

Housing Assistance Policy

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1. Introduction

Harrogate Borough Council is committed to ensuring the housing stock of the district meets the needs of our residents. Action to enable the repair, improvements and adaptations to private sector homes is an important component of this commitment. This policy sets out the support available to homeowners and private sector tenants.

The assistance available has been developed in the context of the Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 (The Order). The Order permits local authorities to offer financial assistance and advice. This Policy contains the range of grants and loans available to owners and tenants in the private sector to assist them to improve and adapt their property. It constitutes a revision of the previous Housing Assistance Policy.

Owner Occupation accounts for 69% of the homes in the Harrogate district. Many of these homes are well maintained and are suitable for the people occupying them. In a minority of cases, however, owners are unable to keep their homes in safe and warm conditions.

Across the Harrogate District 23% of the housing stock is rented from a private landlord. Landlords are responsible for keeping their properties in repair and in a safe condition. However, when tenants require modification due to a disability the council can provide both mandatory and discretionary assistance to pay for aids and adaptations

This policy outlines how the council will work to assist homeowners, landlords and private sector tenants through advice services, financial assistance and enforcement, to make repairs and adaptations to properties.

The housing assistance available will be kept under review and modifications may be made due to national legislative and policy changes and in local condition, needs and priorities.

1.1 Policy Aim

- To outline the assistance available to homeowners, landlords and private sector tenants to improve housing conditions across the district.
- To assist residents to remain in their own homes for as long as possible.
- To assist empty homeowners in returning their properties to occupancy.

1.2 Context

1.2.1 National Policy Context:

National Strategy for Housing in an Ageing Society (2008) – “Lifetime Homes, Lifetime Neighbourhoods”.

In this strategy, Government announced its ambitions to build homes to “Lifetime Homes” standards and a vision of Lifetime Neighbourhoods that are fit for all. The strategy also included the provision of improved advice and information, and expanding help for simple repairs and adaptations, with more investment in major home adaptations to support independence.

Cutting the Cost of Keeping Warm – A Fuel Poverty Strategy for England (2015)

This strategy sets out how the Government will deliver its fuel poverty target to ensure that as many fuel poor homes as is reasonably practicable achieve a minimum energy efficiency rating of Band C, by 2030.

1.2.2 Sub-regional Policy Context

York, North Yorkshire & East Riding Housing Strategy 2015/2021

This strategy sets out the nine sub-regional priorities for housing growth and delivery. Harrogate Borough Council is committed to jointly delivering on the following priorities relevant to its Housing Assistance Policy:

THEME: Understanding and Improving the Quality of our Housing Stock

PRIORITY 4:

Via policy guidance and negotiation, ensure new homes are of high design and environmental quality

PRIORITY 5:

Continue to make best use of existing stock and ensure it is of a decent quality to meet the needs of our communities

PRIORITY 6:

Ensure all homes have a positive impact on health and well-being and are affordable to run

North Yorkshire Joint Health & Wellbeing Strategy 2015 – 2020

The strategy contains a commitment from partner organisations to improve health & wellbeing and ensure that people in all communities in North Yorkshire have equal opportunities to live full and active lives from childhood to later years. It gives direction and sets out priorities for Board partner organisations to include in their own strategies and plans.

1.2.3 Local Policy Context

Delivery of the Housing Assistance Policy supports all the Corporate Priorities contained in the Harrogate Borough Council Corporate Plan.

- A Strong Economy
- A Sustainable Environment
- Supporting Our Communities
- Excellent Public Services

The policy also contributes to the Council's emerging Housing Strategy 2018-2021.

2. Housing Assistance Policy

This policy is the overarching document for the delivery of the Housing Assistance Policy. This policy outlines the measures available to Harrogate Borough Council to achieve our policy aim through the use of advice services, direct & indirect financial assistance and enforcement.

Housing Assistance Policy

Financial Assistance - Procedures:

- a) Discretionary Disabled Facilities Financial Assistance
- b) Emergency Repairs Fund
- c) Better Homes Scheme
- d) Mortgage Assistance
- e) Preventing Repossessions Loan
- f) Empty Homes Loan

2.1 Advice Services

We will provide information and advice to assist any person to improve, repair, adapt or rebuild residential premises.

We recognise the importance of informing and encouraging when working with home owners and landlords to uphold legislative requirements. Where possible we seek to resolve issues raised to the satisfaction of both the landlord and tenant in order to achieve tenancy sustainment and reduce homelessness due to the termination of tenancies.

The council will:

- Ensure the availability of information and advice on its website
- Provide advice verbally
- Engage with groups and forums to provide advice to the community and private sector landlords

- Work in partnership to disseminate and provide information and advice.

2.2 Direct Financial Assistance

It is the responsibility of home owners to maintain and improve their properties at their own expense. However, the council recognises that we have a responsibility to provide assistance, particularly to the elderly and vulnerable.

All financial assistance given is subject to:

- Available funding resources and capacity
- Written terms and conditions under which assistance will be given

Before giving any assistance the council will:

- Provide appropriate advice or information about the extent and nature of any obligation (financial or otherwise) to be taken on.
- Give regard to the person's ability to afford to make a contribution or repayment.

The council may provide:

2.2.1 Discretionary Disabled Facilities Financial Assistance

The council has the authority, under The Order, to offer discretionary assistance in any form, for adaptations or to help occupants to move to more suitable living accommodation and no limit is placed on the amount of assistance that may be given.

The council will use discretionary assistance to assist households;

With a grant to move to a more suitable alternative accommodation, (the grant covers some of the cost of moving house, including solicitor's fees, estate agents fees, removal costs, and other essential costs considered on an individual basis), in situations where;

- The cost of assistance may be less than the cost of adapting the applicants current home,
or
- The disabled person is a tenant whose landlord has refused to give consent to the adaptation work,
or
- The adaptations that are needed are not practicable in their current home, or
- The adaptations involve major work and it would be more beneficial to the disabled person and more cost effective to move to a home more suitable for their needs

To assist disabled people in work and those with a small occupational pension, the Council will grant aid the first £5,000 of all assessed contributions

In addition, a 'top-up' of up to £15,000 for applicants who qualify for a mandatory DFG where the cost of works exceeds £30,000 and the applicant cannot source additional funds may be available. Any 'top-up' financial assistance over £5,000 will be administered as a Land Charge on the property for a period of ten years to be repaid on sale or transfer of the home. In the case of extensions the council will increase the level of discretionary assistance to a maximum value of £30,000 when the cost of the works exceeds £30,000. In these cases the land charge will increase to a maximum value of £25,000.

The council will consider applications for discretionary assistance to pay for works that may otherwise not be eligible for assistance. Typically these works could include the cost of undertaking repairs to a property to enable a DFG to proceed. These could include:

- Insulating a home or providing uPVC double glazing where a DFG is being provided to install a new heating system.
- Undertaking works to resolve category one and category 2 D & E hazards within a property, such as remedial works to tackle damp or excess cold.
- Undertaking electrical repairs to a home where a new level floor shower or stair lift is being provided.
- Undertaking measures to improve the safety and security of eligible households such as windows and door locks, fixing loose flooring, undertaking repairs to pathways and the removal of trip hazards.
- The purchase, installation and ongoing cost of Assistive Technology (Telecare) to enable people to remain in their homes.
- Replacement equipment eg stair lifts when they are at the end of their lifecycle and can no longer be maintained.

Discretionary financial assistance of up to £15,000 may be offered to qualifying applicants. Any discretionary financial assistance over £5,000 will be administered as a Land Charge on the property for a period of ten years to be repaid on sale or transfer of the home.

Park Homes cannot have a Land Charge placed against them and therefore the maximum discretionary grant available is £5,000.

In exceptional circumstances the council will also consider use of discretionary funds, subject to available budgets, to assist charitable organisations and Registered Providers with works deemed reasonable and practicable, and where in the council's opinion such works would benefit residents in domestic dwellings. In each case a detailed business case, detailing exact adaptations to be considered and any supporting rationale, must be submitted by the charitable organisation. Each of these schemes will be considered on its merits but the overriding criteria will be that Disabled Facilities Grants fund will pay for capital works of repair, improvement or provision of facilities to assist disabled people remain as independent as possible at home.

- Funds will not be provided for care or activities outside the home
- No funds will be provided to other Councils, parish, first, second tier or unitary.
- No funds will be provided for the repair of equipment.

Procedure

From April 2018 the council will offer discretionary Disabled Facilities Financial Assistance. The maximum reasonable assistance the council will offer is £15,000. The council retains sole discretion in award of Discretionary Financial Assistance (DFA).

All applications, determinations and payments will be dealt with in line with the Disabled Facilities Adaptations Policy 2019.

2.2.2 Emergency Repair Fund (ERF)

ERF provides loans to homeowners up to £5,000, repayable on the sale of the property, for emergency repairs (roof, windows, heating etc.). The loan covers,

- Works to remedy Category 1 and Category 2 D & E Hazards.
- Repairs to ensure homes are wind and water tight.
- Security and fire detection works.
- Works to prevent slips, falls and trips.

The council will:

- a) Provide Emergency Repair Fund Loans in accordance with the purposes, eligibility and test of resources as defined in the Emergency Repair Assistance Scheme (ERAS) procedure.
- d) Register a local land charge on properties where the home owner (s) has been awarded an Emergency Repairs Fund Loan. The land charge will be for a period of the loan. We will seek to recoup all loan monies where the applicant disposes of their interest in the property during the period of the loan.

Eligibility

The loan scheme is targeted at homeowners with a household income of less than £15,200.

Procedure

All applications, determinations and payments will be dealt with in line with the Emergency Repair Fund (ERF) procedure.

2.2.3 Empty Homes Loan

The council has the authority to offer loans for home owners looking to complete renovation work on their property to make it habitable for sale or let.

The loan is devised to help unlock the potential of empty properties to bring them back into use.

The payment terms of the loan would include the following criteria:

- The loan is an equity release product, which is appreciation based. This means there aren't any monthly repayments or interest charges.
- The loan is secured as a legal charge against the empty property, same as the security required on a mortgage.
- The loan is for a fixed term of five years, or sooner if the empty property owner sells the property, or wishes to pay the loan off in full, before that time.

The process of the loan would include the following:

- Harrogate Borough Council would lend the empty property owner the money to have repairs and improvement works carried out on the property – this will become the loan amount.
- The loan amount would be converted to a percentage of what an independent valuer anticipates the property to be worth if the works were carried out – this will become the loan to value percentage.
- When the loan is re-paid and if the value of the property has increased the loan to value percentage is used to calculate what should be repaid, based on the value of the house at that time with vacant possession.
- When the works are completed to the expected standard of the council, the works are signed off as completed by the council and the empty property owner, and the loan funds paid directly to the contractor who has undertaken the work.
- When the loan is re-paid, if the value of the property has fallen then the homeowner will repay the original amount that has been borrowed (as it will be a charge on the property).

Eligibility

The loan is targeted at homeowners who are selling or letting their property and require additional funds to complete the development.

Procedure

All applications, determinations and payments will be dealt with in line with the Empty Homes Loan procedure.

2.3 In-direct Financial Assistance

To be responsive to identified need, support partners & deliver shared objectives we will take up discretionary powers to provide additional financial assistance for housing adaptations/improvements under Article 3 of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. We will do this in the following ways:

2.3.1 Better Homes Yorkshire

Better Homes Yorkshire was procured by West Yorkshire Combined Authority in December 2014 to respond to the challenge of cold homes and fuel poverty. Under the Better Homes scheme, the private sector partner Engie has been appointed to deliver domestic energy efficiency and heating measures across the Leeds City Region. The council signed a call-off contract in December 2014 in order to participate in the scheme.

In addition to home energy efficiency measures offered to “able-to-pay” customers, various fuel poverty projects come under the Better Homes umbrella at different times, depending on the availability of external funding. These projects offer targeted assistance to households vulnerable to fuel poverty.

Relevant fuel poverty risk factors could include low income, poor home energy efficiency, health issues, and the age or residents. Eligibility may also be defined by using the council’s ECO Flexible Eligibility Statement of Intent, or by using area-based criteria.

The council will support bids for external funding which meet our aims, and where appropriate we may provide match funding, support in kind or other assistance to the scheme.

Responsible Authority

The Better Homes scheme is managed by West Yorkshire Combined Authority. Harrogate Borough Council jointly funds a project manager post, hosted by City of York council, to provide a coordinated approach for the participating North Yorkshire councils and City of York council.

Homes and Loans Service

The Homes and Loans Service, based at Sheffield City Council, delivers loans based on the following two models, which are appreciation based loans or interest free loans:-

Appreciation based loans – no monthly repayments, repayable either on transfer of ownership or at the end of an agreed term. The loan amount is calculated as a percentage of the property value

(either unimproved or improved) and that loan to value percentage is then repaid on the new valuation at the time of repayment.

Interest free based loans – capital amount repayment either paid in full at the end of an agreed term or in equal monthly repayments of the capital over an agreed term.

In brief the loans are:-

Home Appreciation Loans (HALs) - secured home appreciation loans specifically for clients who need to undertake work for repairs, improvements or disability adaptations to vulnerable people who are unable to access commercial borrowing from a high street lender.

Energy Repayment Loans (ERLs) – secured interest free monthly repayment loans for vulnerable people who own their own homes to undertake work to their properties to address excess cold (not covered in detail in the tables as they work the same as a normal HAL subject to a normal max loan of £3k).

Energy Homes Appreciation Loans (EHALs) – secured home appreciation loans specifically for clients who need to undertake work to their properties to address excess cold and cannot afford monthly repayments on an ERL.

The council will:

- Provide loans in accordance with the, eligibility and test of vulnerability as defined by the council's ECO Flexible Eligibility Statement of Intent, or by area-based criteria which may be set.
- Provide an optional and chargeable support service to applicants to include form completion, verification of contractors, drawing up of schedule of works and contract management.
- Register a Legal Charge against the property for the amount of the loan

Sheffield City Council's Homes and Loans service will:

- Provide loans in accordance with the purposes and eligibility as defined in the Homes and Loans Procedure

Procedure

All applications, determinations and payments will be dealt with in line with the Homes and Loans procedure.

Responsible Authority

Applications for assistance are administered by Harrogate Borough Council, whilst the Homes and Loans scheme is managed by Sheffield City Council.

2.3.2 Mortgage Assistance

Mortgage assistance is offered across the district by Breathing Space, Mortgage Rescue. This is temporary assistance, following a change in circumstances such as redundancy or ill health. Help can be provided through an interest free secured loan to pay off mortgage arrears. The loan may also provide on-going mortgage instalments for up to 12 months.

The Mortgage Breathing Space can be used to pay off arrears and on-going payments for secured loans. The amount available is between £2,000 and £15,000. Payments are made direct to the lender.

Anyone who takes out a Mortgage Breathing Space loan does not have to repay any monthly instalments, during the 3 year loan period.

- There are no fees or set up costs
- The loan is interest free
- The loan must be fully repaid at the end of the 3 year period so assistance can be offered to other households

Breathing Space allows time to consider longer term options, such as re-financing/re-mortgaging the home or selling at a realistic market price.

Eligibility

Anyone can apply as there are no house value restrictions.

To qualify for help the mortgage and secured debts plus our loan must be below 90% of the value of the home.

Responsible Authority

Breathing Space is administered by Wakefield Council.

2.3.3 Preventing Repossessions Loan Fund

The purpose of the Preventing Repossessions Loan Fund is to enable Harrogate Borough Council to help households at risk of homelessness through repossession or eviction by offering small short term loans.

The loans can be used to help address immediate financial difficulties in return for which possession action is halted. Loan payments are made only when to do so would make the household's position recoverable.

Loans will normally range from £1,000 to £3,000 per household, and any loan should be capped to a maximum of £5,000, available at 0% interest.

Eligibility

The fund is aimed at:

- Homeowners who genuinely cannot pay their mortgage (and not those who choose not to).
- Tenants who genuinely cannot pay their rent (and not those who choose not to).

An inability to pay must be as a result of an "income shock". This is usually defined as being as a result of:

- Relationship breakdown
- Job loss/ Reduced hours
- Ill health
- Or other similar reason why the mortgage or rent is no longer affordable. There should no previous history of significant arrears. Both priority and non-priority households are eligible to apply

Procedure

Applications to the fund will be dealt with by Harrogate Borough Council in line with the Preventing Repossessions Loan Fund Procedures (June 2016).

3. Appeals and Complaints

All appeals and complaints will be dealt with in line with the council's corporate complaints procedure and the scheme of delegation.

4. Scheme of Delegation

Decision	Level of authority
Major changes to Housing Assistance Policy	Cabinet Member for Housing and Safer Communities.
Minor modifications to Housing Assistance Policy	Head of Housing and Property Services in consultation with Director of Community
Exceptions to the Housing Assistance Policy based on the criteria set out in the Policy Framework	Head of Housing and Property Services in consultation with the Cabinet Member for Housing and Safer Communities
Approval of Discretionary DFG and Repairs Assistance grants up to £5000	Housing Renewal Manager
Approval of Discretionary DFG Grants from £5000 to £15000	Housing Renewal Manager
Agreement to waive repayment of loan	Director of Community in consultation with Cabinet Member for Housing and Safer Communities.
Approval of Preventing Repossessions Loans	Senior Housing Options Officer, the Housing Options Team Leader, or the Housing Needs Manager

5. Reviewing the Policy and Eligibility

This Policy will be reviewed in line with any significant change in legislation, guidance issued by the Ministry of Housing, Communities and Local Government's or significant case law. Separate to this it will be reviewed every three years.