

### **North Yorkshire Sub-Region – Disabled Facilities Grants Policy on Property Charges for Disabled Facilities Grants**

Until now there has no ability for Local Authorities to recover grant monies for works carried out under the Disabled Grant Process. The Disabled Facilities Grant – The Package of Changes to Modernise the Programme has now provided consent for local authorities to use their discretion to impose a limited charge on the property, if the property is sold within 10 years from the certified date of the grant. It may apply to owner-occupiers where the cost of the works is over £5000 and subject to a maximum charge of £10,000.

As the new package permits the local authority to administer the charges on the adapted properties with complete discretion the following policy will apply. Property Charges will apply to all grant works that exceed £5000 (excluding any agency or professional fees)

The following exceptions will apply:

- External and internal lifts and through floor lifts
- Permanent ramps within the existing curtilage of the property
- Where a low level wheelchair accessible kitchen has been installed
- Where adapted bathing or toileting facilities have been provided within the existing footprint of the property
- Where multiple works have been carried out on one application and the works exceed £5,000 excluding any of the above named items then a charge shall be made

#### **Time scale**

The charges will last for ten years from the Certified date of the grant.

#### **Multi application DFG's**

Where a client has several Disabled Facilities Grants successively, each, if over £5000, will have its own land charge applied to it.

#### **Repayment of grant**

It is a condition of grant that if an owner (also being the recipient of the grant) to which the application relates, disposes of the property (whether by sale, assignment, transfer or otherwise) then they shall repay to the Council on demand the amount of grant, over and above £5,000, that has been paid, subject to a maximum repayment of £10,000.

In addition, the normal conditions prescribed under the Housing Grants, Construction & Regeneration Act 1996 that relate to Disabled Facilities Grants will remain.

In the event of a breach of a condition, the owner for the time being of the dwelling shall on demand repay to the Council the amount of the grant.

### **Exceptional circumstances**

Should exceptional circumstances arise having regard to an individual circumstance the matter will be referred to the Cabinet member or Head of Service for a decision as to whether to make such a demand for repayment or to demand a lesser amount.

### **Review**

This policy is subject to periodic review.