

Application for Grant for Disabled Persons' Facilities – PASSPORTED FORM

HOUSING SERVICES
WYCHAVON DISTRICT COUNCIL
CIVIC CENTRE, QUEEN ELIZABETH DRIVE,
PERSHORE, WORCESTERSHIRE, WR10 1PT

In these instructions and the accompanying form and notes, "the Act" means the Housing Grants, Construction and Regeneration Act 1996. The Act has been substantially amended by Schedule 3 to the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (S.I. 2002/1860). Unless otherwise stated, all references to sections are to sections of the Act.

This is the form to use if you are making any application under Part 1 of the Act for grant towards the cost of works required for the provision of facilities for disabled persons in a house, a flat, a qualifying houseboat or a caravan, in the common parts of a building containing one or more flats, facilitating access to and from a garden by a disabled occupant or making access to a garden safe for a disabled occupant. (Notes 5, 5A and 5B give further information about the meaning of flat, qualifying houseboat and caravan. Note 5D gives further information about the meaning of "garden").

Do not use this form if you are an owner and the application is in respect of works to a house or flat which is or is intended to be let or to the common parts of a building in which a flat is or is intended to be let.

The Council may, at its discretion, place a limited charge against the property of an owner occupier. Note 44

Please tick boxes where appropriate

When you have completed this form, please send it to the Council whose name and address is given above. If you are uncertain how to answer any of the questions, please contact Housing Services on 01386 565335.

**PART 1
PRELIMINARY AND GENERAL INFORMATION**

Please answer each question unless directed elsewhere. Please read the notes (set out at the end of the form) before answering the questions to which they relate.

If a question does not provide enough space for your answer, please continue your answer on a separate sheet of paper and mark the sheet with your name (or, in the case of a joint application, with all the applicants' names) and the question number. Please make sure you enclose all additional sheets with your application.

Addresses and other preliminaries

1.1 Please give the following details for each grant application - **Note 1**

Name: _____

Title: Mr/Mrs/Miss/Ms/Other (please specify)

Address: _____

Address for correspondence (if different from above):

Telephone numbers: (home) _____

(work) _____

1.2 Please give your (or the applicant's) age and date of birth - **Note 2**

Date of birth: _____

Age: _____ Years

1.2A Please give the National Insurance Number for you, your partner and any other person who lives or intends to live at the premises and who is also entitled to make an application for a grant -

Note 2A

Your National Insurance number: _____

Your partner's National Insurance number: _____

National Insurance number of any other person: _____

1.3 Are you, or is anyone else who lives or intends to live at the premises and who is also entitled to make an application for a grant, a "person from abroad" within the meaning of the Housing Benefit (General) Regulations?

Note 3

Yes

No

1.4 If someone else (e.g. a relative, friend or an organisation) is handling this application on your behalf, please give the name, address and telephone number of the person to be contacted about this application -

Name: _____

Title: Mr/Mrs/Miss/Ms/Other (*please specify*)

Address: _____

Telephone numbers: (home) _____

(work) _____

1.5 Please give the name, address and telephone number of the person who may be contacted to gain access to the premises (e.g. to carry out an inspection) -

Name: _____

Title: Mr/Mrs/Miss/Ms/Other (*please specify*)

Address: _____

Telephone numbers: (home) _____

(work) _____

Parsonages etc.

1.6 Are you applying in respect of the residence house or the glebe of an ecclesiastical benefice?

Note 4

Yes

No

The premises where the works are to be carried out

1.7 Please give the address of the premises at which the works are to be carried out -

Are these premises:

- a house **Note 5**
- a flat **Note 5A**
- a qualifying houseboat **Note 5B**
- a caravan **Note 5C**
- a building containing one or more flats **Note 5C**

If you cannot tick one of the above boxes in answer to this question, you are not entitled to be paid a grant.

1.8 Revoked by S.I. 2003/2707.

1.9 Have you or has anyone else been served with a notice or order under Part 1 of the Housing Act 2004 regarding the premises? **Note 7**

Yes

Please give details, including the date the notice or order was served:

No

Previous applications for grant or assistance

1.10 Have you previously made an application for any type of grant or assistance for these premises? **Note 8**

Yes

Please give the date of your application and Council reference (if known):

Date: _____ Reference: _____

No

1.11 Do you know of any previous application for grant or assistance made by another person for these premises? **Note 8**

Yes

Please give details (if known): _____

No

Planning permission and building regulations approval

1.12 Have you applied for planning permission for the works? **Note 9**
 Yes

Please give the date, reference number and outcome of your application:

Date: _____ Reference number: _____

Outcome: (Please delete as appropriate): *granted/refused/no decision yet*

No

1.13 Have you applied for building regulations approval? **Note 9**
 Yes

Please give the date, reference number and outcome of your application:

Date: _____ Reference number: _____

Outcome: (Please delete as appropriate): *granted/refused/no decision yet*

No

Who will carry out the works?

1.14 Will you or a member of your family carry out the works? **Note 10**
 Yes
 No

1.15 Do you agree for any grant approved to be paid to your builder (either directly or by cheque made out to your builder)? **Note 11**
 Yes
 No

Preliminary or ancillary services and charges

1.16 Please give details of any preliminary or ancillary services or charges which you wish to have considered for grant: (for example Care and Repair Agency Fees): **Note 12**

1.17 Have you already begun or finished the work for which you are applying for grant?
 - begun the works? Yes No **Note 13**
 - finished the works? Yes No **Note 13**

1.18 Revoked by S.I. 2003/2707

2.3 Please describe the works briefly:

2.4 Which certificate(s) are you providing with your application?

Note 34

Owner's application

Note 35

Owner's certificate

(Please go to question 2.5)

Tenant's application

Note 36

Tenant's certificate

Owner's certificate

(Please go to question 2.8)

Occupier's application

Occupier's certificate

Note 36A

Consent certificates

Note 36B

OWNER'S APPLICATION (OTHER THAN LANDLORD'S APPLICATION)

2.5 Do you (alone or jointly with others) own the freehold, or a tenancy with at least 5 years still to run, of the house or flat and/or (in the case of an owner's application for disabled adaptations to the common parts of a building containing one or more flats) the common parts of the building?

Note 20

Yes

Please indicate which interest you own (please delete as appropriate):

Freehold/tenancy with at least 5 years to run

If you own the interest jointly with anyone else, please give the names and addresses of your co-owners:

(Please go to question 2.7)

No

2.6 Do you (alone or jointly with others) propose to acquire the freehold, or a tenancy with at least 5 years still to run, of the house or flat and/or (in the case of an owner's application for disabled adaptations to the common parts of a building containing one or more flats) the common parts of the building?

Yes

Please indicate which interest you propose to acquire (please delete as appropriate):

Freehold/tenancy with at least 5 years to run

When do you propose to acquire the interest? _____

Note 21

If you propose to acquire it jointly with anyone else, please give the names and addresses of the other proposed co-owners:

No

2.7 Please give the name and address of everyone (whether or not the person is also named in any of questions 2.1, 2.5 or 2.6) who resides or proposes to reside in the house or flat or (in the case of an owner's application for disabled adaptations to the common parts of a building) in the relevant flat(s) in the building:

TENANT'S APPLICATION – WORK TO HOUSE OR FLAT

If you own the freehold of the property or hold a tenancy of it with at least 5 years still to run, or if you are proposing to acquire either of these interests, you are not eligible to make a tenant's application for a grant. You should consider making an owner's application instead (questions 2.5 to 2.7 inclusive)

2.8 Are you the tenant of a house, or of a flat in a building (other than under a tenancy with at least 5 years still to run)?

Yes No

- tenant of a house

- tenant of a flat in a building

2.9 Which type of tenancy do you have of the house/flat (Please tick one box):

Note 37

- introductory tenancy

- secure tenancy

- statutory tenancy under the Rent (Agriculture) Act 1976 or the Rent Act 1977

- protected occupancy under the Rent (Agriculture) Act 1976

- assured agricultural occupancy under Part I of the Housing Act 1988

- service occupancy

- tenancy other than the above

2.10 Do you (alone or with others) propose to acquire the freehold of the premises or a tenancy of it with at least 5 years still to run?

Note 27

Yes No

2.11 If you are a tenant of the premises with anyone else, please give the names and addresses of your fellow tenants:

2.12 Please give the names and addresses of everyone (whether or not the person is also named under question 2.11) who resides or proposes to reside in the premises:

2.13 Please give the name, address and telephone number of your landlord or your landlord's agent:

Name -----
(landlord/landlord's agent*)

Business address: -----

Tel: -----

(*Please delete as appropriate)

TENANT'S APPLICATION – WORKS TO THE COMMON PARTS OF A BUILDING

2.14 Do you have a duty or power to carry out works to the common parts of the building?

Yes No

If you answered 'Yes', please give details of your duty or power. If the duty or power does not cover all the works to which this grant application relates, specify the works for which you have no duty or power:

Note 38

2.15 If you have no other party or duty to carry out works to the common parts of the building, do you have the landlord's written permission to carry out these works?

Yes No

Note 40

If your answer was 'Yes', please supply a copy of the written permission with your application.

If your answer was 'No', but you expect to get this permission, please give the date on which you expect permission to be given:

DECLARATION

**WARNING: IF YOU KNOWINGLY MAKE A FALSE STATEMENT
YOU MAY BE LIABLE TO PROSECUTION**

I declare that to the best of my knowledge, information and belief the information I have given in this application is correct. I am *(the applicant) (one of the applicants) (the relevant person (but not the applicant or one of the applicants)) (a relevant person (but not the applicant or one of the applicants)).

*(*Please delete as appropriate)*

Signature:

Date:

AUTHORISATION

(For persons receiving certain income related benefits)

Note 41

- (a) For those receiving Income related employment and support allowance, Income Support or an Income-Based Jobseeker's Allowance or a Joint-claim Jobseeker's Allowance it may be possible for the Council to process the application more quickly if those in such receipt give permission for your local Department of Social Security office to confirm this fact. To give permission, please complete the authorisation below.

If not, go to Part 3

I authorise the Department of Social Security to confirm on request by the Council that I now receive Income related employment and support allowance, Income Support/Income-based Jobseeker's allowance *.

Name:.....

DSS reference number (case paper or national insurance number), if known:

Signature:.....

Date:.....

*(*Please delete as appropriate)*

- (b) For those receiving Housing Benefit (HB) or Council Tax Benefit (CTB), but not Income related employment and support allowance, Income Support or an Income-based Jobseeker's Allowance, or Joint-claim Jobseeker's Allowance it may be possible for the Council to process the application more quickly if those in such receipt give permission for them to refer to their HB or CTB records. They can only do this with your consent. To give permission, please sign the authorisation below.

For the purpose of this application, I give my consent to the Council to refer to information provided by me for the purposes of my application(s) for Housing Benefit/Council Tax Benefit*

Name:.....

HB/CTB* reference, if known:.....

Signature.....

Date.....

*(*Please delete as appropriate)*

This Authority is under a duty to protect the public funds it administers and, to this end, may use the information you have provided on this form within this Authority for the prevention and detection of fraud. It may also share this information with other bodies administering public funds solely for these purposes. We will keep information about you on a computer and we will keep to the rules laid down by the Data Protection Act 1998

PART 3

DOCUMENTS TO BE SUBMITTED WITH YOUR APPLICATION

3.1 Please indicate which documents you are enclosing with your application:

- | | Yes | No | |
|--|--------------------------|--------------------------|----------------|
| (a) Two estimates from different contractors of the cost of carrying out the works (unless otherwise instructed by the Council). | <input type="checkbox"/> | <input type="checkbox"/> | Note 42 |
| (b) Particulars of any preliminary or ancillary services and charges. | <input type="checkbox"/> | <input type="checkbox"/> | Note 43 |
| (c) The certificates required for your application as mentioned in question 2.4 | <input type="checkbox"/> | <input type="checkbox"/> | |
| (d) Information about your National Insurance number | <input type="checkbox"/> | <input type="checkbox"/> | Note 2A |

You must submit these documents with your application in any event. The Council may require you to submit, or you may wish to submit, other documents (for example, copies of planning permissions, building regulations approvals, tenancy/licence agreements) in support of your application. The questions and notes draw your attention to points on which supporting documentation may be required or helpful.

If you are in any doubt, the Council will be pleased to guide you.

NOTES

In these notes, "the Act" means the Housing Grants, Construction and Regeneration Act 1996 and, unless otherwise stated, all references to sections etc. are to sections etc. in the Act.

- 1 Please provide a utility bill showing both your name and the address of the premises to which the application relates or other evidence that you live there.
- 2 You cannot apply for a grant unless you are aged 18 or over on the date of your application. In the case of joint applicants, any applicant aged under 18 on the date of the application will be left out of account. See section 3(1).
- 2A If you have a National Insurance number, please supply evidence that it belongs to you such as a National Insurance number card, wage statements, benefit forms or other official documentation bearing both your name and your National Insurance number. If you have lost your NI number or you have not been allocated one, please supply information to enable your N.I. number to be traced or an application for an NI number to be made.

The Strategic Housing Services Section of the Council can give you advice about the information you should provide and also how to apply for a new N.I. number. Please complete the rest of the form and ask for their advice when you send your application to them.

- 3 The Council is not allowed to pay a grant to someone who is a "person from abroad" within the meaning of regulation 7A of the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971 as amended); regulation 3 of the Housing Renewal Grants Regulations 1996 (S.I. 1996/2890). The Council is also not allowed to pay a grant where a person who could have applied for a grant is a "person from abroad", even though the applicant is not a "person from abroad".

If you answered "Yes" to question 1.3 you should not be making an application for a grant. If you are unable to answer "No" to this question, do not proceed any further with this application.

Regulation 7A of the Housing Benefit (General) Regulations 1987 can be **summarised** as follows:-

- (1) Subject to paragraphs (2) and (3), a "person from abroad" is a person who has limited leave to enter or remain in the United Kingdom which was given in accordance with any provision of Home Office immigration rules relating to:-
- (a) there being, or there needing to be, no recourse to public funds, or
 - (b) there being no charge on public funds, (during that limited leave).

- (2) "Person from abroad" does **not** include a person who:-
- (a) is a national of a European Economic Area State, a state which is a signatory to the European Convention on Social and Medical Assistance signed in Paris on 11th December 1953 (Cmd.9512), a state which is a signatory to the Council of Europe Social Charter signed in Turin on 18th October 1961, the Channel Islands or the Isle of Man; or
 - (b) has, during any period of limited leave, supported himself/herself without recourse to public funds but is temporarily (i.e., for no more than a total of 42 days during any period of limited leave) without funds because remittances to him/her from abroad have been disrupted; provided that there is a reasonable expectation that his/her supply of funds will be resumed; or
 - (c) is an asylum seeker, that is, a person who submits on his/her arrival (other than on his/her re-entry) in the United Kingdom from a country outside the Common Travel Area (i.e., the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland collectively) a claim for asylum to the Secretary of State and that claim is recorded by the Secretary of State as having been made; or
 - (d) becomes, while present in Great Britain, an asylum seeker; or
 - (e) is a sponsored immigrant (see paragraph (3)(f) below) and the person or persons who undertook to provide for his/her maintenance and accommodation has or have died; or
 - (f) is in receipt of Income related employment and support allowance, Income Support; or
 - (g) is on an Income-based Jobseeker's Allowance.
- (3) "Person from abroad" **includes** any person, other than a person to whom any of sub-paragraphs (c) to (g) of paragraph (2) applies, who:-
- (a) having a limited leave to enter or remain in the United Kingdom, has remained without further leave beyond the time limited by the leave; or
 - (b) is the subject of a deportation order requiring him/her to leave and prohibiting him/her from entering the United Kingdom, except where his/her removal from the United Kingdom has been deferred in writing by the Secretary of State; or
 - (c) is adjudged by the immigration authorities to be an illegal immigrant who has not subsequently been given leave to enter or remain in the United Kingdom, except a person who has been allowed to remain in the United Kingdom with the consent in writing of the Secretary of State; or
 - (d) is a national of a European Economic Area State and is required by the Secretary of State to leave the United Kingdom; or
 - (e) is not habitually resident in the United Kingdom, the Republic of Ireland, the Channel Islands or the Isle of Man, but no person shall be treated as not habitually resident in the United Kingdom who:-
 - i) is a worker for the purposes of Council Regulation (EEC)No.1612/68 or (EEC)No.1251/70 or a person with a right to reside in the United Kingdom pursuant to Council Directive No.68/360/EEC or No.73/148/EEC; or
 - ii) is a refugee i.e., a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees; (Cmd.9171); or
 - iii) has been granted exceptional leave to remain in the United Kingdom by the Secretary of State; or
 - iv) falls within paragraph (2)(b) above; or
 - v) is the subject of a deportation order requiring him/her to leave and prohibiting him/her from entering the United Kingdom, and whose removal from the United Kingdom has been deferred in writing by the Secretary of State; or
 - vi) is adjudged by the immigration authorities to be an illegal immigrant, has not subsequently been given leave to enter or remain in the United Kingdom, but has been allowed to remain in the United Kingdom with the consent in writing of the Secretary of State; or
 - (f) has been given leave to enter, or remain in, the United Kingdom by the Secretary of State upon an undertaking given by another person or person's in writing to be responsible for his/her maintenance and accommodation; and he/she has not been resident in the United Kingdom for a period of at least 5 years beginning from the later of the date of entry or the date on which the undertaking was given in respect of him/her; or
 - (g) while he/she is a person to whom paragraph (1) or any of sub – paragraphs (a) to (d) and (f) of this paragraph applies, submits a claim to the Secretary of State, which is not finally determined, for asylum under the Convention relating to the Status for Refugees.
- 4 Most of the qualifying conditions for grant are waived for applications in respect of glebe land or the residence house of an ecclesiastical benefice; see section 95

- 5** A flat is a dwelling which is a separate set of premises, whether or not on the same floor, divided horizontally from some other part of the building.
- 5A** A “qualifying houseboat” is a boat or similar structure designed or adapted for use as a place of permanent habitation which:-
 (a) has its only or main mooring within the area of a single local housing authority; and
 (b) is moored in pursuance of a right to that mooring; and
 (c) is a dwelling for the purposes of Council Tax, and includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it.
 (See the definition of “qualifying houseboat” in section 58)
- 5B** A “caravan” is defined in section 58. This expression -
 (a) means a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 (disregarding the amendment made by section 13(2) of the Caravan Sites Act 1968); and
 (b) includes any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it.
- 5C** Tick the box if the application includes works for the provision of facilities in the common parts of a building containing one or more flats.
- 5D** “garden” means a garden belonging to, or usually enjoyed with, a dwelling, caravan or flat occupied by a disabled occupant and includes –
 (i) a balcony adjoining the dwelling of a disabled occupant;
 (ii) a yard, outhouse or other appurtenance within the boundaries of the land in which the dwelling or caravan of a disabled occupant is situated and belonging to it or usually enjoyed with it;
 (iii) a yard, outhouse or other appurtenance within the boundaries of the land in which is situated the building in which the dwelling, or as the case may be, flat, of a disabled occupant is situated and belonging to it or usually enjoyed with it; and
 (iv) the land adjacent to the mooring of a disabled occupant’s qualifying houseboat.
- 6** Revoked by SI2003/2707
- 7** A notice or order under Part 1 of the Housing Act 2004 is either an improvement notice relating to category 1 hazards, an improvement notice relating to category 2 hazards, a prohibition order relating to category 1 hazards, a prohibition order relating to category 2 hazards, a hazard awareness notice relating to category 1 hazards, a hazard awareness notice relating to category 2 hazards, a notice of emergency remedial action or an emergency prohibition order.

 “Hazard” means any risk of harm to health and safety of an actual or potential occupier of a dwelling or HMO or in any building or land in the vicinity (whether the deficiency arises as a result of the construction of any building, an absence of maintenance or repair, or otherwise) (Housing Act 2004 s.2(1)).
- 8** Please give details of all previous grant, loan or financial assistance from Local Housing Authority applications of which you are aware, and of any contribution notified under a group repair scheme (if known to you). Please also mention any minor works assistance and home repairs assistance you have received. Previous grant approvals may affect the works for which a grant may be given – and also, in the case of previous approvals of applications made to you, the amount of grant payable.
- 9** Planning permission or building regulations approval may or may not be required. If you are not sure whether permission or approval is required, contact the relevant department of the Council. Where permission or approval has already been obtained, please enclose a copy with your application.
- 10** Under section 37(4), payment of grant can be made only against an invoice, demand or receipt for payment for the works which is acceptable to the Council; and an invoice given by you or a member of your family is not acceptable. Thus, for example, where you or a member of your family carry out the works, an invoice (which can be authenticated) from a third party will be needed for the cost of the materials.
 Section 98(1) defines “member of a family” by reference to section 113 of the Housing Act 1985. The definition includes spouses and civil partners; persons who live together as husband and wife or as if they were civil partners; parents; grandparents; children; grandchildren; brothers; sisters; uncles; aunts; nephews; and nieces.
- 11** Under Section 39, the Council may pay a grant (or part of a grant) either directly to the contractor or by cheque made out to the contractor but given to the grant applicant. The Council can do this only if, before approving the grant application, they informed the applicant that this would or might be the method of payment.

- 12** Under the Housing Renewal Grants (Services and Charges) Order 1996 (S.I.1996/2889), the preliminary or ancillary services and charges which may be included in a grant application are the cost of: confirmation, if sought by the Council, that you have an owner's interest in the property; technical and structural surveys; design and preparation of plans and drawings; preparation of schedules of relevant works; assistance in completing forms; advice on financing the cost of the relevant works which are not met by grant; applications for building regulations approval or planning permission (including the application fee and the preparation of related documents); obtaining estimates for the relevant works; advice on contracts; consideration of tenders; supervision of the relevant works; disconnection and reconnection of electricity, gas, water or drainage utilities where this is made necessary by the relevant works (but not charges arising from non-payment of bills); and payment of contractors.
- The services and charges of an occupational therapist in relation to the relevant works may be included in your application.
- If you are unsure whether to include a service or charge in your application, please ask the Council for advice. Please also see Note 10 for the documentation which the Council will require from you before they can pay any grant.
- 13** Under section 29, grant will not normally be paid if you, or anyone acting on your behalf, begin works before you receive written approval of this application. An exception may be made where the Council is satisfied that there were good reasons for beginning the works before the application was approved; but the application will be treated as excluding any works already completed. Where all the works have been completed, the Council is not allowed to approve the application.
- 16** You can make an owner's application if you own the freehold of the premises or hold a tenancy of the premises with at least 5 years still to run or if you are proposing to acquire either of these interests. If you hold a tenancy with less than 5 years to run, you are not eligible to make an owner's application but you should consider making a tenant's application instead.
- 17** A landlord's application is an owner's application for works to a house or flat which is or is intended to be let or to the common parts of a building in which a flat is or is intended to be let: section 31(1).
- 18** You can make a tenant's application if you are the tenant of the premises and the tenancy has less than 5 years still to run. Section 19(5) gives an extended meaning to the word "tenant" – for further information see **Note 37**.
- 19** You can make an occupier's application for works to a qualifying houseboat or a caravan if you occupy it, whether as a sole occupier or as a joint occupier with others. See also **Notes 5A** and **5B**.
- 20** These are the "owner's interests" as defined by section 101.
- 21** If you have exchanged contracts on a purchase, give the date that the purchase is to be completed. The Council cannot approve an owner's application for renovation grant until they are satisfied that you have acquired an owner's interest.
- 27** If you own or intend to buy the freehold of the property, or if you have or are proposing to take a tenancy with at least 5 years of the term still to run, you cannot make a tenant's application. You should instead consider making an owner's application.
- 31** The disabled occupant means the disabled person for whose benefit it is proposed to carry out any of the relevant works. Section 100 gives the meaning of "disabled person."
- 34** The Council is not allowed to entertain a grant application unless it is accompanied:-
- (a) in the case of an owner's application, by a certificate known as an "owner's certificate". See Note 35.
 - (b) in the case of a tenant's application, by an "owner's certificate" and another certificate known as a "tenant's certificate". See **Notes 35** and **36**.
 - (c) in the case of an occupier's application, by certificates known as an "occupier's certificate" and a "consent certificate". See **Note 36A**.

The Council may waive the requirement for an owner's certificate to accompany a tenant's application, or a consent certificate to accompany an occupier's application, if they consider the requirement unreasonable in the circumstances. As regards certificates see sections 21, 22 and 22A.

- 35** Under section 21(2), an “owner’s certificate” certifies that the applicant:-
- (a) has or proposes to acquire a qualifying owner’s interest in the property on which the relevant works are to be carried out, and
 - (b) intends that the disabled occupant will live in the dwelling or flat as his only or main residence throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit.
- 36** Under section 22(2), a “tenant’s certificate” certifies:-
- (a) that the application is a tenant’s application, and
 - (b) that the applicant intends that he (if he is the disabled occupant) or the disabled occupant will live in the dwelling or flat as his only or main residence throughout the grant condition period or for such shorter period as his health and other relevant circumstances permit.
- 36A** Under section 22A(2) an “occupier’s certificate” certifies:-
- (a) that the application is an occupier’s application; and
 - (b) that the applicant intends that he/she (if he/she is the disabled occupant) or the disabled occupant will live in the qualifying houseboat/caravan as his/her only or main residence throughout the grant condition period or for such shorter period as his/her health and other relevant circumstances permit.
- 36B** A consent certificate certifies that the person giving it consents to the carrying out of the relevant works. A consent certificate should be obtained from each person who is:-
- (a) entitled to possession of the premises at which the qualifying houseboat is moored or the land on which the caravan is stationed; or
 - (b) entitled to dispose of the qualifying houseboat/caravan.
- See section 22A(3) and (4).
- 37** Under section 19(1)(b) and (5), “tenant” means someone who has a tenancy (other than a tenancy with at least 5 years still to run) and is expressly stated to include:
- a secure tenant under the Housing Act 1985 or an introductory tenant under the Housing Act 1996,
 - a statutory tenant under the Rent (Agriculture) Act 1976 or the Rent Act 1977,
 - a protected occupier under the Rent (Agriculture) Act 1976 or a person in occupation under an assured agricultural occupancy under the Housing Act 1988, or
 - a service licensee (i.e., someone who occupies the dwelling for the better performance of his/her duties as an employee).
- Please also see **Note 27**
- 38** Please document your duty and/or power by enclosing with your application a copy of your lease, tenancy agreement or licence agreement.
- 39** Revoked by SI 2003/2707.
- 40** If you have neither a power nor a duty nor your landlord’s permission to carry out works to the common parts, you are not eligible to apply for grant for works to the common parts of the building.

- 41 It may help the Council to process the application more quickly if each person who receives income related employment and support allowance, income support or an income-based jobseeker's allowance completes the **authorisation** at the end of **Part 2**. Where a couple are receiving joint-claim jobseeker's allowance, both members of the couple may complete the **authorisation** at the end of **Part 2**. However, there is no obligation to do this.
- 42 The Council will normally ask for two estimates of the costs of works from different contractors; but they may require more or fewer than two estimates in any particular case. The estimates should be itemised. See also note 10.
- 43 The particulars of any preliminary or ancillary services and charges are for the services and charges identified in question 1.16 (see note 12). Please include estimates.
- 44 Charge on property
- (1) Where -
- (a) a local housing authority approves an application for a grant under Part 1 of the Act;
 - (b) the grant is for a sum exceeding £5,000; and
 - (c) the applicant ("the recipient") has a qualifying owner's interest in the premises on which the relevant works are to be carried out,
- the local housing authority may impose the conditions (or conditions to like effect) contained in paragraph (2).
- (2) The local housing authority may demand the repayment by the recipient of such part of the grant that exceeds £5,000 (but may not demand an amount in excess of £10,000) if -
- (a) the recipient disposes (whether by sale, assignment, transfer or otherwise) of the premises in respect of which the grant was given within 10 years of the certified date; and
 - (b) the local housing authority, having considered –
 - (i) the extent to which the recipient of the grant would suffer financial hardship were he required to repay all or any of the grant;
 - (ii) whether the disposal of the premises is to enable the recipient of the grant to take up employment, or to change the location of his employment;
 - (iii) whether the disposal is made for reasons connected with the physical or mental health or well being of the recipient of the grant or of a disabled occupant of the premises; and
 - (iv) whether the disposal is made to enable the recipient of the grant to live with, or near, any person who is disabled or infirm and in need of care, which the recipient of the grant is intending to provide, or who is intending to provide care of which the recipient of the grant is in need by reason of disability or infirmity, is satisfied that it is reasonable in all the circumstances to require the repayment.