housing enforcement concordat and policy under the Enforcement Team guidance.

### **Purpose and Methods of Enforcement**

The primary concern of officers of the Private Sector Housing Team is to improve the housing conditions for individuals within the owner occupied and private rented sector. Most landlords and owners are responsible and want to comply with the law. Therefore in most cases the officer's role will be to educate, guide and support.

If the Officer finds evidence to suggest that the law is being contravened, they can respond in various ways. This can either be by advice, an informal notice (e.g. a warning letter) or a formal notice. Notices specify the works to be carried out in order to comply with the law and a specified time scale in which to carry out the works. Failure to comply with a Formal Notice results in the Council having the option to do works in default and recover the expenses incurred plus the administration costs. They may also consider prosecution for non-compliance. Also formal cautions and informal notices are an effective and efficient way of securing compliance without the delay and expense of going to court.

### **Principles of Enforcement**

The Council believes in a clear, fair, proportionate and transparent policy on enforcement. Consistency and targeting of enforcement are also essential parts of the Council's Enforcement Policy.

### **Consistency**

This means taking a similar approach in similar circumstances to achieve similar ends. The Council aims to achieve this consistency through the advice that is offered, the

response to housing complaints and other service requests together with the use of powers and decisions on whether to prosecute.

Consistency however does not mean simple uniformity. There are many variables involved in making a decision which includes the scale of the problem, the risk to health, the attitude and actions of owners, landlords, tenants and property management companies together with the policy endorsed by Councillors and other relevant agencies such as the Fire Service and the UK Immigration service. Government guidance and the history of previous incidents or breaches are also taken into consideration and the legal framework in which the decision has to be made. Decisions on enforcement action are a matter of professional judgement and the exercise of appropriate discretion.

### **Transparency**

Transparency is important in maintaining public confidence in our ability to regulate. It means helping those regulated and others to understand what is expected of them and what they should expect of us. It also means making clear why an officer intends to or has taken enforcement action.

Transparency is an integral part of our role. Where remedial action is necessary it will be clearly explained in writing, the necessary steps to be taken and the timescale in which to complete the works. A distinction will be made between best practice advice and legal requirements where necessary.

The Council will provide an opportunity for individuals to discuss what is required to comply with the law before any formal enforcement action is taken, unless there is an imminent risk to health in which the Council would be required to serve a formal notice immediately.

### **Targeting**

The Council will target those properties which pose the greatest risk to the safety and health of the occupant(s). We will use nationally and locally agreed risk assessment protocols to assist in targeting our efforts.

### **Proportionate**

This means that in our decisions to take formal or informal action due consideration will be given to the offence concerned and what is a reasonable and appropriate response from the council to remedy the problem. The action taken will be proportionate to the offence. The following matters will also be taken into consideration.

### **Prosecution**

#### ***Purpose***

The use of the criminal process to institute a prosecution is an important part of enforcement. The purpose of a successful prosecution is to punish those who commit an offence as well as to avoid recurrence and to act as a deterrent to others.

The Council recognises that the instigation of a legal proceedings is a serious matter that should only be taken after full consideration of the implications and consequences. Decisions about prosecution will take into account the current Code for Crown Prosecutors and associated Guidelines.

### **Sufficiency of Evidence**

A prosecution will not be commenced or continued unless the Council is satisfied that there is sufficient, admissible and reliable evidence that the offence has been committed and there is a realistic prospect of conviction.

### **Companies and individuals**

Criminal proceedings will be taken against persons responsible for the offence. In the case of a Company, it is the practice of the Council to prosecute the Company where the offence resulted from the Company not carrying out their responsibilities in the upkeep of the property.

### **Public Interest**

A prosecution must be in the public interest to proceed to court action

Factors relating to prosecution

The Council will consider the following factors in deciding whether or not to prosecute:

- Nature of the offence
- Effect of the offence
- Foreseeability of the offence or the circumstances leading up to it
- Intent of the offender, individually and/or corporately
- History of offending
- Attitude of the offender
- Deterrent effect of a prosecution, on the offender and others.

The above are a few examples and those which apply will depend on the particular circumstances of each case. This does not mean that all factors must be in favour of prosecution rather that the balance is in favour.

### **Presumption of Prosecution**

Where there is sufficient evidence for a reasonable prospect of conviction, there will be a presumption that the Council will prosecute in the following circumstances:

- Incidents of breaches which have significant consequences for the public and the environment. The Council treats such incidents seriously and those with the potential for significant consequences.
- Operating a licensable House in Multiple Occupation (HMO) without a licence. Failure by landlords to licence their properties following informal requests by the Council may result in prosecution.
- Excessive or persistent breaches of regulatory requirements in relation to the same premises or site or by the same person
- Failure to comply or inadequately respond to formal remedial requirements. It is unacceptable to ignore remedial requirements and unfair to those who do take action to comply.
- Reckless disregard for management. It is in the interests of all that irresponsible operators are brought into compliance or cease operations.

- Failure to supply information without reasonable excuse or knowingly or recklessly supplying false or misleading information. It is essential that lawful requests for information by the Council are complied with and that accurate information is always supplied to enable informed regulation to be exercised.
- Obstruction of Council staff in carrying out their powers. The Council regards the obstruction or assaults on its staff while lawfully carrying out their duties as a very serious matter.

### ***Penalties***

The existing law gives the courts considerable scope to punish offenders and to deter others.

The council will always seek to recover the costs of any court proceedings

### ***Alternatives to Prosecution***

In cases where a prosecution is not the most appropriate course of action, the alternatives of a formal caution or warning will be considered, the choice depending on the factors referred to above. Formal cautions will be issued in accordance with Home Office Guidance.

A formal caution is a written acceptance by an offender that they have committed an offence. It may be brought to the Courts attention if the offender is convicted of a subsequent offence.

As with prosecution, additional enforcement mechanisms may also be used in conjunction with a formal caution or warning e.g. suspension or revocation of licences.

### ***Working with other Regulators***

Where the Council and another enforcement body both have the power to prosecute, the Council will liaise with that other body to ensure effective co-ordination and that any proceedings instituted are for the most appropriate offence and avoid inconsistencies.

### ***Complaints***

Dissatisfaction with any actions or decisions can be taken up through the Council's complaints procedure which is explained in the Council's leaflet on the subject.

## Appendix G - Landlords' Grant, Empty Home Grant & Conversion Grants

### **DETERMINATION OF LANDLORDS' GRANTS** (Incl Larger Empty Home Grants and Conversion Grants)

<b>ADDRESS OF PROPERTY</b>	
<b>LANDLORD</b>	
<b>DATE OF CALCULATION</b>	

#### **Stage 1 - Points system to consider factors**

		<b>Points</b>
(a)	<b>Suitability of accommodation type to housing needs in the locality-</b>	
	<i>Substantial demand</i>	<b>3</b>
	<i>Moderate demand</i>	<b>2</b>
	<i>Some demand</i>	<b>1</b>
(b)	<b>Suitability of existing property</b>	
	<i>Empty for 3 years</i>	<b>3</b>
	<i>Empty for 2 years</i>	<b>2</b>
	<i>Empty for 0.5-2 years</i>	<b>1</b>
(c)	<b>Environmental Benefit</b>	
	<i>Pre-1919 or substantial environmental benefit to area</i>	<b>3</b>
	<i>Moderate beneficial effect likely to area</i>	<b>2</b>
	<i>Some beneficial effect likely to area</i>	<b>1</b>
d)	<b>Seriousness of eligible works required</b>	
	<i>Serious</i>	<b>3</b>
	<i>Substantial</i>	<b>2</b>
	<i>Moderate</i>	<b>1</b>
e)	<b>Costs of eligible works required</b>	
	<i>Over £20k</i>	<b>3</b>
	<i>£15K-£20K</i>	<b>2</b>
	<i>£10 - £15K</i>	<b>1</b>

#### **Stage 2 - Application of letting correction factor**

Landlord accepting nominations from Choice Based Lettings scheme

a)	To be managed by a RP or similar for over 10 years	<b>3</b>
	To be managed by RP or similar for 5-10 years	<b>2</b>
	Landlord intends to manage himself or by agent	<b>1</b>

b)	Landlord is accredited with a satisfactory record		<b>3</b>
	Landlord has a satisfactory track record but not accredited OR the landlord agrees to become accredited but has little or no track record to assess		<b>2</b>
	Landlord not accredited & with little or no track record to assess		<b>1</b>
c)	Landlord willing to finance % of the eligible works i.e.	75%	<b>0.70</b>
		50%	<b>0.35</b>
		25%	<b>nil</b>

**PLEASE NOTE** ; - in the event that the landlord has a poor record of property management inside or outside the district, of harassment, illegal eviction or convictions then there will be a presumption towards no offer of grant whatsoever regardless of the circumstances. This is also the case where the landlord refuses to accept that the council reserves the right to set reasonable rent levels following the completion of works and for the term of the conditions of grant.

### **Stage 3a: Determination of Conversion Grant**

(Total Points from Stage 1) x (Total points from Stage 2) = x% of £15K (max) Conversion Grant that may be offered for the whole project i.e. *not* for each unit of accommodation formed

Example:- (Total points from Stage 1) = 15 x (Total points from Stage 2) = 6.35

Grand total = 95.25% of £15K (max)

Grant maximum that may be offered = £14287

### **Stage 3b: Determination of Landlords' Grant or Empty Home Grant**

Example ; - (Total points from Stage 1) = 10 x (Total Points from Stage 2) = 5.35

Grand total = 53.5% of £10K (max)

Grant maximum that may be offered = £5350

**N.B. All Conversion Grants, Empty Home Grants and Landlords' Grants will be registered as a local land charge for the period of the grant conditions**

## Appendix H - Disabled Facilities Grants

The disabled person must be registered or registerable with Social Services. A recommendation is required from the Occupational Therapist that works are necessary and appropriate for one or more of the following purposes.

- (a) Facilitating access to and from the dwelling including access to the garden or another building by the disabled occupant;
- (b) Making the dwelling or building safe for the disabled occupant;
- (c) Access to the principal family room by the disabled occupant;
- (d) Access to or providing a bedroom for the disabled occupant;
- (e) Access to or providing a room containing a bath or shower for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- (f) Access to or providing a room containing a WC for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- (g) Access to or providing a room containing a wash hand basin for the disabled occupant or facilitating the use by the disabled occupant of such a facility;
- (h) Facilitating the preparation and cooking of food by the disabled person;
- (i) Improving or providing a heating system for the disabled person;
- (j) Facilitating the use of power, light or heat by the disabled person by altering same or by providing additional means of control;
- (k) Facilitating access and movement around the dwelling to enable the disabled person to provide care for someone for whom they are responsible;
- (l) Making the dwelling or building suitable for the accommodation, welfare or employment of the disabled person.

The applicant must be either an owner or a tenant.

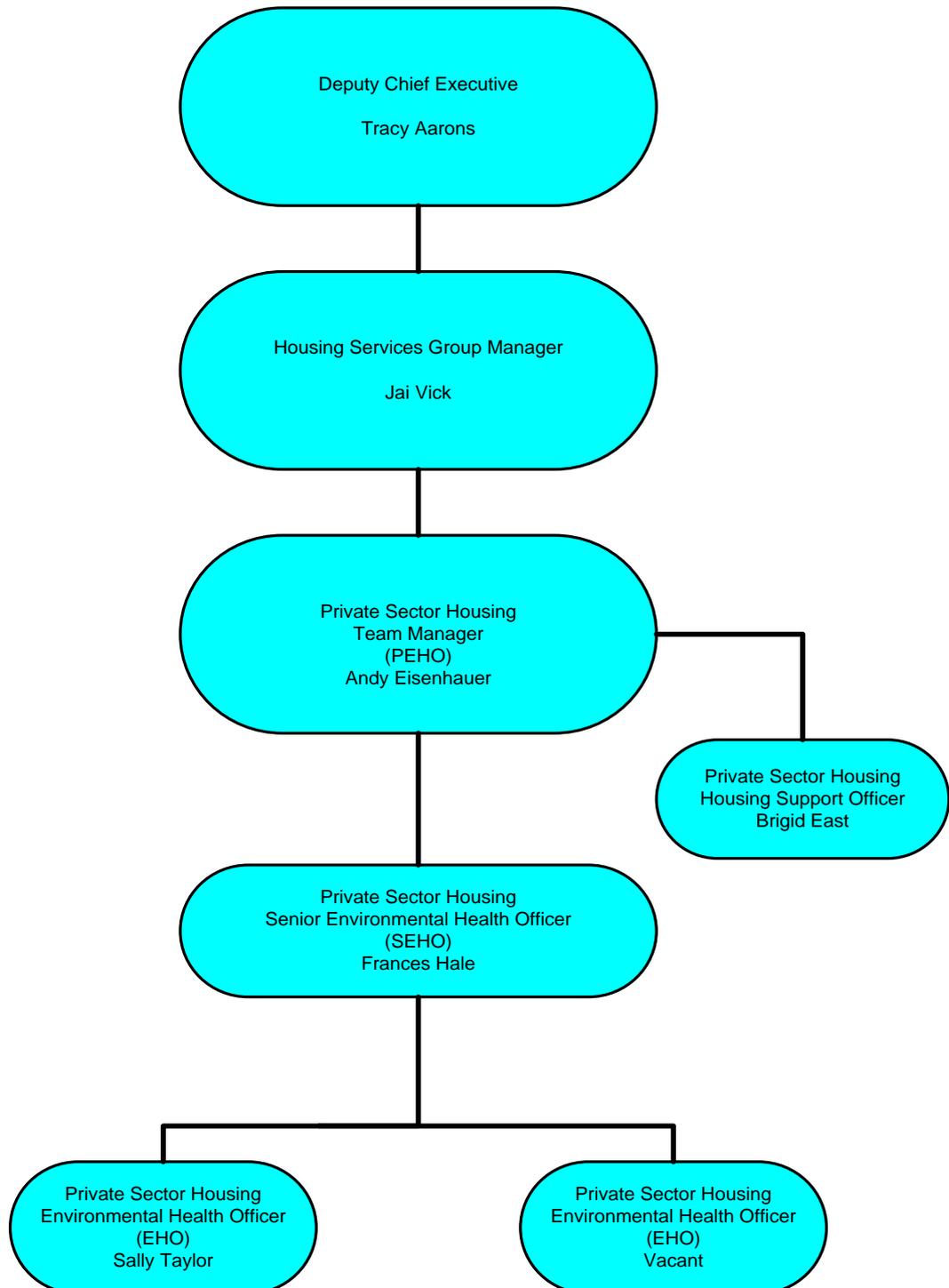
The disabled person and any partner are means tested to determine the amount of their contribution towards the cost of the works. If the disabled person is a child, the parents are not means tested. An application is only approved by the Council if it is considered reasonable and practicable to carry out the relevant works having regard to the age, character, location and condition of the dwelling or building concerned and the over all complexity and costs of works.

**There is currently a limit of £30,000 for each mandatory DFG approval and DFGs will be registered where appropriate as a Local Land Charge for the period of the grant conditions.**

In all applications for DFG, applicants will be given an option to choose a Wessex Home Improvement Loan (if appropriate) which they may find suits their financial situation better (see Appendix J regarding WHI Loans below).

## Appendix I – PSH Team Structure in relation to other services

### Housing Services Group Structure



## Appendix J –Subsidised Loans from Wessex Resolutions CIC

To qualify for assistance an applicant must:

- a) Be aged 18 or over on the date of the application;
- b) Be an owner-occupier or a tenant or leaseholder with a long term responsibility to repair and maintain the property (subject to status)
- c) Be subject to eligibility criteria for the loan following a financial assessment by Wessex Resolutions CIC
- d) Be living in a non-decent home as defined in g) below.
- e) NB. Where an additional (top-up) grant is to be applied for following a loan, then the top-up grant element will be subject to a test of resources.
- f) WRCIC will confirm ownership via Land Registry and / or deeds
- g) A decent home is defined as
  - a) It is free from Category 1 Hazards under Part 1 of the Housing Act 2004
  - b) It is in reasonable repair
  - c) It has reasonably modern facilities and services
  - d) It provides a reasonable degree of heating and thermal comfort

Category 1 hazards may include (amongst other things) e.g.

- Dangerous electrical installations
- Structural failure - walls, floors, stairs
- Severe rising or penetrating dampness
- Sanitary provision in disrepair
- Hot water provision in disrepair
- Dangerous gas installations
- Serious disrepair – roofs, windows
- Excess cold
- Falls on stairs or on a level or between levels
- Damp and mould

Failures for “reasonable state of repair” include;

- One or more of the key building components are old, and because of their condition need replacing or major repair
- Two or more of the other building components are old, and because of their condition, need replacing or major repair.

Building components are structural parts of the dwelling, external elements such as the chimney, and internal services i.e. kitchens, heating systems.

Modern facilities are classified as;

- Kitchens 20 years old or less
- A kitchen with adequate space and layout

- A bathroom which is 30 years old or less
- An appropriately located bathroom and WC
- Adequate noise insulation (relating to external noise)

Thermal comfort includes;

- Efficient heating
- Effective insulation.

The full definition of a decent home is as defined within the document “A Decent Home - the definition and guidance for implementation- June 2006”, published by the Department for Communities and Local Government and also see the Somerset Decent Homes Policy Guidance.

Conditions relating to the loans scheme include:

- a) Eligibility for the loans scheme is subject to the Council being satisfied that the client is vulnerable as defined in i) above, and that the property does not meet the Decent Home Standard within the definition in ii) above.
- b) The maximum loan that a client can apply for is £15,000 towards the cost of eligible works. The eligible works are those which are considered as eligible by the Council under the Decent Homes Standard.
- c) The client may apply for multiple loans over a period of 3 years for works to bring the property up to the Decent Homes Standard, subject to any financial restrictions placed upon them by the Council and Wessex Resolutions CIC. Multiple applications must not exceed £15,000 in any 3 year period.
- d) The client may also apply for supplementary (top-up) Decent Homes Grant after applying for a loan, subject to the Council being satisfied that this is the most satisfactory course of action available to ensure that the property complies with the current Decent Homes Standard.
- g) If the client applies for supplementary (top-up) Decent Homes Grant then all the conditions apply with regards to that type of assistance including that there can be no further Decent Homes Grant within 3 years of completion of a previous grant.
- h) If the property is sold within the lifetime of the loan following completion of the works, then the full repayment is required on the amount of loan outstanding as deemed by Wessex Resolutions CIC and also any supplementary Decent Homes Grant that may apply.
- i) A Title Restriction will be placed on the property on completion of the transfer of loan funds or part thereof.
- j) Any loan given under this Policy is subject to any conditions imposed by Wessex Resolutions CIC at the time of application.

## **Appendix K - Discretionary Disabled Facilities Grants**

The Council's policy for Discretionary Disabled Facilities Grants for disabled occupants is to assist a very small number of disabled people with wholly exceptional circumstances each year.

The policy will include consideration of disabled occupants:

- Whose needs do not fall within the mandatory criteria.
- Whose needs have been approved by the Social Services Occupational Therapist at management level
- Who cannot raise sufficient funds by any other means (e.g. charitable funding, funding through Social Services) and,
- Where there is no realistic probability of the person's needs being met other than by a Discretionary Disabled Facilities Grant.

The grant maximum for this discretionary assistance is £10,000 including fees and VAT and a land charge will be placed on the property in the Local Land Charge register on the completion of grant works.

Consideration and approval of any Discretionary Disabled Facility Grant above the £10,000 maxima will be made by the Private sector Housing Team Manager in conjunction with the Housing Portfolio Holder where necessary.

## **Appendix L – Customer Satisfaction**

Mendip District Council is committed to maintaining and improving the level of service to its residents. It is the intention that Private Sector Housing service delivery for this policy will be maintained at a high level. As part of our continued commitment to good quality service, customer service surveys will be carried out at appropriate intervals and usually by proxy through our partnership with Wessex Resolutions and the local Home Improvement Agencies.

The partnership between the council and the home improvement agencies and Wessex Resolutions CIC allows for a customer satisfaction card to be given to each grant or loan applicant at the completion of works. The results of these surveys are reported to a joint county-wide monitoring group for both grants and loans.

## **Appendix M – Glossary**

### *DFG (Disabled Facilities Grant)*

A mandatory grant from the Council to provide specialist aids and other facilities for disabled people. DDFG is the discretionary version of the DFG and designed to help in wholly exceptional cases of hardship or need

### *HECA (Home Energy Conservation Act) 1995*

This Act places responsibility on Councils to produce HECA reports outlining practical, cost effective measures for achieving energy saving in homes in their area.

### *HMO (House in Multiple Occupation)*

Generally a property occupied by 3 or more tenants who form 2 or more households and are sharing basic amenities (e.g. bedsits). Regulations exist to control the standard of repair and the provision of fire precautions and amenities in these properties.

A full definition is available in the Housing Act 2004

### *Housing Needs*

The requirements that individuals and households have for housing.

### *Housing Strategy*

A document produced by the local housing authority usually covering a three year period setting out strategic aims and objectives across all housing tenures within the district.

### *Local Authority*

Elected Councils which provide local services within the county or within a district.

### *HIA*

Mendip's local Home Improvement Agencies are Somerset Care & Repair and the county wide Aster Living Care & Repair Agency both of which assist older and disabled home owners and vulnerable families to maintain, repair and adapt their homes.

### *Aster Communities*

The not-for-profit Registered Provider of housing to which Mendip District Council's housing stock was transferred in March 2001.

### *NHS Somerset*

Provides community and primary care services to a population of the county including 109,000 residents in the district of Mendip.

### *Private Sector Housing*

Property or finance not controlled by, for example, local authorities and Central Government agencies

*Registered Provider (RP)*

Social Landlords wishing to claim Social Housing Grant from the Homes & Communities Agency. Were called Housing Associations and Registered Social Landlords and are now RPs and provide social housing usually at less-than market rents.

*Somerset Local Authorities Partnership*

Group of the 5 district authorities within Somerset, aiming to work together to achieve consistency across Somerset in private sector renewal.

*Supporting People*

A system to fund support that is provided for people with care needs, alongside their housing needs.

*YMCA*

Local voluntary organisation actively involved in improving young peoples lives particularly around housing and homelessness.