

HOUSING ASSISTANCE - CONDITIONS

These conditions apply to all Housing Assistance ('Assistance') unless stated otherwise; please note that the Council may approve Assistance on terms that it (or part of it) shall not be paid before a specified date; if this applies then the date will be notified with the notification of the decision.

Conditions as to carrying out of the works

1. Works approved under the Assistance must be completed within 12 months of the date of approval, unless the Council gives written permission for the date of completion to be extended. Applicants who think they will not be able to complete the works on time must contact the Council BEFORE the 12 month deadline, to give reasons for the delay and to seek permission for the date to be extended.
2. All work must be completed in accordance with the specification issued by the Council, and comply with Building & Planning Regulations, and the minimum requirements of any relevant Statutory bodies e.g. Severn Trent Water Limited, Powergen, Transco, Gas Safe.
3. The works must be carried out to the satisfaction of the Council and, before the Assistance is paid, the applicant must submit to the Council proper invoices, accounts or receipts from the firms carrying out the work. Invoices etc from the applicant or applicant's family will not be accepted.

4. Conditions as to contractors employed

Unless the Council states otherwise, the works must be carried out by the contractor who submitted his estimate with the application (or, where there were more than one estimate, by one of those contractors).

5. Payment of Assistance to contractor

The Council may pay the Assistance (or part of it) direct to the contractor, or by cheque made out to the contractor but delivered to the applicant. Where ever the Council intends to do this it will tell the applicant before the Assistance is approved.

6. If the works are not carried out to the satisfaction of the Council (see number 3 above) the Council may, at the request of the applicant and if the Council considers it appropriate, withhold payment from the contractor.

7. Applicant ceasing to be entitled before payment

The applicant must tell the Council if he ceases to be an owner of the property after the Assistance is approved but before the works are completed to the satisfaction of the Council. In this case the Council will not make any payment under the Assistance, and if

one or more instalments have already been paid, the Council may demand repayment, with interest. This will not apply where conditions 8 or 10 below apply.

8. Change of circumstances affecting disabled occupant

The applicant (or his executors/personal representatives) must inform the Council of any change of circumstances after the date of approval but before the works are completed which affects the disabled occupant (or one of them if more than one) where the change:

- i) Means that the works are no longer necessary or appropriate to meet the needs of the applicant; or
- ii) The applicant moves out of the property; or
- iii) The applicant dies.

The Council may decide that the Assistance shall not be paid at all, or that some of the works should be completed and an appropriate proportion of the Assistance monies paid, or that the application should be re-determined in the light of changed circumstances. The Council may also demand repayment of any instalments already paid, with interest.

In coming to a decision the Council will take into account all the circumstances of the case.

9. Death of an applicant

Where an applicant dies after works have been approved but before the works are complete and the Assistance paid, and liability has been incurred for some or all of those works, then the Council may, if they think fit, pay the Assistance in respect of some or all of the works.

10. Cases in which the Assistance may be recalculated, withheld, or repaid

The Council reserves the right to recalculate or withhold the Assistance, and reclaim payments with interest, where one or more of the following apply:

- i) Inaccurate or incomplete information was given on the application form so that the Assistance approved is more than the applicant is properly entitled to;
- ii) works are started before the Assistance was approved by the Council;
- iii) works are not satisfactorily completed within 12 months (or any extended period allowed by the Council);
- iv) the actual costs of the approved work is less than the amount of Assistance approved;
- v) different contractors are used from those approved by the Council.

11. Repayment where applicant not entitled

Where Assistance is approved but it later becomes apparent that the applicant was not, at the time it was approved, entitled because he did not own the property, then the

Council will not pay any Assistance monies and any which have been paid will have to be repaid, with interest.

12. Repayment from Insurance/proceeds of claim

Recipients must tell the Council if they can:

- i) Make an insurance or legal claim against another person in respect of the damage to the property which the Grant relates; or
- ii) Make a legal claim for damages in which the cost of the works to the property to which the grant relates is part of the claim.

In these cases the Council can require the recipient to take reasonable steps to make such a claim and to re pay all or part of the Grant from the amount claimed.

13. Repayment of Assistance

The Housing Assistance Warm Homes on Prescription Grants are not repayable to the council other than the circumstances described in section 11.