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APPENDIX I



# The Scheme of Assistance for Home Owners and Private Tenants in Moray

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### Introduction

The Scottish Government has required, under **Section 72 of** the Housing (Scotland) Act 2006, that local authorities produce a Scheme of Assistance which will set out how each authority will provide advice, information and assistance to private home owners in relation to housing related matters. This new approach, which has been introduced to promote a cultural change in attitudes to housing quality **and condition**, will use a mixture of encouragement, practical assistance and financial **support** where required. This **may** be supported by the use of new enforcement powers where it is justified.

### Vision

### Our vision is to:

"assist in improving housing conditions for everyone in Moray"

The Moray Scheme of Assistance is based on the principal that the primary responsibility for maintaining private sector housing lies with the owner of the property. Through this document, The Moray Council will detail all the assistance that they can provide to owners and private tenants, to deal with housing problems.

To help promote greater responsibility among homeowners a more sustainable approach to providing assistance, away from the previous highly grant subsidised approach, will be developed.

To achieve these aims the Moray Scheme of Assistance will provide:

Advice and Information

Practical Assistance

Access to Avenues for Funding

### Strategy

This scheme also reflects national and local priorities and Moray Council is committed to;

- Increase the number of houses that are suitable for people with disabilities
- Improve the housing quality of elderly members of the community
- Reduce the number of houses that are below the tolerable standard
- Ensure the repair and maintenance of poor quality houses



Energy Conservation and the Reduction of Fuel Poverty

### **Equalities**

The Moray Council will ensure the promotion of equal opportunities by publishing **all** Scheme of Assistance information and documentation in different formats/languages as required.

The council will **endeavour to** ensure that no individual is discriminated against on the grounds of sexual or marital status, on racial grounds, or on grounds of disability, age, sexual orientation, language or social origin, or other personal attributes, including beliefs, or opinions, such as religious beliefs or political opinion. All communication with applicants or potential applicants will be in "plain language"

The council will make appropriate arrangements for communicating with applicants and potential applicants who have special needs, such as people with sight, hearing or learning difficulties, for example, by using signers.

### Access to Assistance

The Moray Council provides general housing advice and information to homeowners in the area through its **Home Improvement Services Section** This is based at;

Council Headquarters, High Street Elgin, IV30 1BX

Tel: 01343 563508/563507

e-mail; homeimprovementservices@moray.gov.uk

and access to assistance can be:

- in person
- by telephone
- by e-mail
- via council web site
- by written correspondence
- by a home visit

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### Information and Advice

The Moray Council will provide Information & Advice to owners and private tenants to enable them to deal with a wide range of housing related matters themselves, including how to;

- Adapt a house for the needs of a disabled person
- Carry out major repairs and/or improvements
- Identify maintenance and minor repair items
- Finance any works
- Contact suitable contractors
- Arrange to get work carried out
- Carry out Common Repairs
- Set up a Maintenance Plan

It may be that the information required is more specific in nature and would be better supplied by either another section of the council or an outside agency. If this is the case then the appropriate contact details will be provided to the applicant or potential applicant.

The council has produced Information Leaflets covering a wide range of topics.

These are available from The Moray Council Access Points or from the website address.

### Common Repairs

The Moray Council offers Information & Advice to owners of tenement flats and other properties with common parts that require maintenance and repair. This type of work is known Common Works or Common Repairs and examples of such work could be repair to the roof, any chimneys or flues and gutters & down-pipes.

A tenement is a building comprising of two or more flats that are owned, or, designed to be owned, separately and which are divided from one another horizontally.

Therefore, large houses that have been converted into flats, four in a block and modern flats are all tenements and at some stage will require common repairs.

Certain common repairs can also apply to other types of properties, such as, terraced houses.

As well as providing Practical Assistance the council **may** also provide additional assistance to help owners;

- find out what their responsibilities are for repairing common parts
- know about their title deeds/land certificate
- know what they can expect from a property manager or factor
- organise repair or maintenance work themselves
- deal with uncooperative owners and disputes
- find legal advice
- find financial advice

Further information is available in our leaflet entitled "Common Repairs"

It may be that some neighbouring properties are in Moray Council ownership. Should this be the case **you should contact the council's Area Housing Officer to discuss the matter.** Further information regarding all aspects of common repairs is available from the council's "Common Repairs Policy"



### Practical Assistance

Along with the provision of information and advice, The Moray Council's Housing Grants Section Home Improvement Services Section offers a Practical Assistance Service to existing owner occupiers whose home is more than 10 years old and in need of significant repair. This service consists of a property inspection followed by a written report on the findings. The inspection will be non-invasive in nature and cover the whole property both internally and externally. Inspectors will at all times ensure their own safety and will not enter un-floored attics or attempt to gain access to roofs, wall heads etc. This report cannot be used to support any house sale/purchase or in any insurance claim.

The report will include a description of the property and any works required to bring the house up to the Scottish Housing Quality Standard (SHQS).

The SHQS is a measurement of the condition of a house and what works should be done to bring it to an acceptable standard.

The Standard is based on a number of broad criteria and to meet the Standard the house must be:

- Above the Tolerable Standard
- Free from Serious Disrepair
- Energy efficient in regard to central heating and insulation
- Provided with modern facilities and services
- Healthy, safe and secure

A property inspection report can also, on request, be used to determine if a property is suitable for adaptation to suit the needs of a disabled person and indicate what works could reasonably be carried out. This may require a joint visit with an Occupational Therapist.

As part of the inspection report the owner will also be encouraged to develop a Maintenance Plan for the property. Assistance in producing a Maintenance Plan will be provided on request

Apart from bringing a property up to the Tolerable Standard or when **Unless** a Notice has been served, it is ultimately a matter for an owner to decide whether to make any improvements if the property does not meet the SHQS.

In certain circumstances the scale of the works may mean that a more indepth inspection would be required. Should this be the case applicants will be advised to employ a Building Surveyor.

Should an owner decide to carry out any improvements or repairs then further Advice & Information and information on Avenues for Funding will be provided.



### <u>Central Heating and Energy Saving</u> <u>Energy Conservation and Fuel Poverty</u>

The Moray Council's Fuel Poverty Strategy supports the Scottish Government's principal of eradicating the number of households in fuel poverty, as far as possible, by 2016.

To help achieve this target, the Moray Council supports both national and local schemes to assist those in fuel poverty.

The Scottish Government operates an "Energy Assistance Package" which looks to maximise income, reduce fuel bills and improve the energy efficiency of homes.

The package has four stages

- Stage 1 offers free expert energy advice
- Stage 2 provides benefits and tax credit checks
- Stage 3 provides standard insulation measures
- Stage 4 offers enhanced energy efficiency measures including the installation of new central heating systems

The Energy Saving Trust manages the delivery of the package on behalf of the Scottish Government

To find out what the package can offer, telephone the Energy Saving Trust on 0800 512 012.

### Grants from Fuel Suppliers

Fuel suppliers may also have some form of grant assistance towards the cost of providing insulation and advice on saving energy.

Different grants may be available at different times of the year.

Further information is available directly from you fuel supplier

Or from

The Energy Saving Trust

Telephone 0800 512 012



### Renewable Energy Information

Renewable energy comes from sources that are essentially inexhaustible, unlike fossil fuels, which are limited. Renewable energy sources include the sun, the wind, flowing water, and the heat of the earth and replaceable fuels such as wood.

More information and the **possibility** of any grant assistance is **available** by contacting the Energy Saving Trust.

Telephone 0800 512 012

### Grant assistance for Central Heating

The council will only consider applications where a central heating system is being installed for the first time and an applicant has failed to qualify for the Scottish Government Scheme Energy Assistance Package.

Only applications from people with disabilities who are either registered blind or who receive one or more of the following benefits will be considered; Disability Living Allowance, Disability Element of Working Tax Credit, Disabled Persons Working Tax Credit, Severe Disablement Allowance, Incapacity Benefit, Mobility Supplement, Attendance Allowance and All War Pensions.

Consideration will be given to applicants who are not disabled, but only when other grant earning work is being carried out which cost the same as, or more than, the cost of the central heating system.

### Moray Care & Repair

Most elderly people want to stay in their own home for as long as possible but may need assistance in tackling problems of an old or unsuitable house. Organising and financing maintenance work can be complex and may often be a distressing experience.

Moray Care & Repair funded by Moray Council, and operated by Castlehill Housing Association offers independent advice and assistance to help homeowners repair, improve or adapt their home so that they can live in comfort and safety in their community. This free and confidential service is available to owner-occupiers and private tenants who are at least 60 years of age or for those of any age who are suffering a disability.

### Moray Care & Repair can:

- Discuss and agree with you what works are required
- Obtain quotations from reputable contractors

- Assist with paperwork
- Help make application for any grant assistance available
- Inspect work to ensure it is up to an acceptable standard
- Liaise with Occupational Therapy if works are for a disability adaptation

Further details of eligibility, the **full** range of services undertaken and other assistance offered to householders can be obtained by contacting:

Moray Care & Repair Room 46 Chandlers Court Elgin IV30 4GF

Tel (01343) 548660 Fax (01343) 548663

E-mail; mcar@castlehillha.co.uk

### Handyperson Service

The Handyperson Service provides a small repair and assistance service to those who may have no family or friends available to help. Some examples of the assistance provided are;

- Changing awkward light bulbs
- Fitting smoke alarm or changing batteries

Plus a range of other tasks

For further information please contact; The Handyperson Service 115 South Street Elgin IV30 1JD

Telephone 01343 559739

E-mail handyperson@communityfirstmoray.org.uk

Or visit the web site www.communityfirstmoray.org.uk



### **Enforcement Powers**

The Moray Council has powers under the Housing (Scotland) Act 2006 to deal with sub-standard housing. These include Housing Renewal Areas, Works Notices, Closing Orders, **Demolition Notices**, Demolition Orders and Maintenance Orders.

A house is sub-standard if it is:

- Below the tolerable standard
- In a state of serious disrepair
- In need of repair and is likely to damage other premises if nothing is done to repair it

### The Tolerable Standard

The tolerable standard consists of a set of criteria covering the elements of a property, which are fundamental to it functioning as a house. The tolerable standard is a minimum standard that is required for human habitation – in other words; it is not possible to expect someone to live in a house that falls below this standard. The tolerable standard focuses only on the building itself and does not extend to internal decoration or repair/replacement of heating systems. The tolerable standard applies to houses of all tenures.

Further information on the tolerable standard is available from "The Housing (Scotland) Act 1987" and as amended in "The Housing (Scotland) Act 2006: Guidance for Local Authorities"

### Serious Disrepair

The Moray Council's Environmental Health Section will determine that a house is in serious disrepair if, on inspection, any building elements require significant replacement. This decision will be up to the professional judgement of the officer concerned.

### In Need of Repair

The Moray Council will determine that a house is in need of repair if, on inspection, any building elements are defective and in need of repair, that it is likely that the house will deteriorate further and that it may damage another property. This decision will be up to the professional judgement of the officer concerned.

### Houses Affecting Amenity of an Area

The Moray Council also has powers to deal with housing which may not be sub-standard, but whose appearance or state of repair is affecting the amenity of an area. There may be a variety of factors, which could cause this, for



example, overgrown gardens, scrap vehicles and the presence of waste material.

Local resident's views will be considered in deciding what action the council will take.

### Housing Renewal Areas

The enforcement powers for Housing Renewal Areas (HRAs) may be used where:

- housing is sub-standard, to bring it into and keep it in a reasonable state of repair; or
- the appearance or state of repair of houses is adversely affecting the amenity of the area.

Houses that are sub-standard will be identified and where there are a significant number in an area and 50% of these are below the tolerable standard, consideration will be given to using powers to designate a Housing Renewal Area.

The council also has powers to issue a Demolition Notice or a Closing Order on a vacant house within an HRA.

### Works Notices

Where a complaint or representation has been made to the Environmental Health Section about the condition of a house in need of repair a Works Notice may be served under delegated powers.

Owners can appeal against the serving of a Notice.

### Maintenance Orders

Where the council's Environmental Health Section are of the opinion that the benefit of work carried out in pursuance of a Work Notice will be lost, or that the house has not been or is unlikely to be maintained to a reasonable standard, then the council may serve a Maintenance Order.

Owners can appeal against the serving of a Maintenance Order.

### When Enforcement Powers will be used

The Moray Council will only use enforcement powers as a last resort and there are no other options to deal with poor quality housing.

The owner(s) of sub-standard house(s) will be contacted and made aware of the condition of the house and be reminded of their responsibilities to maintenance and will be encouraged to rectify problems.

The council will provide Information & Advice on how to rectify the problems, if requested.



If this does not have the desired effect and appropriate repairs are not carried out then enforcement powers may be used.

### Trusted Traders

Awaiting further Scottish Government guidance

### Avenues for Funding

Financial assistance for works can be from a variety of sources and Information and Advice on this is available on request. The council has information on the main ways to fund works:

### Commercial Loan

### National Lending Unit

### Grants

It may be that alternative housing may be another option and further information on **this** is available in the "Housing Options Guide."

### Commercial Loans

There are a number of products available to owners for raising funds to finance any home improvements, repairs or adaptations in the commercial market.

The most readily available are considered to be:

- Overdraft
- Unsecured Personal Loan
- Secured Personal Loan
- Prime Mortgage
- Lifetime Mortgage (Equity Release)

Further information is available in our leaflet entitled "Commercial Loans."

The Moray Council or its staff will not recommend any type of loan but will simply provide information on various options.

All applicants are advised to obtain the services of an Independent Financial Advisor. Information on obtaining a financial advisor is available from the Financial Services Authority.



Should an applicant be unable to secure a commercial loan on fair terms they may be permitted access to a loan from the National Lending Unit.

### National Lending Unit

The National Lending Unit is planned by the Scottish Government to provide a range of loan products to assist owners who are unable to access a fair commercial loan.

### Grant Assistance for House Condition Works

In certain circumstances the Moray Council may be in a position to help fund a proportion of the cost of some types of home improvements, repairs and disabled adaptations that are considered to be priority works for the area and to assist those in greatest need.

### Applicant Contribution

To determine those in greatest need, a test of resources will be required to assess an applicant's ability to contribute to the cost of any works by means of a financial assessment.

Those in receipt of certain benefits may receive 100% grant.

Where the works fall into the minimum percentage grant category a grant may be awarded irrespective of the level of assessable income.

### Reducing BTS Housing

The council recognises that, although the responsibility of maintaining a home lies with the owner, there are instances when the design or construction of a house will cause it to fall below the tolerable standard (BTS). For this reason a small number of grants may be available to assist with the cost of the works.

### Repairs

The council also recognises that owners may require financial assistance to carry out repair works to their home. A small number of repair grants may be available to assist with the cost of:

- roof repairs
- rendering repairs
- the replacement of water supply pipes made from lead and
- works to reduce exposure to radon gas



### Conditions of Grant Eligibility

Grant applications for home improvements or repairs will only be accepted from owner-occupiers and life-renters.

Completed applications for grant will not be approved unless the Council is satisfied that certain conditions are met.

Where appropriate, grant applicants who qualify, will be offered the services of Moray Care & Repair to assist in submitting the required information necessary to provide a complete application.

Should any applicant decline this service Advice and Information will be provided by the Council to assist in providing a complete application.

If an applicant is unable to fund their share of the cost the council will provide information on commercial loans or refer applicants to the proposed National Lending Advisory Service.

### Grant Assistance for Disabled Adaptations

The Moray Council has a mandatory duty under the Housing (Scotland) Act 2006 to assist a disabled applicant adapt their property to suit their particular needs.

The council recognises that, although the responsibility of maintaining a home lies with the owner, there are additional burdens to be faced by those with a disability. To reflect this, any assistance we provide will be tailored to suit the needs of the individual.

Disability-related work is not restricted to work to assist those with physical disabilities. It can encompass a wider range of people and includes those with mental health problems and frail elderly members of the community.

The council will provide financial and non-financial assistance to disabled owner occupiers, occupiers and private tenants to help them to remain in their own homes for as long as possible.

However, it may be that the existing property is wholly unsuitable for adaptation and the best course of action may be a move to alternative accommodation. The council will provide Advice & Information on house buying and the social rented sector.

Adaptations to a house can be of real benefit to someone with a disability, however they are only one of a number of other possible solutions available. It is therefore important that anyone seeking any type of disability-related adaptation or assistance with any housing related issues should make contact with the council's Housing Needs Team for advice on housing options and with the Community Occupational Therapy Team.



### Occupational Therapy

Occupational Therapy is the promotion and restoration of health and well being for adults and children with physical or mental health problems or disability. This may be as a result of having been born with a disability, an accident, illness or through the ageing process.

An Occupational Therapist can:

- Give advice on adapting your home
- Help you to learn new ways of doing things
- Advise alternative ways of doing things, perhaps with suitable equipment
- Support you through what can sometimes be a difficult period
- Offer support and advice to carers

To enable the most suitable course of action to be taken, every applicant's needs must be assessed by the Community Occupational Therapy team.

The Community Occupational Therapy team will assess anyone who has been referred to them and will offer Advice and Information.

To arrange an assessment please call the Duty OT line 01343 559461

Once this assessment has been completed and the most appropriate course of action has been agreed on, the type of service available from the Scheme of Assistance will be determined.

### Alternative Housing

It is important that consideration be given to alternative housing where this is the most effective way of meeting assessed needs. Especially when these needs could be more effectively met in a house that is more appropriate for a disabled person. A "more appropriate" house may also be one that is easier to adapt than the existing home.

The Moray Council will provide Advice & Information on moving to a more suitable house, moving to one that may be more easily adapted or indeed the construction of a new property, to any applicant on request.

In certain circumstances, where the cost of the required work to meet assessed need is very high, financial assistance to move house to more suitable accommodation may be available.

### Adaptations to Existing House

A range of works can be carried out to adapt an existing house to enable a disabled person to continue to stay there. These works may also include the following equipment to assist the activities of daily living ie bathing, toileting, dressing and feeding.



### **Funding Adaptations**

Should the most appropriate way forward for any applicant be major alterations to their existing house then it is possible that grant assistance may be available.

Moray Council will provide mandatory financial assistance to enable the provision of standard amenities despite the presence of existing facilities, in circumstances, determined by the Occupational Therapy team, where additional or replacement facilities are essential to the needs of the disabled person.

Additionally, if determined by the Occupational Therapy team, the council will provide mandatory financial assistance to carry out works to allow access to the entrance of a house and/or to reach accommodation or facilities above the ground floor.

The council, may, at their discretion, also grant fund any associated works connected to any of the above alterations.

### **Applicants Contribution**

To determine those in greatest need, a test of resources will be required to assess an applicant's ability to contribute to the cost of any works by means of an Income Assessment.

Those in receipt of certain benefits may be passported to 100% of the approved expense.

The rate of grant for works that falls into the mandatory category will be a minimum 80% of the approved expense. An applicant's **test of resources** may increase this figure.

However, the income from all persons assessed will be calculated to determine the rate of grant available.

For mandatory grant purposes this excludes:

- work to extend any structure to create additional living accommodation, and
- work to create living accommodation in a separate building from the current living accommodation.

However, discretionary grant may be available for these works.

The council may provide discretionary grant assistance should the assessed need be to extend the original structure of the property to provide additional



living accommodation. Discretionary grant is determined by a test of resources.

The exclusion of this works from mandatory grant provision is partly due to the high cost involved and partly because work of this nature will result in a net growth in the property value.

However, should these works include the provision of one or more of the standard amenities then that proportion of the work would attract mandatory grant.

If an applicant is unable to fund their share of the cost the council will provide information on commercial loans.

All grant applicants will be offered the services of Moray Care & Repair to assist in submitting the required information necessary to provide a complete application.

Should any applicant decline this service Advice and Information will be provided by the council to assist in providing a complete application.

The council will provide assistance with the reinstatement of previously adapted properties where this is requested. This assistance will be in the form of Advice and Information.

### Conditions of Grant Eligibility

Grant applications for disability adaptations will only be accepted from disabled owners, disabled life-renters, disabled occupants, disabled tenants of privately rented properties **and** parents/guardians of disabled children.

Completed applications for grant will not be approved unless the council is satisfied that certain conditions are met.

### Approval of Grant Applications

Discretionary grant applications will only be approved when there are sufficient funds available and at the discretion of the council. Once all relevant information has been submitted applications will normally be dealt with in date order. However, in certain high priority circumstances, this may be relaxed.

Mandatory grant applications will be approved without undue delay. Once all relevant information has been submitted applications will normally be dealt with in date order. However, in certain high priority circumstances, this may be relaxed.



Information on how to complete **a grant** application form and any additional information that may be required is contained in the grant application pack, which is available from the council's **Home Improvement Services Section**.

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\* An applicant receiving mandatory grant of 80% may, after a test of resources, qualify for a higher rate of grant.

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### Monitoring

In order to comply with its service commitments, the council will monitor the following: -

- The number of requests for assistance
- Number of grant applications approved
- Number of National Lending Unit applications approved
- The amount of grant funds approved
- The amount of National Lending Unit funds approved
- The number of grant applications completed
- The number of National Lending Unit loans completed
- The amount of grant funds paid
- The amount of National Lending Unit loans paid
- Customer satisfaction.

The Moray Council will routinely gather other information on the condition of and the services provided within, properties in the area. We will also gather information from service users to enable us to measure progress in delivering the Scheme of Assistance.

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Private Sector Housing Section own wide	Information, advice and	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
		www.moray.gov.uk/moray_standard/page_411b5.ntml	Name: Home Improvement Services
own wide rela	assistance to home-		Section
wide relai	owners/tenants on a		Address: Moray Council Headquarters,
relat	wide range of housing		High Street, Elgin
	related matters		Tel: 01343 563507/563508/563408
			Fax: 01343 563586
			E-mail:
			privatehousinggrants@moray.gov.uk
Environmental Health Info	Information regarding air	www.moray.gov.uk/moray_standard/page_1787.html	Name: Environmental Health Section
dna	quality, housing		Address: Moray Council Headquarters,
COUR	conditions, water		High Street, Elgin IV30 1BX
ldns	supplies and abandoned		Tel: 01343 563345
vehi	vehicles		Fax:
			E-mail: public.health@moray.gov.uk
Building Standards Prov	Provides advice and	www.moray.gov.uk/moray standard/page 1604.html	Name: Building Standards
gnid	guidance on the		Address: Moray Council Headquarters,
redr	requirements for a		High Street, Elgin IV30 1BX
Buily	Building Warrant and for		Tel: 01343 563243 Duty Officer between
eme	emergency intervention		2.00-4.00PM Monday-Friday
			Fax:
			E-mail: buildingstandards@moray.gov.uk
Community Prov	Provide advice and	www.moray.gov.uk/moray services/page 40254.html	Name: Moray Occupational Therapy
lal	assistance on coping		Address: The Glassgreen Centre, 2
Therapists with	with the effects of illness		Thornhill Drive, Elgin IV30 6GQ
ord	or disability		<b>Telephone</b> : Duty Line 01343 559461
			Fax:
			E-mail:

Contact Details

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The Law Society of	This is the governing	www.lawscot.org.uk	Name: The Law Society of Scotland
Scotland	body for Scottish		Address: 26 Drumsheugh Gardens,
	solicitors and can		Edinburgh. EH3 7YR
	provide names and		Telephone: 0131 226 7411
	addresses of solicitors in		88
	the area.		