

Renfrewshire Council

Housing (Scotland) Act 2006, Section 72

# Scheme of Assistance for private house owners

April 2010

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## **1.1 Purpose of this document**

This document introduces a new approach by Renfrewshire Council to our involvement in the quality of privately-owned housing in our area. It sets out the circumstances in which the Council will prioritise particular types of information, advice, practical support and financial assistance to private house owners in relation to works to private houses.

This Statement is produced as required by Section 72 of the Housing (Scotland) Act, 2006. It will apply from April 2010 until further notice.

## **1.2 Our aim and objectives for private housing**

The overarching aim of the Council's strategy for private housing is to help house owners in Renfrewshire to maintain and invest in their properties, in order to improve housing conditions and create a modern, flexible and attractive sector.

Our objectives to help achieve this aim over the next few years are:

- to help owners to improve the condition of privately-owned houses, and contribute to area regeneration
- to assist people with particular needs living in private housing to overcome the obstacles they face in maintaining and improving their houses
- to help owners overcome the barriers to maintaining and investing in property in common ownership
- to contribute to improved quality and management in the private rented sector.

These objectives will be served by the development of our Scheme of Assistance.

## **1.3 Service delivery**

The success of the Scheme of Assistance will depend on effective joined-up working between various services within the Council and our partner organisations, in particular:

- Renfrewshire Council - Housing & Property Services
- Renfrewshire Council - Social Work
- Renfrewshire Council - Planning & Transport
- Renfrewshire Council - Environmental Services
- Renfrewshire Council - Finance & IT
- Renfrewshire Council - Corporate Services
- Scottish Government - Housing Investment Division
- Registered Social Landlords
- Care & Repair Renfrewshire
- local property managers

The Scheme is co-ordinated by the Owner Services team within Housing & Property Services, and they can be contacted at:

**Renfrewshire House  
Cotton Street  
Paisley  
PA1 1JD**

**Telephone: 0141 840 3531  
e-mail: [ownerservices.hps@renfrewshire.gov.uk](mailto:ownerservices.hps@renfrewshire.gov.uk)**

Details of how to contact the right people to get access to the help you need are given in Appendix 1.

## **1.4 Consultation**

A consultative draft version of this Scheme of Assistance was issued for public consultation in January 2010. The document was made available on the community website and Local Housing Forums and Community Councils were consulted. The responses have been taken into account in producing this finalised document.

## **1.5 Equalities**

The Council is strongly committed to equal opportunities and has made every attempt to incorporate equality measures into the Scheme of Assistance. An equality and diversity impact assessment has been carried out alongside the process of consultation and we will continue to review, consult upon, and monitor our services to ensure that they are non-discriminatory.

## **2 Legislative and policy context**

### **2.1 Legislative framework - The Housing (Scotland) Act 2006**

The Housing (Scotland) Act 2006 set out to transform the way in which Local Authorities assist private house owners in their areas. Final Guidance on the provisions of the Act was issued in early 2009, and is available on the Scottish Government's website. The Act included new regulations affecting adaptations for disabled people, which came into effect on 1 April 2009, and Local Authorities have had a transitional period of 12 months from then in which to move over to the remaining new powers and responsibilities.

The rationale behind the legislation is that responsibility for house condition rests with the owner, and that owners should be encouraged to exercise that responsibility. Where they have difficulty in meeting their responsibility, it is appropriate for government to provide services that assist them, directly or indirectly, to overcome the barriers they face. This government involvement is justified by the improved housing conditions that will result, particularly for those vulnerable people least able to deal with the barriers to carrying out works to their houses.

The objective of the legislation is to achieve a long-term improvement in the quality of private sector housing through well-planned, strategic use of the new powers. The

powers should enable Local Authorities to offer more tailored assistance to owners, ranging from information and advice to practical assistance, loans and, if necessary, grants. New enforcement powers are also included. These powers are brought together in a broad “Scheme of Assistance”, which replaces the historic reliance on the provision of grants.

Because dealing with the barrier facing the owner does not necessarily mean providing grant, the Scheme of Assistance implies a change of outlook on the part of all of us involved, away from a simple expectation that the Local Authority should provide owners with grants. Like any change of attitude or culture, this may take some time to become fully established.

The Scheme of Assistance should be as cost-effective as possible, so that the financial and staffing resources available help the maximum number of people to improve their housing conditions.

The Act provides for adaptations for disabled people to be treated very differently from applications for assistance for repairs or improvement to deal with the condition of a house and the arrangements for adaptations are detailed in section 4.1 below.

Under Section 72 of the Act, Local Authorities are required to draw up a ‘Statement of Assistance’ to explain to the public what help will be available, to whom, and when and how to apply. This document is our first “Section 72 statement”.

## **2.2 Planning framework**

The Scheme of Assistance is part of the Council’s Private Sector Housing Strategy. This strategy in turn nests within the context of the statutory Local Housing Strategy (LHS) process. The current LHS set out the Council’s objectives and plans for housing in all tenures for the period 2004 to 2009. The next LHS is due in 2011 and preparatory work on this is now in progress.

Within the context of its broad aims of meeting housing needs and improving living conditions, the LHS 2004-2009 set out a number of actions, some of which are of particular relevance to the private sector and are still applicable now. These are:

- continue to support older people’s ability to ensure the homes they own remain in good repair through the Care & Repair project
- continue to adapt clients’ homes to better meet their housing needs
- reduce the number of houses failing the Tolerable Standard
- continue to provide grant assistance to support the improvement of pre-1919 tenements in town centre areas
- establish more effective partnership working arrangements with owner-occupiers and private landlords

The Private Sector Housing Strategy reviews and updates all aspects of policy relevant to private sector quality, with particular reference to the new opportunities which arise from implementation of the Housing (Scotland) Act 2006.

## 2.3 The principles guiding the design of our Scheme of Assistance

In our strategic planning and budgeting, we must first take cognisance of the implications of our statutory duties. Our first priority is therefore to make provision for grants which are mandatory, which will now be almost solely grants towards adaptations for disabled people. After this, we must have regard to the indirect implications of duties including our duty as a landlord to ensure that our own houses meet the Scottish Housing Quality Standard by 2015, and our duty to deal with houses which fail the Tolerable Standard.

Once these duties are addressed, Local Authorities can determine their use of their discretionary powers to intervene in private sector housing. The Government suggests that Councils should set their priorities for assisting house owners on the basis of (a) the need for action, and (b) the need for assistance.

Many of Scotland's private houses are in poor condition due to lack of repair and maintenance. This results in poor living conditions and declining neighbourhoods, building up problems for the long term. In Renfrewshire, the main priority for *action* is to address the biggest problem in housing condition - dilapidation in traditional tenement properties. These properties, mostly over 100 years old, give the towns their character but many are in serious disrepair, and addressing this is complicated by the fact that they are in multiple ownership. Action has traditionally been through Housing Action Areas, grant-aided repairs schemes, and statutory action by Environmental Protection.

We should give priority to the need for *assistance* according to the help that the owner needs to carry out his or her responsibility to deal with the house. Some forms of assistance, such as information leaflets, will be generally available, but the use of resources to help an individual should be conditioned by an attempt to tailor assistance to that needed to overcome the barriers to action. Elderly owners, for example, may need access to reliable contractors, practical assistance to organise works and, for larger works, an easy and secure way to release funds by tapping into the equity tied up in their home. Owners in flatted blocks may need practical help to organise common works, with back-up to enforce essential maintenance on uncooperative owners.

### 3 Types of assistance

#### 3.1 Summary of the Scheme of Assistance

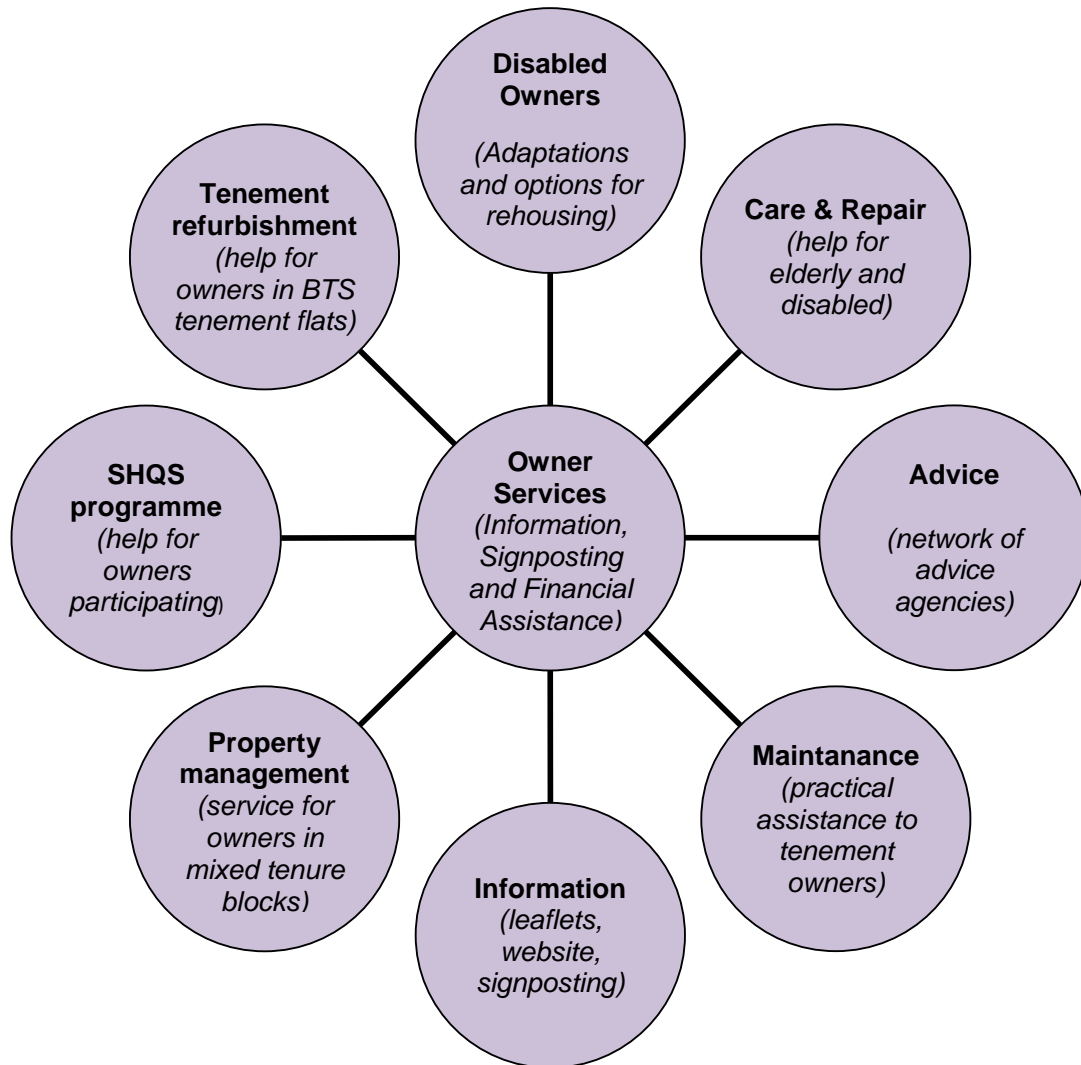


Figure 1: Summary of the Scheme of Assistance

#### 3.2 Information, advice and practical assistance

Provision of good quality, relevant and up-to-date information is fundamental to helping owners. We will provide information on a wide range of topics and it will be available through various media, including leaflets, our website, our Housing Options Guide and referrals to other agencies.

One of the major barriers to getting works done is the lack of information on suitable and reliable contractors. In its draft Guidance, the Scottish Government set out

proposals for a “trusted traders” framework, which is currently undergoing further development. Proposals for a local scheme are currently being developed by the Council’s Trading Standards Section. Such a scheme would have significant potential in encouraging owners and giving them the confidence to proceed with necessary repairs.

Advice is a key component of our Scheme of Assistance. It is not practicable or desirable to provide advice on every matter relevant to private housing through a single source. The various advice agencies are therefore co-operating and networking together to ensure that a comprehensive set of services is available and that enquirers can easily be referred on to the best place for them to receive help. Details of how to access the services, listed below, are given in Appendix 1.

- Renfrewshire Council – Housing Advice and Homeless Services (advice on homelessness, private rented sector issues, and housing options for disabled people)
- Renfrewshire Council – Energy Advice
- Renfrewshire Council – Advice Works (money advice)
- Renfrewshire Council – Environmental Services (advice on environmental health issues)
- Renfrewshire Council – Owner Services (advice on funding, common works)
- Care & Repair (advice to elderly and disabled owners on housing repairs, improvements and adaptations)
- Citizens’ Advice Bureau (general advice)
- property managers

Practical assistance will be provided for elderly and disabled people through the Care & Repair project – see section 4.2 below.

We will also provide practical assistance to groups of owners who need to arrange maintenance and repair to common property, and this is outlined in section 4.3 below.

### **3.3 Financial assistance – loans and grants**

Access to borrowing will, in the long term, be the primary means of funding works to private houses. Loans are a fairer way to enable owners to undertake their responsibilities to look after their property, and are expected, over time, to take up the slack left by the withdrawal of the general availability of grants.

At present, national arrangements for new lending vehicles to arrange loans for house repair and improvement are not yet in place. The Council is not in a position to initiate its own lending scheme but we will provide information to owners on options available elsewhere and strongly recommend that they seek independent financial advice before obtaining loans. The Council cannot provide such financial advice to owners, and it is of vital importance that they obtain it before proceeding with a course of action which could have important financial consequences for them. For some owners, saving with local Credit Unions and then obtaining a loan from them may be a viable option, subject to their obtaining financial advice as mentioned



previously. Providing information on this option has been explored with one local organisation and it is proposed to roll this out to all Credit Unions operating in Renfrewshire over the coming year.

Grants will no longer be generally available, apart from most adaptations for disabled people, and in particular situations where owners are being asked to participate in large common works programmes, as outlined in Sections 4.3 and 4.4 below

## **4. Assistance in particular circumstances**

### **4.1 Adaptations for disabled people**

#### Getting your needs assessed

The Council has a duty to assess the housing needs of disabled people living in its area and to meet eligible assessed needs. If you have a need that we think is eligible for assistance, we will provide such assistance as is considered appropriate in the circumstances, having due regard to the relevant legislation.

Firstly you will need an assessment of your circumstances by one of our Occupational Therapists to see what sort of difficulties you are having in your home and what might be the best way of helping you. To arrange this, please contact your local Social Work office – for contact details see Appendix 1. Please give as much information as possible about your difficulty. Also, anyone - a friend, relative, doctor or other concerned person can, with your agreement, contact the Occupational Therapy Service.

The Occupational Therapist will visit you at home to discuss privately how you manage your daily activities, e.g. dressing, washing, cooking etc. You will be asked to demonstrate how you do some of these activities so that the Occupational Therapist can see the difficulties you have, understand your problem and work out possible solutions which will make the activity easier for you and/or your carer. The Occupational Therapist may need to visit you more than once to complete this assessment process and ask you to repeat some activities using different methods or items of equipment.

Where necessary, the assessment will also look at the needs of other family members living with you, including anyone who helps care for you.

The Occupational Therapist will then discuss options with you - assistance may include:

- providing information, training and support to help you help yourself with daily activities, e.g. dressing, preparation of meals and mobility techniques;
- training and support to help you improve and maintain the abilities you have. e.g. joint protection techniques and rehabilitation methods;
- training and supporting carers to assist with practical tasks such as helping you in and out of bed or using equipment to lift you from a chair or bath;

- advising, where appropriate, about the services of a paid carer to come to your home to help you;
- providing various types of equipment to help you, or your carers assist you, with everyday activities;
- providing advice, assistance and support to make permanent adaptations to your home. Sometimes the assessment may decide that instead of adapting your home another option – such as moving to a different property – is the best way of meeting your need. If this is the case, we will work with you to explore your options.

We will have to decide whether your need is a priority – in other words, how urgently you need help. All requests for assessment are prioritised to ensure that those in the greatest need and at the highest risk receive a service quickly. This means that other referrals may have to wait for a service.

We will try to respond to your needs as quickly as possible. However, some solutions may take longer than others to provide. Your Occupational Therapist will keep you advised of waiting times or of the arrangements that are being made to assist you.

If you are unhappy with the outcome of the assessment, you can ask for your case to be re-considered. If you are still unhappy after the appeal, you may want to contact the Scottish Public Services Ombudsman – for contact details see Appendix 1.

When an adaptation is the best way to meet your need, you can apply for financial help.

#### What adaptations can I get help with?

You can get help with a wide range of adaptations - that is, permanent changes to your home that involve building work such as:

- replacing the bath with a walk-in shower
- constructing a ramp to help you get in and out of your home

These are only examples – not a full list.

If we have assessed you as having a priority need for adaptations like these, the cost of work will probably be eligible for a grant.

#### How much grant will I get?

If you are eligible for a grant, it will cover 80% of the cost of the work you have been assessed as needing.

However, the grant will cover 100% of the cost of the work if you receive one of these welfare benefits:

- Income Support
- income-based Jobseeker's Allowance
- Pension Credit (guarantee element)
- income-related Employment and Support Allowance.

If you have been offered a grant at 80%, but you cannot raise the other 20% of the costs that you need to go ahead with the work, we will give you the opportunity to

apply for additional grant assistance, on a means-tested basis, which could take the percentage up as high as 100% - the exact amount will be determined by applying the test of resources under the Housing (Scotland) Act 2001. (This additional grant is subject to there being available budget for this.) We can also arrange for a Benefits Check for you to ensure that you are receiving all the help that you are entitled to, and we will give you information on other options that may be available to help you raise the necessary funds to carry out the recommended works.

You may be entitled to exemption from VAT for all or part of your adaptation work – your contractor or our Owner Services team should be able to advise you about this.

Where you want to carry out work over and above what you have been assessed as needing – for example if you are replacing the bath with a shower but you would like to tile the rest of your bathroom – you will need to pay for this yourself as grant will not cover these extra costs. Such additional work should not change the suitability of the adaptation to meet your needs and will not affect the grant you receive to adapt your home.

#### How do I apply for a grant?

If you are eligible for a grant, your Occupational Therapist will give you a grant application form and will guide you on how to proceed. Full details of the process are given in our leaflet “Help with adaptations to your home”, available on request from Owner Services.

#### Help for private tenants

Private landlords have a duty, under the Disability Discrimination Act 1995, to take reasonable steps to help a tenant with a disability. This could include small adjustments such as furniture and equipment, signs or notices, taps, door handles and door entry systems. However if you need a larger adaptation, this will be your responsibility, and you should apply for assistance from us in the same way as a home owner. You will need to get the agreement of your landlord for you to carry out the adaptation that you need, but the landlord cannot refuse to give consent without a good reason.

If you later move out of the rented house, and your landlord requires you to remove the adaptation you made, we will provide help to do this.

#### Other assistance

As a Council, we must ensure that where a disabled person’s need is assessed as being a priority, that need is met within a reasonable time period. So, if you cannot cover the full cost of meeting your need, even with a maximum grant, you should contact us to see if we can find any way to help you.

If you are not satisfied with the way in which we have dealt with your case, you have the right to complain. If you are still not satisfied with the answer that we give you, you can contact the Scottish Public Services Ombudsman.

#### Additional living space.

We do not have to give grant for a house extension unless it is needed for bathroom or toilet facilities. If the works recommended by the Occupational Therapist would

require the construction of an extension to your home to provide additional living accommodation, we will not necessarily provide you with financial assistance, but will consider, with you, a range of options.

We will consider offering you help to move to another house which is more suitable for your needs or can be made suitable at a more reasonable cost, and in this case we may be able to give you financial assistance with the costs of moving. This can be through grant on removal costs, legal and survey fees and other costs rather than subsidy on the capital cost of a more expensive property. We may also be able to refer you to voluntary organisations such as Ownership Options who could help you to buy a suitable property. The LIFT Open Market Shared Equity scheme may also be a good option if you cannot afford the full cost of purchasing a larger or more suitable house. (Applicants who are eligible can purchase a house for sale on the open market through this scheme, with an equity share of up to half the value of the house being taken by a Housing Association). Again, obtaining independent financial advice is of utmost importance.

A house in the social rented sector may be suitable for your needs or may be readily adaptable, and the Council and Housing Associations may be able to offer housing to owner-occupiers where this would be the most cost-effective way of meeting their needs.

If we agree that an extension to your home – for example to provide a ground-floor bedroom – is the best way of meeting your needs, any financial assistance will be at our discretion, and some combination of grant and loan will be considered. A grant at up to 100% of the total costs less the increase in property value may be provided. However, your financial circumstances and ability to borrow will be taken into account - a loan could be provided for the balance and you could be referred to an independent financial advisor (or in the longer term to the proposed Lending Advisory Service) to arrange this. If an affordable loan or a Home Appreciation Loan cannot be obtained, at the end of the day further grant assistance may be appropriate to make up the difference between total costs and the amount of loan that can be raised. This is a complex and developing area of policy and individual cases will be considered jointly by Housing and Social Work and treated on their merits. We will work with you to ensure that, subject to your obtaining independent advice as mentioned above, you obtain the funding you need to enable you to afford the work and to go ahead with the adaptation that you need.

#### Re-instatement works

We will provide assistance to reinstate a house after an adaptation is no longer required. Such assistance will not necessarily be financial assistance, but could be advice or practical assistance.

This may be particularly relevant where a landlord gives consent for the tenant to adapt the house, on the condition that the adaptation is removed from the property at the end of the lease. Rather than provide financial assistance to private landlords or tenants to remove perfectly good adaptations, we will seek to utilise the property for another disabled tenant, and to achieve this, we hope to develop an all-tenure

database of adapted properties and people seeking accommodation. If it is not possible to find a new disabled tenant then we will consider if it is economical to remove an adaptation such as a ramp, stairlift or closomat toilet and re-use it elsewhere.

Social Work may offer private owners a maintenance package for major equipment. Only if the major equipment is owned by Social Work or gifted to them would they remove it after it is no longer required. Social Work currently provide some funding to help with re-instatement costs (e.g. for replacing ceilings after removal of a through-floor lift etc). Unlike ramps which are owned by the private owner, stairlifts remain the property of the Council and will be removed by the Council where no longer required.

## **4.2 Help for elderly and disabled owners**

One of our objectives is to assist people with particular needs living in private housing to overcome the obstacles they face in maintaining and improving their houses. Elderly people can be more vulnerable and we give priority to providing help to elderly owners to enable them to continue to live in comfort and safety in their own homes.

The Care & Repair service provides information, advice and most importantly, practical assistance to older and disabled people. The service is currently provided in this area and East Renfrewshire by Care & Repair Renfrewshire, which is managed by Bridgewater Housing Association and is jointly funded by the two Councils. We will continually review the arrangements for delivery and governance of the service to ensure that it is being provided in the most efficient manner and to the highest standards of care.

The primary aim of the Service is to assist service users to live independently, safely and securely in their own homes and communities as long as they desire to do so. As such, the service will play a key role in our Scheme of Assistance.

The service will include:

- Provision of advice to older and disabled homeowners and private tenants on all housing conditions issues;
- Co-ordinating major repairs to individuals' houses, utilising a range of different types of funding
- Co-ordinating adaptations for disabled homeowners and private tenants;
- Provision of a Small Repairs Service to older and disabled homeowners, private and also social rented tenants.

The service will be delivered to owner-occupiers and private tenants in the following client groups:

- Persons aged over 60;
- Disabled persons or (in relation to adaptations only) the parents or guardians of disabled persons. (Disabled persons are defined as those who require assistance for day to day activities or those who have limited mobility and require assistance in getting around, sensory impaired persons, and persons

- who have a learning disability and require assistance to live within the community);
- Other vulnerable persons referred on an ad hoc basis by the Council and/or NHS Greater Glasgow & Clyde.

A key feature of the service is undertaking small repairs, safety and security measures in the homes of vulnerable people. The service also provides advice to owners on issues relating to housing and has launched initiatives such as the “no cold calling” campaign which we will continue to encourage and support. In addition to direct assistance, the service will provide a referral process to other local agencies and local authority departments.

The service will assist service users in the administration of major repairs, by the provision of technical specifications of works, assessment of contractors’ costs and providing resolution to disputes with contractors. It is proposed that once the Home Appreciation Loan becomes available, it be used as the first choice of financial product to help elderly owners carry out major repairs. If this type of loan is unsuitable in a particular case, other forms of financial assistance should be explored, with the availability of a grant only as a last resort if no other product can be found which is affordable.

In the short term, Care & Repair will assist their clients to identify potential means of funding the recommended works, including referring them to an independent financial advisor to obtain advice and assistance in obtaining various types of loans. Where possible, the service will assist clients in obtaining financial assistance from charitable sources. Where a client has identified all possibly means of funding recommended works, from their own resources, family contributions, charitable sources and borrowing (under the advice of an independent financial advisor), Care & Repair may approach the Council to apply for discretionary grant assistance on behalf of their client, such assistance being designed only to fill the funding gap after other means of financing the works have been exhausted, and would be subject to the Council having budget provision for such grant.

### **4.3 Action on older tenements**

The poorest quality housing in Renfrewshire continues to be concentrated in older private sector tenement properties in inner urban areas. We have traditionally focussed resources on a limited number of tenement rehabilitation and major repairs projects, but these have required substantial amounts of public funding. The funding available to provide financial assistance for tenement projects is likely to remain very limited over the next few years, and we will therefore continue to use this approach very sparingly. However, the Council attaches priority to projects which assist the regeneration of Paisley town centre, and we will consider the use of the new powers to designate Housing Renewal Areas in central Paisley. The exact types of assistance to owners in such an area will be considered in detail at that time.

Due to the limitations on funding, our approach to dealing with Below Tolerable Standard houses must also tackle the issue of further houses falling into disrepair and coming below the Standard due to neglect of necessary maintenance. This will

require a more proactive approach, which is facilitated by the range of new powers available through the 2006 Act. As well as providing a general service to owners throughout Renfrewshire, we may target involvement in strategic locations in support of specific area regeneration objectives.

The new legislation gives us power to serve Work Notices, to require repairs and improvements to be done to houses which are in serious disrepair or below the Tolerable Standard. We will make some use of Work Notices, particularly to assist where a majority of owners in a tenement property are having difficulty in progressing with necessary works. Owners who are responsible for work required under a Work Notice are entitled to assistance, and this will generally be in the form of information, advice and practical assistance rather than financial assistance.

The 2006 Act also introduced new powers in relation to maintenance. Local Authorities are now able to serve a Maintenance Order on the owner of a house which has not been maintained to a reasonable standard, or where any benefits resulting from work carried out may be at risk due to a failure to put arrangements for maintenance in place. A Maintenance Order will require the owner to draw up a Maintenance Plan for a period of up to 5 years. We can approve, modify or reject the Maintenance Plan and if we reject it, we can substitute a plan of our own. We will be able to assist owners to implement Maintenance Plans, and will also have a new power to pay a "missing share" into a co-proprietors' joint account, where the owner cannot pay, or cannot be found.

We will consider using these powers, subject to the availability of resources, either where we have previously invested in a property and there appears to be no arrangements being made for ongoing maintenance, or where or serious lack of maintenance is brought to our attention.

Through the service of Maintenance Orders and Maintenance Plans, we will take a more proactive approach to the upkeep of common property, by engaging with owners at a much earlier stage than has previously been done and by encouraging preventative action to be taken by owners to stop properties falling into serious disrepair. We will provide an information service to owners in flatted blocks which includes the role of property managers, legislation on tenements, identification of missing owners, clarification of liabilities and assessment of repair and maintenance needs. The service will in due course cover access to financial assistance, utilisation of the statutory powers and identification of appropriate consultants and contractors.

Grant assistance will not normally be available to assist owners with repair and maintenance costs but we will encourage owners to plan for maintenance costs in advance. This could be done by saving or by paying into a joint maintenance account or possibly saving through a Credit Union. Again, it must be emphasised that the Council cannot give advice on any such schemes, and it is strongly recommended that owners take their own independent financial advice in this connection.

#### **4.4 Help for owners in mixed-tenure flatted blocks**

The high level of Right-to-Buy sales in Renfrewshire has resulted in around 80% of the flatted housing currently owned by the Council now being in buildings which are in mixed-tenure (public and private) ownership. There are around 4,800 individual owners who have an interest in common part of the buildings, and in some cases the properties have been sold to new owners. The cooperation and participation of owners is therefore essential in securing common repairs and improvements in these buildings, and historically, lack of cooperation has often prevented or delayed works which would potentially benefit Council tenants and private owners alike.

The Council has no formal mandate to undertake repairs or improvements without prior consultation with other owners in these blocks. However, the Tenements (Scotland) Act 2004 provides the legislative framework to allow a majority of owners to instruct common repairs. We will intervene in flatted property where common emergency repairs are required, particularly where a repair directly affects a Council-owned property. Other more general repairs that are reported by owners or tenants in a block will be assessed and prioritised. Jobs may have to be deferred due to budget restrictions but many will then be incorporated in future planned maintenance cycles.

We are taking forward existing mixed-tenure common repairs services with a view to introducing a new property management service for flatted property, and we will launch a pilot service shortly in certain blocks.

Local Authorities and Housing Associations have a duty to bring all their houses up to the Scottish Housing Quality Standard by 2015, and it is critical to achieving this target that we engage private owners in blocks in mixed tenure, to encourage and support them to maintain and improve common property. Where the Council or RSL, as owner of some properties in the building, carries out common works costing over £1000 per house, and requires to recharge you for your share of the cost, we will offer you assistance as follows:

##### Flat-rate grant

Grant on a very simple means-tested basis: 50% for owner-occupiers in receipt of Income Support and similar benefits, 35% for other owner-occupiers, and 25% for non-resident owners.

##### Encourage owners to start saving in advance of the works starting.

We will give you information on the possibility of saving into a credit union, bank or building society account, or other method, as soon as the decision is taken to undertake the project. We will make clear to you that you should take your own independent financial advice, and that we cannot give financial guidance. If, however, you decide to enter into some type of savings scheme, this may give you the opportunity to build up a level of savings over a period of 12-24 months prior to the works being done and the account for your share of the costs being issued. In most cases, if you save with a credit union in this way, it is anticipated that you should be able to secure a loan from them to allow you to fund the payment of your invoice.



Giving owners an extended period to pay invoices by instalments.

A stepped arrangement is being devised. Participation will be tied to you making payments by direct debit where possible, to reduce administration costs.

Signpost owner to bank, credit union or National Lending Unit for a commercial loan.

You may approach a bank or building society for a secured or unsecured loan or for an extension to your mortgage if appropriate. Again, we will recommend you to obtain your own independent financial advice before borrowing - this is particularly important if you are contemplating an extension to your mortgage or other secured loan.

Signpost owners to National Lending Unit for a shared equity loan.

While this product could assist people with high levels of free equity and lower incomes, it will not be available until sometime in 2010/11 at the earliest.

Increase administration fee and allow discount for early single payment.

The staff costs involved in the administration of owners' participation, including liaison with owners and occupiers, grant processing, issuing of accounts and debt recovery, are considerable and will be reflected in the recharge to owners who benefit from the service. The administration fee will be deducted from your invoice if you pay your account in full within 28 days.

#### **4.5 Energy efficiency and fuel poverty**

Measures to promote the installation of loft insulation and cavity wall insulation will improve energy efficiency, help households in fuel poverty, contribute to carbon reduction targets, and may deal with many minor Tolerable Standard failures. Our Energy Advice service provides a wide range of information and advice on all aspects of this.

The main source of assistance towards the installation of these measures is the Energy Savings Scotland Advice Centre, which is funded by the Scottish Government, and we will refer you on to this service. This service provides a holistic approach to help maximise incomes, reduce fuel bills and improve the energy efficiency of homes. People who are vulnerable to fuel poverty are provided with standard insulation measures wherever these are suitable for the construction type of the house, and the household income determines whether they are provided free or at a subsidised rate. (See Appendix 1 for contact details.)

## **5. Improving quality and management in the private rented sector**

The scale of the private rented sector in providing accommodation in Renfrewshire has increased by 28% since 2003. At December 2009, 3383 landlords/agents with approximately 5000 properties were registered with the Council. The sector plays an important and positive role in providing housing for a range of different groups including students, people moving for work reasons and others who want housing of a more temporary nature. Property conditions in the private rented sector are

generally poor relative to other tenures, partly because dwellings in the sector have traditionally been concentrated in pre-1919 tenements

The objective of the Scheme of Assistance as regards private rented housing is to contribute to improved quality and management in the sector. We will do this by providing information, advice and practical assistance.

Over the last three years the Council has developed a number of initiatives to disseminate information and improve links with the private rented sector.

- Renfrewshire Private Landlord Forum – Established in October 2007 and meets 2-3 times per year
- Newsletter – “Landlord Matters” a twice yearly newsletter updating landlords and agents on current issues affecting the sector
- Landlord Information Pack – This contains a set of information leaflets detailing landlord responsibilities. This is currently sent out to new landlords and downloadable versions will be available on the Council website in 2010
- Guide to Private Renting – This publication helps to inform prospective tenants and those currently in the private rented sector of their rights in relation to housing conditions and management standards
- Landlord Accreditation Scotland – The Council launched a formal partnership with Landlord Accreditation Scotland in October 2009. This initiative will provide training opportunities for local agents and landlords. It will encourage them to become accredited and to endorse the National Core Standards for Private Landlords as set out by the Scottish Government
- Antisocial Investigations Team – Our Antisocial Investigations Team (ASIST) has developed approaches to anti-social behaviour that extend to private landlords and their tenants, to prevent them from moving unchallenged from one housing provider to another and between the social and private rented housing sectors
- Website development – Dedicated pages addressing private rented matters will be available for landlords and tenants on the Council website in 2010

The private rented sector can have an important role in helping to provide suitable accommodation for vulnerable and homeless people. In 2004, as part of our Homelessness Strategy, we established the Rent Deposit Guarantee Scheme. This scheme helps low-income households who do not have the means to pay deposits on private rented accommodation to secure and sustain lets in the private rented sector.

Section 11 of the Homelessness etc. (Scotland) Act 2003 places a duty on all Registered Social Landlords, private sector landlords and creditors to notify the Local Authority of any repossession proceedings. We will monitor all cases and offer advice and assistance to the tenant or owner affected.

The Repairing Standard extends the statutory obligations of a private landlord to repair a house or flat. The Private Rented Housing Panel (PRHP) was established at the same time to provide tenants with a route to enforce a landlord's obligations to undertake repairs. Where a landlord fails to meet their obligations under the Repairing Standard, the PRHP has the power to serve a Repairing Standard Enforcement Order requiring the landlord to carry out the work. Where a landlord still fails in their duties the PRHP can impose a rent relief order which reduces the rent payable by up to 90%. We will continue to monitor any action taken by the PRHP in relation to landlords in Renfrewshire, and take any action appropriate.

## **6. General matters regarding financial assistance**

For each grant awarded we will complete and register a Notice of Grant in the Land Register. We will deduct the administration fee for this, currently charged at £30, from the final grant payment.

There may be times when situations arise that have not been covered in the Scheme of Assistance or where there are special mitigating circumstances which require discretion on the part of the Director of Housing and Property Services or as delegated by his/her authority. The Council reserves the right to exercise its discretion in these circumstances.

### Conditions of grant

To receive financial assistance, the applicant must give their consent to be bound by the following conditions for ten years from the date on which, in the Council's opinion, the applicable work is satisfactorily completed:

- The house must be used as a private dwelling (this does not prevent the use of part of the house as a shop or office, or for business, trade or professional purposes;
- The house must not be occupied by the owner or a member of the owner's family except as his only or main residence (within the meaning of Part vii of the Taxation of Chargeable Gains Act 1982);
- All such steps as are reasonably practicable must be taken to secure the maintenance of the house in a good state of repair.

If the applicant moves or sells the property while work is being carried out, a grant would not be payable.

If any of the conditions detailed in Section 83 of the Housing (Scotland) Act 2006 are breached, we may demand repayment, as specified in Sections 86 and 87 of the Act.

### Appeals

Renfrewshire Council offers the opportunity for any applicant to appeal or seek a review of a decision made in relation to their application for assistance with a housing repair or adaptation.

An applicant seeking a review of any decision taken should write to:  
**Director of Housing and Property Services, Renfrewshire Council**  
**Renfrewshire House, Cotton Street**  
**Paisley, PA1 1JD,**

explaining why they think our decision was wrong. An appeal or review request should be submitted within 28 days of receipt of the decision letter issued. We will then look again at the decision, and will use a different person to look at it independently.

Applicants will be given the opportunity to meet with the staff reviewing their application and may be accompanied by a friend or adviser at such a meeting.

### Complaints

Renfrewshire Council operates a scheme which offers everyone the opportunity to comment on, or complain about, any aspect of the Council's services. A leaflet explaining how this system operates is available from Council offices.

If we cannot make a full response within 5 working days, an acknowledgement will be sent. A detailed response will be sent within 15 working days.

## APPENDIX 1

### CONTACTS

<p><b>Housing &amp; Property Services (Owner Services)</b>  Renfrewshire House, Cotton Street,  Paisley, PA1 1JD  Telephone: <b>0141 840 3531</b>  E-mail:  ownerservices.hps@renfrewshire.gov.uk</p>	<p><b>Housing &amp; Property Services (Housing Advice and Homeless Services)</b>  15 Abercorn Street, Paisley, PA3 4AA  Freephone: <b>0800 121 4466</b>  E-mail:  preventiononteam.hps@renfrewshire.gov.uk</p>
<p><b>Housing &amp; Property Services (Anti-Social Investigations Team)</b>  Freephone: <b>0800 169 1283</b></p>	<p><b>Environmental Services</b>  Telephone: 0141 840 3106</p>
<p><b>Social Work</b>  Abbey House, 8 Seedhill Road, Paisley,  PA1 1JT,  Telephone <b>0141 842 5151</b></p> <p>10 Ferry Road, Renfrew, PA4 8QH,  Telephone <b>0141 207 7777</b></p> <p>11 Floors Street, Johnstone, PA5 8TL,  Telephone <b>01505 342300</b></p>	<p><b>Advice Works</b>  42 High Street, Paisley, PA1 1DQ  Telephone <b>0141 887 7632</b></p> <p>10 Ferry Road, Renfrew, PA4 8RU  Telephone <b>01505 381055</b></p> <p>8 Collier Street, Johnstone, PA5 8AR  Telephone <b>01505 382328</b></p> <p>Website:  <a href="http://www.renfrewshire.gov.uk/adviceworks">www.renfrewshire.gov.uk/adviceworks</a>  E-mail:  adviceworks@renfrewshire.gov.uk</p>
<p><b>Housing &amp; Property Services (Energy Advice)</b>  Telephone: 0141 840 3704</p>	<p><b>Energy Savings Scotland Advice Centre</b>  Freephone: <b>0800 512 012</b>  Website: <a href="http://www.energysavingtrust.org.uk">www.energysavingtrust.org.uk</a></p>
<p><b>Care &amp; Repair</b>  First floor, Bridgewater Shopping Centre,  Erskine, PA8  Telephone: <b>0141 812 4111</b>  E-mail:  enquiries.carerepair@bridgewater.org.uk</p>	<p><b>Citizens Advice Bureau</b>  45 George Street, Paisley, PA1 2JY  Telephone: <b>0141 889 2121</b>  Website: <a href="http://www.cas.org.uk">www.cas.org.uk</a>  E-mail:  bureau@paisleycab.casonline.org.uk</p>
<p><b>Advice Service Capability Scotland</b>  Telephone <b>0131 313 5510</b>  Textphone 0131 346 2629  E-mail: <a href="mailto:ascs@capability-scotland.org.uk">ascs@capability-scotland.org.uk</a></p>	<p><b>Scottish Public Services Ombudsman</b>  SPSO Freepost EH641, Edinburgh EH3 0BR  Freephone <b>0800 377 7330</b>  E-mail: <a href="mailto:ask@spsos.org.uk">ask@spsos.org.uk</a></p>

