



Your right to Compensation for Improvements



234156

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Ja Jums vajadzīga informācija no Marejas domes (*Moray Council*) citā valodā vai formātā, piemēram, Braila rakstā, audio lentā vai lielā drukā, sazinieties ar:

اگر آپ کو مورے کونسل سے کسی دیگر زبان یا صورت میں معلومات درکار ہوں مثلاً "بریلے، آڈیو ٹیپ یا بڑے حروف، تو مہربانی فرما کر رابطہ فرمائیں:



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What is the right to compensation for improvements?

Under the Housing (Scotland) Act 2001, Scottish secure tenants and short Scottish secure tenants may be eligible for compensation for improvements they have made to their home on or after 30 September 2002. To qualify for this compensation:

- you must have applied for permission and we must have granted permission for the improvement (If permission was refused you have the right of appeal to the Sheriff Court); and
- your tenancy must have ended. You can apply for compensation when you know your tenancy is coming to an end. We recommend you let your landlord know about this as early as possible. You can also apply if your tenancy comes to an end because your house or flat is being transferred to a new landlord.

Who is not eligible for compensation?

You will not receive compensation if:

- you bought your house or flat under the Right to Buy scheme;
- your home is being repossessed by your landlord or if you are being given a new tenancy for your existing home with the same landlord.

What kind of improvements can I get compensation for?

Decorating the inside of your home does not qualify for compensation. You can get compensation for installing, replacing or fitting the following improvements on or after 30 September 2002:

- a bath or shower;
- cavity wall insulation;
- sound insulation;
- double glazing, replacing external windows or fitting secondary glazing;
- draught-proofing external doors or windows;
- pipes, water tanks or cylinders;
- a kitchen sink;
- loft insulation;
- rewiring, providing power or lighting, or adding other electrical fixtures (including smoke detectors);
- security measures other than burglar alarms;
- space or water heating;
- storage cupboards in a bathroom or kitchen;
- thermostatic radiator valves;
- a wash-hand basin;
- a toilet;
- a work surface for preparing food; and
- mechanical ventilation in bathrooms and kitchens.

We will inspect any work to make sure it meets any necessary specifications.



What can I claim compensation for?

You can claim compensation for:

- the cost of materials (but not appliances such as cookers or fridges); and
- labour costs (but not your own labour).

How do I make a claim for compensation?

Make a claim in writing to us between the start of your 28 day notice period and 21 days after your tenancy end date. You will need to provide:

- your name and address;
- details of what improvements you have made;
- how much each improvement cost;
- the date the improvements were started and finished;
- proof of the amount you have spent to establish the basic cost of the improvements so we advise you to keep a copy of any invoices, bills, receipts that relate to the work; and
- details of any financial help (grants) that helped pay for the improvement.

How much is the compensation?

The maximum amount of compensation we can give is up to £4,000 for each improvement. You will not receive any compensation for an improvement if the amount of compensation is less than £100.

How does Moray Council work out my compensation?

We will work out the basic cost of the improvements from the details you give us and deduct any financial help/grants from the cost. The compensation amount will take into account:

- the age of your improvement. The value of any improvement will decrease as the improvement gets older and the more it is used due to wear and tear;
- if we believe you have paid too much for the improvement or the quality is higher than it would have been if they had done it.
- the condition of the improvement when your tenancy ends.

It is important to note, if you have rent arrears or housing debt, we can use any compensation you are entitled to put towards the debt.

What if I don't agree with my landlord's decision on my claim?

You can ask us to reconsider our decision within 28 days. To review the decision, we will use one of the following:

- an independent valuer or surveyor of their choice;
- any of their members, committee members or board members who were not involved in making the original decision; or
- all of their members, committee members or board members.

If the tenancy ends because the tenant(s) have died, or in other special circumstances, compensation can still be claimed. If you have succeeded the tenancy (taken it over following a family member's death), you may be eligible to make the application for compensation.

If you were a secure tenant and carried out improvements to your home before 30 September 2002, you will continue to have rights to compensation under the old scheme which will differ from the information above. If you want to know more about your rights, you should get advice from a solicitor or Moray Citizens' Advice Bureau.

If you make a false claim or claim for more than the actual amount spent, we can investigate and take legal action.

If you need any further information please contact your Area Housing Officer or our Asset Management Team:



email:

housing@moray.gov.uk



or phone:

0300 1234566

