

LBTH Cabinet 28/10/2017 – Appendix A

London Borough of Tower Hamlets

Private Sector Housing Renewal Policy 2016 – 2018

Private Sector Housing Renewal Policy 2016 - 2018

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Introduction and Budget

This policy sets out the Council's position on direct grant funding to owner occupiers and private sector landlords and tenants.

1. Statutory Duty

The Council has a duty under Part 1, Chapter 1, Section 3 of the Housing Act 2004 to review housing conditions in their district.

Where housing conditions are found to require improvement, assistance can be provided under the terms of Article 3 of the Regulatory Reform (Housing Assistance) Order 2002; however a local authority is also required to have adopted a Private Sector Renewal Policy. The Policy should set out how the Council is able to assist in improving the living conditions for residents who live in private sector housing within the Borough.

2. Proportion of housing stock

According to the council's private sector stock condition survey, the private rented housing sector is now the largest housing sector in the Borough and it is growing rapidly. The cost of owner-occupation and private renting is very high in the Borough. The table below details the tenure breakdown for the borough.

According to the 2011 census, the private rented housing sector is now the single largest housing tenure in the Borough and it is growing rapidly. The table below details the tenure breakdown in more detail.

		Tower Hamlets	TH (%)
	Total occupied households	101,257	
Owned	Total	26,935	26.6%
	Owned outright	8,648	
	Owned with a mortgage or loan	15,904	
	Shared ownership (part owned and part rented)	2,383	
Social Rented	Total	40,106	39.6%
	Rented from council (Local Authority)	17,548	
	Other social rented	22,558	

Private rented	Total	32,964	32.6%
	Private landlord or letting agency	31,227	
	Other	1,737	
	Living rent free	1,252	1.2%

It should be noted that the 2011 private sector stock condition survey suggested a higher figure and it is now thought that at around 40% of the stock is in the private rented sector.

3. Budget

Tower Hamlets Private Sector Housing Renewal Policy is extremely restricted as targeted funding is not currently available from Central Government.

Empty Property Grants will be prioritised in this Policy as they provide a valuable source of accommodation in the Borough.

4. Scope of Grant Assistance

The policy covers the following grant categories:

4.1 Disabled Facilities Grants:

Owner-occupiers and Tenants

The Council is committed to making Mandatory Disabled Facilities Grants available to all eligible owner-occupiers and private sector tenants so that they can remain living independently in their own homes. A disabled owner-occupier or tenant may apply for a Disabled Facilities Grant for a number of purposes which will primarily improve access and comfort. Full details are set out in Appendix 1.

Mandatory Disabled Facilities grants will continue to be available to eligible owner-occupiers and private sector tenants and the maximum mandatory Disabled Facilities Grant is £30,000.

These grants are means tested except for the benefit for a disabled child under the age of 18.

Applications for discretionary disabled facilities cannot be considered due to budget restrictions.

Private Landlords and Registered Providers

A private landlord or a Registered Provider may apply for a Disabled Facilities Grant on behalf of a disabled tenant, or potential tenant for a number of purposes which will primarily improve access and comfort. Full details are set out in Appendix 1.

The maximum mandatory Disabled Facilities Grant is currently £30,000. Applications for discretionary disabled facilities cannot be considered due to budget restrictions.

Applications made by Registered Provider must also demonstrate that no other suitable accommodation is available to transfer the tenant to and that the tenant is not under-occupying the property.

Agreement was reached in 2014 with Registered Providers through the Tower Hamlets Housing Forum that they will fund 50% of Disabled Facilities Grant up to a maximum of £5,000 for their own tenants.

Further details on the Disabled Facilities Grant can be found in Appendix 1.

4.2 Home Repair Grants

Small grants may be made available to eligible owner-occupiers to enable them to remain in their own homes safely and avoid minor accidents.

Home Repair Grants may be made available to owner-occupiers who are:

- over 60, or
- disabled or infirm, or the parent or carer of a disabled child and
- in receipt of an income related benefit or eligible tax credits.

These grants will be for the following types of works:

- Removal of category 1 Hazards

Home Repair Grants will only be available if the applicant has owned and lived at the property as their only main residence for at least 3 years. The Home Repair Grant will be limited to a maximum of £6,000 per applicant in any five year period.

The grant will not normally be available to part fund major works costing over £6,000. These grants are not repayable.

Further details on the Home Repair Grant can be found in Appendix 1

4.3 Empty Property Grants

Empty Property Grants may be made available to owners of properties that have been empty for at least 6 months, who wish to refurbish, demolish and rebuild their property or to convert it into a number of units and make it available for letting. The Empty Property Grant can contribute to the cost of the works needed to bring the home up to the decent homes standard and incorporate works to make the home safe, secure and affordable to keep warm.

Only landlords who are accredited under the London Landlords' Accreditation Scheme (LLAS) will receive grants. The maximum amount of grant assistance would be dependent upon the size of the resultant units.

The owner of the empty property would be required to let out the property for a period of 3 to 5 years to families nominated by the Council at a rent level below the Local Housing Allowance. Agreement on the length of tenure will be subject to negotiation between the Council and the landlord with value for money for the public purse being the main consideration for the Council.

The grant will be repayable if the property is sold or transferred within a 5-year period, with interest.

Priority will be given to 2 bedroom homes and above that meet building regulations and Health and Housing Standards will be considered.

4.4 Other Assistance

Tower Hamlets Home Improvement Agency

The Tower Hamlets Home Improvement Agency (THHIA) was set up in 1990 to assist elderly, disabled or low-income homeowners to apply for grants and now will also assist eligible Registered Providers in applying for DFGs for their tenants. The agency employs experienced surveyors who can act on behalf of vulnerable residents to supervise building works and also has advisors who can assist in the completion of application forms and other paperwork. This gives vulnerable residents the confidence to have building works carried out in their homes.

There is a charge for this service, 15% of the total net cost of the works, but this can be funded by the grant or the loan, leaving the applicant or Registered Provider with no up-front costs.

The agency maintains a list of approved contractors who provide value for money and guarantee a quality finish. Upon completion of the works the agency will retain a proportion of the money for six months to ensure that, should anything go wrong, the builder will return promptly to put the matter right.

The quality of the service provided to clients is regularly checked through the use of Customer Satisfaction Surveys with a simple multiple choice answer sheet or telephone survey checking not only the actions of the supervising officer but also the contractors performance, time keeping and general behavior.

Landlord Services

The London Landlord Accreditation Scheme (LLAS) was formally launched at the London Landlords Day in July 2003, with considerable interest from landlords who attended the event. This organisation has now become the United Kingdom Landlord Accreditation Partnership (UKLAP)

Empty Property Grants are only available to UKLAP registered landlords

More information on the scheme can be found at www.londonlandlords.org.uk

Appendix 1

Private Sector Housing Renewal Policy (Draft, subject to Cabinet approval in 2016)

1. Disabled Facilities Grants for owner-occupiers

A disabled owner-occupier may apply for a Disabled Facilities Grant for the following purposes:

- Facilitating access to and from the dwelling by the disabled occupant *for example widening doorways and installing ramps*
- Making the dwelling or building safe for the disabled occupant *for example* adapting a room in which it would be safe to leave a disabled person unattended or improved lighting to ensure better visibility
- Access to the principal family room by the disabled occupant
- Access to or providing a bedroom for the disabled occupant *for example installing a stairlift*
- 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 *for example providing a level access shower*
- 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
- 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
- Facilitating the preparation and cooking of food by the disabled person
- Improving or providing a heating system for the disabled person
- Facilitating the use of power, light or heat by the disabled person by altering same or providing additional means of control *for example lowering light switches or raising plug sockets*
- Facilitating access and movement around the dwelling to enable a disabled person to care for someone *for example a spouse or child*
- Facilitating access to an existing garden where feasible.

The disabled person (unless a child under the age of 18) and any partner are means tested to determine the amount of their contribution towards the cost of the work.

The maximum mandatory Disabled Facilities Grant is currently £30,000.

Applications for discretionary disabled facilities cannot be considered due to budget restrictions.

2. Disabled Facilities Grants for tenants

A disabled private tenant or RSL tenant may apply for a Disabled Facilities Grant for the following purposes:

- Facilitating access to and from the dwelling by the disabled occupant *for example widening doorways and installing ramps*
- Making the dwelling or building safe for the disabled occupant *for example* adapting a room in which it would be safe to leave a disabled person unattended or improved lighting to ensure better visibility
- Access to the principal family room by the disabled occupant
- Access to or providing a bedroom for the disabled occupant *for example installing a stairlift*
- 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 *for example providing a level access shower*
- 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
- 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
- Facilitating the preparation and cooking of food by the disabled person
- Improving or providing a heating system for the disabled person
- Facilitating the use of power, light or heat by the disabled person by altering same or providing additional means of control *for example lowering light switches or raising plug sockets*
- Facilitating access and movement around the dwelling to enable a disabled person to care for someone *for example a spouse or child*
- Facilitating access to an existing garden where feasible

Where the application is a tenant's application, the disabled person (unless a child under the age of 18) and any partner are means tested to determine the amount of their contribution towards the cost of the work.

The maximum mandatory Disabled Facilities Grant is currently £30,000

Applications for discretionary disabled facilities cannot be considered due to budget restrictions.

Tenants of Tower Hamlets Homes are able to apply for Disabled Facilities Grants but a more streamlined process has been developed between the Occupational Therapist and Tower Hamlets Homes.

3. Disabled Facilities Grants for landlords

A private landlord or Registered Provider may apply for a Disabled Facilities Grant on behalf of a disabled tenant, or potential tenant for the following purposes:

- Facilitating access to and from the dwelling by the disabled occupant *for example widening doorways and installing ramps*
- Making the dwelling or building safe for the disabled occupant *for example* adapting a room in which it would be safe to leave a disabled person unattended or improved lighting to ensure better visibility
- Access to the principal family room by the disabled occupant
- Access to or providing a bedroom for the disabled occupant *for example installing a stairlift*
- 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 *for example providing a level access shower*
- 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
- 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
- Facilitating the preparation and cooking of food by the disabled person
- Improving or providing a heating system for the disabled person
- Facilitating the use of power, light or heat by the disabled person by altering same or providing additional means of control *for example lowering light switches or raising plug sockets*
- Facilitating access and movement around the dwelling to enable a disabled person to care for someone *for example a spouse or child*
- Facilitating access to an existing garden where feasible

The maximum mandatory Disabled Facilities Grant is currently £30,000.

Applications for discretionary disabled facilities cannot be considered due to budget restrictions.

Applications made by Registered Providers must also demonstrate that no other suitable accommodation is available to transfer the tenant to and that the tenant is not under-occupying the property.

Agreement was reached in 2014 with Registered Providers through the Tower Hamlets Housing Forum that they will fund 50% of Disabled Facilities Grant up to a maximum of £5000 for their own tenants.

4. Home Repair Grants for owner-occupiers

To qualify for a Home Repair Grant (HRG) an applicant must:-

- Be over 60 years of age on the date of the application, or
- Be disabled or infirm, or the parent or carer of a disabled child, and
- Be on an income-related benefit or tax credits (see table below).

In addition the applicant must:-

- Be aged 18 or over on the date of application
- Live in the dwelling as their only main residence
- Have the power or duty to carry out the works (with the appropriate consents)
- Be an owner-occupier who occupies the dwelling as their only main residence.

The types of works that can be grant aided are:-

- Removal of Category 1 Hazards

Applications for minor repairs and improvements will only be considered where the applicant has owned the dwelling for the last three years. The grant will not normally be available to part fund major works costing over £6,000. The Home Repair Grant will be limited to a maximum of £6,000 per applicant in any five year period.

Applications for minor adaptations for works to enable a disabled child to be cared for in their own home will be accepted from the parents or carer of that disabled child.

All grant eligible works must be completed within 4 months of the date of the grant approval.

Income related benefits and tax credits
Income Support
Income Support Mortgage Interest
Housing Benefit
Council Tax Benefit
Council Tax and Disability Premium
Child Tax Credit and/or Working Tax Credit
Income Based Job Seekers Allowance
Income Based Employment and Support Allowance
Attendance Allowance
Disability Living Allowance
Industrial Injuries Disablement Benefit and Constant Care Allowance
War Disablement Pension and Constant Care Allowance
Pension Credit
Households in receipt of either working tax credit which includes a disability element or child tax credit providing the person entitled to the tax credit has a relevant income of less than £15,050.00 as defined for the purposes of determining eligibility for the tax credit.

PLEASE NOTE THIS TABLE WILL BE SUBJECT TO REVISION WHEN UNIVERSAL CREDIT IS INTRODUCED IN TOWER HAMLETS

5. Empty Property Grants

Empty Property Grants (EPGs) may be made available to owners of properties that have been empty for at least 6 months including Registered Providers if:

- They own the freehold or a lease with a least 10 years remaining on the dwelling
- They are an individual, a partnership or a Company registered in the United Kingdom
- They intend to make the property available for letting for a period of between 3 and 5 years after the completion of the works, to families nominated by the Council
- They are accredited under the United Kingdom Landlord Accreditation Partnership (formally London Landlord Accreditation Scheme).

The Empty Property Grant could cover the works needed to bring the home up to the decent homes standard (including demolition and re-building) and incorporate works to make the home safe, secure and affordable to keep warm.

The maximum amount of grant assistance would be dependent upon the size of the resultant units and the status of the landlord.

Type of Accommodation	Maximum Grant
One bedroom flat	£20,000
Two bedroom flat or house	£25,000
Three bedroom flat or house	£30,000

The owner of the empty property will be required to let out the property for a period of 5 years on completion of the works, to families nominated by the Council at a rental level that is below the Local Housing Allowance.

The conditions of this grant are that for the period of 5 years following the payment of an Empty Property Grant the landlord must provide the Council annually with the following documents:

- A certificate for the safety of any gas appliances
- A certificate of safety for the automatic fire detection system
- A certificate for adequate buildings insurance
- A copy of the Tenancy Agreement

All grant eligible works must be completed within 12 months of the date of the grant approval.

To protect the Councils position the landlord would be required to enter into a deed of covenant and a restriction would be registered against the landlord's title at the land registry, or in the case of unregistered land a caution would be registered.

If any of these conditions are breached then the grant will become repayable with interest in line with standard Council terms.

6.0 General Grant Entitlement, Conditions and Definitions

The requirements in this section relates to all discretionary grants.

7.1 Eligibility

- Home Repairs Grant will not be available for Mobile homes or houseboats
- Grant aid will not normally be made available to 'persons from abroad'
- Grant aid will not normally be made to non UK registered companies
- No grant eligible work is to start before approval of the grant, unless written consent is given in writing by the council
- The works must be carried out by a contractor whose estimate formed part of the original grant application
- The ownership details of the applicant must be confirmed by Land Registry records, a lease or tenancy agreement.
- Works that are eligible for funding through an insurance claim will not be grant aided.
- Where the receipt of an income related benefit or tax credits makes an owner eligible for consideration for Home Repairs Grant, this will apply to all owners of the property regardless of main place of residence.

7.2 Amount of grant

- All discretionary grants are subject to the availability of funding
- Reasonable fees for architects, surveyors, engineers and advisors will be included within the amount of grant, where applicable.

7.3 Council's Obligations

- To provide advice about the extent and nature of the owner's financial and other obligations, through a third party if appropriate
- To have regard to the applicants ability to afford any contribution to the grant or repayment of the grant
- To list the conditions of the grant aid with the notification of the approval of the grant.

7.4 Payments

- Interim grant payments will be available at the discretion of the Council and on receipt of an acceptable invoice or supervising officer's valuation certificate.
- Final payments will only be paid upon submission of the Final Accounts and all Certificates and Guarantees. Certificates to be provides for all gas and electrical installations and guarantees for all damp proofing, dry rot and roofing works. Building Control certificates are to be provided where Building Regulations Approval was required
- All grant eligible works must be completed within the stated period from the date of the grant approval.
- Payment will be made to the applicant unless otherwise specified in writing, however, for DFG and HRGs we will usually pay the contractor direct.

7.5 Conditions

See individual grants.

7.6 Definitions

Owner-occupier means the person who, as an owner, occupies the dwelling-house as their main residence.

Owner means in relation to any dwelling, means:

- an estate in fee simple absolute in possession, or
- a term of years, under a long tenancy of more than 21 years absolute, of which not less than five years remain unexpired at the date of the application, whether held by the applicant alone or jointly with others

Landlord means a person who is the owner of a dwelling which is let to a tenant either as a periodic tenancy or a fixed term tenancy in exchange for rent.

Private Tenant means a tenant whose landlord is not a local authority or Registered Provider or other public body.

Tenant means a person who occupies a dwelling which is let either as a periodic tenancy or a fixed term tenancy and pays rent to a landlord.

Dwelling means a building or part of a building occupied or intended to be occupied as a separate dwelling for habitable purposes, together with any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it.

Infirm means not physically or mentally strong through age or illness

Disabled has the meaning set out in section 100 of the Housing Grants, Construction and Regeneration Act 1996

Vulnerable households are defined as people on the qualifying benefits listed in the table below:-

Income related benefits and tax credits
Income Support
Income Support Mortgage Interest
Housing Benefit
Council Tax Benefit
Council Tax and Disability Premium
Child Tax Credit and/or Working Tax Credit
Income Based Job Seekers Allowance
Income Based Employment and Support Allowance
Attendance Allowance
Disability Living Allowance
Industrial Injuries Disablement Benefit and Constant Care Allowance
War Disablement Pension and Constant Care Allowance
Pension Credit
Households in receipt of either working tax credit which includes a disability element or child tax credit providing the person entitled to the tax credit has a relevant income of less than £15,050.00 as defined for the purposes of determining eligibility for the tax credit.
PLEASE NOTE THIS TABLE WILL BE SUBJECT TO REVISION WHEN UNIVERSAL CREDIT IS INTRODUCED IN TOWER HAMLETS

Person from Abroad means that the person should be habitually resident in the Common Travel Area i.e. the UK, Republic of Ireland, the Channel Islands and the Isle of Man.

Appendix 2

Applications, Determinations, Appeals and Complaints

1. Applications

All applications for grants, loans and other forms of assistance must be made on the relevant application form. These forms are available from:

The Private Housing Improvement Team

London Borough of Tower Hamlets
Mulberry Place (Clove Crescent)
London
E14 2BG

or they can be downloaded from the Council's website at

www.towerhamlets.gov.uk

Assistance is available in translation of the application forms into the main community languages.

In the case of an Empty Property Grant the grant application must include:

- A fully completed and signed application form
- Two itemised and quantified estimates for all the works required to bring the property up to the up to the decent homes standard and for works to make the home safe, secure and affordable to keep warm.
- Particulars of any preliminary or ancillary services and charges
- Proof of ownership
- Particulars of all relevant Building Control and Planning applications and consents

In the case of a Landlords' Improvement Grant the grant application must include:

- A fully completed and signed application form
- Two itemised and quantified estimates for all the works required to bring the property up to the up to the decent homes standard and for works to make the home safe, secure and affordable to keep warm.
- Particulars of any preliminary or ancillary services and charges
- Proof of ownership

- Particulars of all relevant Building Control and Planning applications and consents

In the case of Home Repair Grants the application must include:

- A fully completed and signed application form
- Two itemised and quantified estimates for all the works required
- Particulars of any preliminary or ancillary services and charges
- Proof of ownership
- Particulars of all relevant Building Control and Planning applications and consents

2. Determination

The Grants Panel will consider all applications for grants and assistance. This Panel will meet on a fortnightly basis and make recommendations to the delegated officer as to how the application should be determined. All grants are subject to budget availability.

Full applications for all types of Home Repair Grants will normally be determined within 20 working days from the date of application.

Full applications for Landlords' Improvement Grants will normally be determined within 40 working days from the date of application.

Full applications for Empty Property Grants will normally be determined within 40 working days from the date of application.

All notifications of decisions will be made in writing to the applicant.

3. Appeals

Appeals about how this Policy Framework is implemented in individual cases, for example where an application for assistance is refused, will be considered by the Service Head– Housing Options

Any appeal must be made within 28 days of the applicant being made aware of the Council's decision.

Appeals must be set out in writing and sent to

Service Head– Housing Options
London Borough of Tower Hamlets
Mulberry Place (Clove Crescent)
London
E14 2BG

The appeal submission must include the specific grounds on which the appeal is based. Appeals will only be considered on the following grounds:

- That the policy has not been applied correctly, or
- That the case in question is exceptional in some way that justifies an exception to the policy.

Appeals will not be considered on the grounds that the appellant simply disagrees with the policy. However, any written comments and complaints about the Policy Framework will also be considered as described below.

A written response to an appeal will be given within 28 days. If the Service Head believes that the case is exceptional, or at least merits further consideration, it will be referred to the Corporate Director of Development and Renewal along with recommendations and options where appropriate. The Corporate Director of Development and Renewal, in consultation with the Lead Member for Housing may then authorise a grant or other assistance as an exception to the general policy.

4. Complaints

Tower Hamlets strives to provide good quality services for everyone. So we take complaints seriously because they highlight the problems with our services and what we should do to improve things.

We hope to be able to settle your complaint quickly and informally at your first point of contact. Where this is not possible, the rest of this section explains our three-stage complaint procedure.

You can get leaflets and complaints forms explaining this procedure from your nearest One Stop Shop, Tower Hamlets Town Hall, IDEA Stores and libraries.

Anyone who is receiving a service from the council can make a complaint. You can complain about not being treated fairly or properly, or if we have not done what we promised in the right time and to the right standard.

Stage 1

It is best to discuss the problem with the staff concerned or their manager. This should be the fastest and most effective way to resolve your problem.

Stage 2

Make a formal complaint, preferably in writing. You can get a form from council offices, Tower Hamlets Town Hall and libraries. Once you have filled it in, you can hand it in at any council reception point. If you find it difficult to fill in a form, please

ask for help from your most convenient council office. You may also complain by telephone.

Stage 3

If you are not satisfied with the written response to your complaint at Stage 2, you may appeal to the Head of Paid Service, who will begin an independent review. You must appeal in writing to the Head of Paid Service, Mulberry Place, 5 Clove Crescent, London E14 2BG within 20 days of the Stage 2 reply.

At Stage 2 and 3, we make a commitment to acknowledge your complaint within two working days and reply within 20 working days. We will advise you if we cannot complete the investigation within this time and explain why.

Appendix 3 - Scheme of Delegation

Decision	Level of Authority
Major Changes to Private Sector Renewal Policy	Mayor in Cabinet
Capital Budget allocation	Mayor in Cabinet
Minor modifications to Private Sector Renewal Policy	Corporate Director of Development and Renewal and the Lead Member for Housing
Exceptions to the Private Sector Renewal Policy based on the criteria set out in the Policy Framework	Corporate Director of Development and Renewal and the Lead Member for Housing
Waiver of grant conditions	Head of Service – Development & Renewal
Approval of Grants up to £6,000	Housing Strategy Manager
Approval of Grants from £6,000 to £30,000	Section Head - Private Sector and Affordable Housing Manager
Extension of period of grant availability	Section Head - Private Sector and Affordable Housing Manager
Decision to Compulsory Purchase an empty property	Mayor in Cabinet

