



PERTH AND KINROSS SCHEME OF ASSISTANCE

January 2020

Perth and Kinross Council Scheme of Assistance

Contents	Page
1 - Introduction	2
2 - Vision and Strategy	2
3 - Priorities for Assistance	3
4 - Summary of Assistance Available	3
5 - Work to Meet the Needs of People with a Disability	5
6 - Care and Repair Service	9
7 - Below Tolerable Standard (BTS) Houses	9
8 - Repairs, Improvements & Maintenance	10
9 - Empty Homes Initiative	10
10 - Energy Efficiency	11
11 - Enforcement Action	12
12 - Appeal Process	13
13 - Grant Conditions	14
APPENDICES	
Appendix A – Useful Contacts and Web Links	15 & 16
Information on translation service	17

1. INTRODUCTION

- 1.1 The Housing (Scotland) Act 2006 introduced changes to the repair and maintenance of private property. It recognised that the primary responsibility for the repair and maintenance of private property lies with individual home owners. However, the Act also provides local authorities with powers, designed to encourage and assist owners to carry out repairs and maintenance to their property.
- 1.2 Section 72 of the Act requires each local authority to provide a statement setting out what forms of assistance the Council will provide, and who will qualify for assistance.
- 1.3 This statement sets out Perth & Kinross Council's Scheme of Assistance. The Scheme of Assistance provides information on the assistance that the Council can provide in relation to repairs, maintenance, improvements and adaptations to privately owned and private rented properties. This statement is known as the 'Scheme of Assistance'.
- 1.4 There are two key elements of the Scheme of Assistance:
- Advice, information and practical support – the Council will provide a range of general advice and information on home repairs, improvements and management to any homeowner within Perth and Kinross.
 - Financial assistance – the Council will make financial assistance available to people with disabilities who require adaptations to their homes, subject to agreed criteria.
- 1.5 The Statement is reviewed annually and in line with the review of the Local Housing Strategy (LHS). The Statement was reviewed during November 2019 to reflect changes in the Care and Repair service and the Scottish Government's Home Equity Loan Scheme (HEEPS).

2. VISION AND STRATEGY

- 2.1 Perth and Kinross Council is committed to creating a confident, ambitious and fairer Perth & Kinross, for all who live and work here.
- 2.2 The Scheme of Assistance forms part of the Perth and Kinross Local Housing Strategy (LHS). It contributes towards the priority themes outlined in the LHS which are;
- Supply of Housing and Sustainable Communities.
 - Housing and Homelessness.
 - Independent Living.
 - House Condition, Fuel Poverty and Climate Change.
- 2.3 As outlined in the Housing (Scotland) Act 2006, Perth and Kinross Council will;
- Provide practical and financial assistance to enable older and disabled people in private sector housing to live independently.
 - Facilitate and encourage the repair and improvement of private sector housing.

- Actively promote a culture of responsibility in relation to private sector property maintenance.
- Work in partnership with owners of empty properties, providing practical and financial assistance where appropriate, in order to bring properties back into use as affordable housing.

3. ASSISTANCE

3.1 Scheme of Assistance resources are prioritised, to ensure that assistance is provided to those in the greatest need, whilst ensuring that local and national strategic objectives are met.

3.2 The following works are given priority when considering assistance;

- Essential adaptations for people with disabilities.
- Work to bring long-term empty properties back into use as affordable housing.
- Work to properties that are below the Tolerable Standard (BTS) or are at risk of becoming BTS, and other properties with serious disrepair.
- Work to common parts, particularly in tenement properties, will be given priority over works to single dwellings.

3.3 Other priority areas for assistance that may apply are;

- Areas that have been designated as 'Housing Renewal Areas'.
- Areas that are the subject of other focussed regeneration activity.

4. SUMMARY OF AVAILABLE ASSISTANCE

4.1 In most cases the Council or a partner organisation will provide information and advice to enable owner(s) to arrange work to their property themselves.

4.2 In some cases, involving a priority area of work, the Council or a partner organisation will provide practical assistance where information and advice is not enough.

4.3 Financial assistance in the form of grants are limited to areas of work where the Council has a statutory duty to provide assistance, or which are directly linked to the achievement of strategic objectives.

Information and Advice

4.4 General information relating to the maintenance, repair and improvement of residential property is provided in a variety of printed and internet-based formats. These are available on the PKC Website or by contacting our Housing Care and Repair Co-ordinator.

4.5 The Council and partner organisations will provide general advice on request. Contact details are included in Appendix A.

- 4.6 When providing information and advice the Council cannot recommend specific contractors or other private sector companies. However, owners who are looking for a suitable contractor to carry out improvement or repair works may find it helpful to refer to the Council's trusted trader scheme - The "Better Business Partnership". Details of this scheme can be found on the Council's website via the links shown at the end of this document.
- 4.7 In cases where there are multiple owners of a building the Tenements (Scotland) Act 2004 applies. The Act provides a structure for the maintenance and management of tenements where this is not provided in the owners' title deeds. A link to the Act is provided in Appendix A.
- 4.8 Perth and Kinross Council is committed to equal opportunities. This Scheme of Assistance can be made available in a number of accessible formats including easy-read leaflets, braille, large-print, audio CD and can be translated into various community languages on request. If you require this service, please contact Perth and Kinross Council's Customer Services Centre on 01738 475000. Page 17 also provides additional information on available translation services.

Practical Assistance

- 4.9 Practical assistance involves the Council or a partner organisation becoming involved in the repair or maintenance process on behalf of an owner or owners. This can include identifying the nature of a problem, by undertaking a survey, or by recommending a solution, designing a programme of works and in specific instances appointing and managing a suitable contractor to carry out the works.
- 4.10 For people with a disability or for older people (over 60), this service is provided by the Care & Repair Service. For property owners who do not fall into these categories, the provision of practical assistance will normally be limited to situations where a Work Notice, Maintenance Order or Defective Building Notice has been implemented.
- 4.11 The Council may also assist with the co-ordination of owners' meetings where there are common repair issues. By organising and attending meetings, Council Officers will aim to provide property owners with the information and advice they need to enable them to arrange and oversee the required works themselves.
- 4.12 For owners of empty homes, the Council can offer practical assistance to help the owner to bring the property back into use. This assistance may be limited to properties that meet priority criteria as detailed in section 9 of this document.

Financial Assistance

- 4.13 The Council will provide grants for essential adaptations for people with disabilities. These works must be supported by a referral from an Occupational Therapist. The terms and conditions relating to disabled adaptation grants are included in Section 5 of this statement.
- 4.14 Subject to available funding, the Council will provide grants for works to bring empty homes back into use as affordable housing. The terms and conditions for empty homes grants are available are included in Section 9 of this statement.
- 4.15 If requested the Council may provide information on options for financing repairs, maintenance and improvements. The Council cannot provide financial advice but

where possible will provide information to property owners on where relevant advice can be obtained.

- 4.16 Where a common repair scheme is delayed, as a result of an absent owner or an owner who is unwilling to contribute towards the cost of the works, the Council has discretionary powers which enable it to fund the missing share(s). This may be requested by any other owners willing to contribute share(s) to the repair scheme, to enable the works to go ahead. This action is subject to budget availability, the importance of the building to the local area, the status of the works, there being a majority of owners who want to proceed and who have funding in place, together with other mandatory requirements being met. Where the Council takes such action, a Repayment Charge is recorded against the title deeds of each property when the share has been paid, including the recovery of related expenses and costs.
- 4.17 Perth and Kinross Council cannot provide loans for the repair, maintenance or improvement of privately owned, occupied properties.
- 4.18 However, where a property has been vacant for at least six months and funding is available, a discretionary award from the Empty Homes Initiative may be considered. Section 9 of this statement provides further information on this scheme
- 4.19 A Scottish Government initiative to provide equity loan funding for energy efficiency and associated works is being trialled in Perth and Kinross. Whilst this assistance is not directly provided by Perth and Kinross Council it is included within this statement as another significant funding option, which would enable repairs and energy efficiency improvements to be carried out in the private sector. In the first instance enquiries should be made through the Energy Savings Trust (Contact details at the end of this document). The scheme is known as the HEEPS Equity Loan Scheme and further details can be found here : <http://www.energysavingtrust.org.uk/scotland/grants-loans/heeps/heeps-equity-loan-scheme>. In Perth and Kinross the works are managed by Caledonia Care and Repair.

5. WORK TO MEET THE NEEDS OF PEOPLE WITH A DISABILITY

- 5.1 The Council has a duty to provide services to people with disabilities. Wherever possible, the Council will try to meet the person's needs whilst allowing them to continue living independently in their own home. This may involve installing equipment or carrying out a structural adaptation to the property.
- 5.2 However, where there may be a feasible alternative to carrying out adaptation works, which could provide a better housing solution, this will be considered and discussed with the applicant. Where the cost of carrying out the adaptations is significant, the Council may give advice on alternative housing options or offer financial assistance to move to a more appropriate property.
- 5.3 Advice on the suitability of alternative private property and the potential for any necessary adaptations to be carried out can be sought from the Council prior to making an offer to purchase alternative private housing.
- 5.4 Any financial assistance to move home will be limited to a contribution to the necessary legal costs of selling and buying a more suitable house. No assistance is available from this Scheme towards the purchase price.

Assessment & Prioritisation

- 5.5 The initial assessment of a person's need is completed by the Council's Occupational Therapy (OT) Team. The OT assessment outlines the needs of the person with a disability and their eligibility for assistance in terms of clearly defined, local adult and child care priorities.
- 5.6 The Council needs to ensure that resources are targeted towards those who are most in need. In order to achieve this, a priority system is in place. Priority is awarded to people assessed as being within one or more of the following categories:
- Unable to be discharged from hospital because their home is unsuitable.
 - Adaptation is needed to prevent admission to hospital or residential care.
 - At risk when carrying out essential activities of daily living.
 - Terminal illness.
 - Unable to meet personal care needs.
- 5.7 Where one or more priorities for assistance are identified, the OT will recommend a course of action that is designed to meet the person's assessed need and promote independent living.
- 5.8 In priority cases and where structural adaptations are required as the best way of meeting an eligible, assessed need, a referral is made to Caledonia Care & Repair. The evolving needs of the person over the medium and long term are considered, to avoid the need for further adaptations and disruption.
- 5.9 Upon receipt of a referral, Caledonia Care & Repair will determine the most appropriate way to have recommended adaptations carried out. Most structural adaptations that are essential to meet the needs of a person with disabilities will be eligible for grant assistance.
- 5.10 The Housing (Scotland) Act 2006 defines adaptations as structural work that involves making permanent changes to the property but excludes any work to extend a structure to create additional living accommodation or work to create living accommodation in a separate building to the current living accommodation.
- 5.11 Some examples of common adaptations that attract grant funding are listed below;
- Installation of a stair-lift.
 - Installation of a level access or wet-floor shower.
 - Provision of ramped access.
 - Widening doors for wheelchair access.
 - Lowering of worktops, power-points, light switches etc.
- 5.12 In principle the Council will not provide grant funding for work which involves extending the original structure of the building (or converting a separate building) to create additional living accommodation.
- 5.13 Where it is not possible to provide bathroom adaptations within the existing structure of a house, an extension to the main structure of the home, or conversion of a garage or outbuilding, to accommodate standard amenities may be considered.

- 5.14 However, if the proposed extension or conversion includes living accommodation that element, of the extension or conversion, will not be considered eligible for grant assistance. In such cases only the cost of providing the adapted bathroom facilities will be considered for grant funding.
- 5.15 In cases where the assessed need includes a kitchen which is incapable of being adapted a discretionary contribution of up to £4,000 may be awarded towards providing the new adapted kitchen.

Cases involving works beyond the assessed need

- 5.16 Where an applicant wishes to carry out works beyond the scope of assessed need, the Council will calculate grant assistance only for the works assessed as necessary. For example, if a person's assessed need indicates that a stair lift is required but the applicant wishes to provide an extension as an alternative solution, the amount of eligible grant will be based upon the cost of fitting a stair lift only. This fulfils the Council's duty to provide assistance, while allowing the applicant flexibility to carry out the works that they desire. The difference between the cost of the completed works and the grant award is the owner's responsibility.
- 5.17 It is strongly recommended that where an applicant wishes to carry out work beyond the assessed level of need they seek advice from the Council on the level of financial assistance which may be available before making any financial commitments towards the work. If costs are incurred without consultation with the Council, the applicant may not be able to claim any abortive costs which may arise.

Minimum Percentage Grants

- 5.18 The minimum percentage grants available for work to meet the needs of people with disabilities have been set by Scottish Ministers as part of the Housing (Scotland) Act 2006.
- 5.19 All applicants with grants assessed as a priority for assistance, as are entitled to a grant that is equivalent to 80% of the total cost of the eligible works. Those applicants who are in receipt of one or more of the following income replacement benefits are entitled to a grant that is equivalent to 100% of the total cost of the eligible works:
- Income Support.
 - Income Based Jobseeker's Allowance.
 - Pension Credit (Guarantee Element).
 - Income Related Employment and Support Allowance.
- 5.20 The introduction of Universal Credit will result in the qualifying benefits shown above eventually being abolished. Where an applicant is in receipt of Universal Credit the grant made will be equivalent to 100% of the total cost of the eligible works:
- 5.21 The entitlement to 100% grant applies where any of the following persons are in receipt of one of the benefits listed above:
- The applicant.
 - The applicant's spouse or civil partner.

- Any person who the applicant is dependent on or who is dependent on the applicant.

5.22 Where an applicant is only entitled to 80% grant, Care & Repair will advise the applicant on options for funding the remaining 20% of the cost.

Assistance for Private Tenants

5.23 Private landlords have a duty to take reasonable steps to help tenants with a disability. This could involve undertaking small adaptations or installing equipment. Private landlords have a duty to make reasonable adjustments in terms of the Disability Discrimination Act 1995. These adjustments include such items as furniture and equipment, signs or notices, taps, door handles, door-bell or door entry systems and changes to the colour of surfaces.

5.24 There is no duty on private landlords to provide structural adaptations. The Disability Discrimination Act 1995 does not include adjustments to physical features. However, Section 52 of the Housing (Scotland) Act 2006 prohibits private landlords from unreasonably withholding consent where a tenant seeks permission to carry out essential structural adaptation work.

5.25 In these circumstances, the landlord has no obligation to contribute to the cost of the adaptation work but where the landlord has consented, the tenant can apply for a grant by following the procedure outlined previously.

Reinstatement of Adaptations

5.26 Where requested, information and advice will be provided to owner occupiers or private landlords in connection with the reinstatement of any property which has previously been adapted.

5.27 Where a private landlord has consented to adaptation work and the property becomes vacant the Council will expect, in the first instance, the landlord to seek a new tenant who will benefit from the adaptations. The Council may be able to assist in identifying such a tenant. Where this is not possible, the Council will meet the full reinstatement cost of those adaptations which may limit the letting potential of the property, but only where required to under the terms of the Housing (Scotland) act 2006. For example, a wet-floor shower is perfectly acceptable for general use and as such, the Council would not provide financial assistance for the reinstatement of what was previously in place. Financial assistance may however be provided for the reinstatement of a standard WC in place of a non-standard WC.

5.28 Perth and Kinross Council do not provide grants for the reinstatement of adaptations in owner-occupied properties. The removal of, or re-instatement arising from any adaptation works, including stairlifts, are therefore the sole responsibility of the property owner.

5.29 Modular ramps will however be removed free of charge when their use is no longer required. In such cases Care and Repair will arrange for the dismantling and removal of the ramp so that these can be reused.

6. CARE AND REPAIR SERVICE

- 6.1 The Care & Repair service is funded by the Council and provides information, advice and practical assistance to home owners and private tenants who are elderly and/or have a disability to enable them to repair, adapt or improve their homes.
- 6.2 The service is currently provided by Caledonia Care and Repair and managed by Caledonia Housing Association. (Contact details at the end of this document)
- 6.3 Care & Repair do not provide funding or carry out any work but they provide the following services;
- Assist with deciding what repairs or improvements are required.
 - Obtain quotations for the cost of works and advise on different funding options.
 - Assist with the identification of a suitable contractor to undertake the work.
 - Assist with applications to the Council for Adaptation Grants.
 - Provide assistance to complete loan applications.
 - Provide information on other agencies and services.

Small Repairs Scheme

- 6.4 Care & Repair administer a Small Repairs Scheme which is available to older, disabled or vulnerable home owners or tenants for repairs that are not the responsibility of their landlord. The Small Repairs Scheme is designed to provide practical assistance to help people within client groups to continue to live safely and independently in their own homes.
- 6.5 The Small Repairs Scheme is restricted to those on a limited income who are in receipt of the following;
- Standard State Pension (only)
 - Income Support.
 - Income Based Jobseeker's Allowance.
 - Pension Credit (Guarantee Element).
 - Income Related Employment and Support Allowance.
 - Universal Credit.
- 6.6 The Small Repairs Scheme is limited to one qualifying repair per financial year with the maximum available assistance of £1,500.
- 6.7 In cases where a modular ramp is provided through the Small Repairs Scheme the income limits above do not apply.

7. BELOW TOLERABLE STANDARD (BTS) HOUSES

- 7.1 Under the terms of the Housing (Scotland) Act 2006, the Council is required to outline its approach to identifying and dealing with properties that are Below Tolerable Standard (BTS) within the Local Housing Strategy.

- 7.2 The Act also extends the definition of the Tolerable Standard to include thermal insulation and electrical installations and redefined water closets to include some forms of waterless closet.
- 7.3 In meeting this requirement, the Council will not use its powers to make discretionary grants available to owners but can issue a Works Notice to bring the dwelling up to the Tolerable and Repairing Standards.

8. REPAIRS, IMPROVEMENTS & MAINTENANCE

- 8.1 One of the principles of the Housing (Scotland) Act 2006 is that the responsibility for the repair, maintenance and improvement of houses lies with the owner. The Council actively promotes a culture of responsibility in relation to private sector property maintenance. It recognises however, that where a property is already in disrepair, owners can face barriers in progressing with the required work. This is more evident where common repairs are required and it can be necessary for owners to implement a Tenement Management Scheme as detailed within the Tenements (Scotland) Act 2004.
- 8.2 The same principles with regards to the responsibility for the maintenance and repair of buildings also apply in terms of the Building (Scotland) Act 2003.
- 8.3 In most cases where an owner contacts the Council for assistance, the Council will provide information and advice to enable owners to carry out the work themselves. In some cases, involving priority works, the Council may provide practical assistance where information or advice alone would not be enough to enable the required works to progress. The provision of such assistance is discretionary and dependent on the availability of resources. The types of information, advice and assistance that may be available are previously detailed in Section 4 of this document.

9. EMPTY HOMES INITIATIVE

- 9.1 The Scottish Government actively promotes and encourages initiatives to bring empty properties back into use, as a means of increasing housing supply.
- 9.2 Discretionary grants known as Empty Homes Initiative Grants may be available for the repair and renovation of long-term empty properties. These grants are subject to several requirements and to the availability of funding. The undernoted requirements are specific to Empty Homes Initiative Grants and are in addition to the statutory Grant conditions outlined in Section 13.0 of this document;
- The property must currently be empty.
 - The property must be in a priority area and be a priority type. Priority areas and types will be established by the Council and may change from time to time in line with the demand for housing.
 - The level of grant available is based on the size of the property and, depending on the nature of the project, may be limited to a maximum of £7,500 per bedroom towards eligible works.
- 9.3 The Council will determine which works are eligible for grant funding. This will normally be works that will contribute towards the property meeting the Repairing

Standard or in the case of Houses in Multiple Occupation (HMO's), works required to meet the relevant Regulations or Licensing Conditions.

- 9.4 Empty Homes Initiative grants cannot be used for or towards common repairs.
- 9.5 Properties that are improved using Empty Homes Initiative grants must be made available for rent through the Council's Rent Bond Guarantee Scheme for a period of five years with the rent being set within the parameters of the relevant Local Housing Allowance rates.
- 9.6 If an owner fails to adhere to any of the Council's requirements indicated in 9.1 for an Empty Homes Initiative Grant, the owner may be required to repay all or a proportion of the grant depending on the time that has elapsed since the grant was paid. Repayment is on a sliding-scale as below and will apply from the date of completion of the grant award (i.e. from the date the final payment of grant was made);

Within 12 months	–	100% repayment
12 – 24 months	–	80% repayment
24 – 36 months	–	60% repayment
36 – 48 months	–	40% repayment
48 – 60 months	–	20% repayment

10. ENERGY EFFICIENCY

- 10.1 Improving the energy efficiency of existing housing stock is a key national priority and is linked to actions to address fuel poverty. The 2006 Act added satisfactory thermal insulation to the Tolerable Standard, and the Scottish Government Guidance indicated that this should be interpreted as requiring the roof to be insulated. The Council will continue to work actively to identify areas and buildings which are least energy efficient and most at risk of fuel poverty.

Advice and Assistance and Financial Assistance

- 10.2 The Council is not a provider of funding for stand-alone energy efficiency measures and will seek to direct such enquiries to appropriate, alternative sources.
- 10.3 SCARF (Save Cash and Reduce Fuel) provides free, independent and impartial energy advice to households and businesses throughout Perth and Kinross drawing on government funding and a variety of other sources including funding from suppliers.
- 10.4 Home owners who are only seeking to improve their energy efficiency will be advised to contact SCARF in the first instance. Contact details for SCARF are included in Appendix A.
- 10.5 An alternative source of assistance for energy efficiency works and associated repairs may be available for owner occupiers or amateur landlords (with less than 2 rental properties) through the HEEPS Equity Loan Scheme (See 4.19 for additional details) and accessed via the Energy Savings Trust.
- 10.6 Empty property owners applying for assistance under the Empty Homes Initiative will be encouraged to improve the energy efficiency of their property as part of the

upgrading works. Owners will be required to demonstrate an improvement in the Energy Performance Certificate for their property before the grant is paid.

11. ENFORCEMENT ACTION

- 11.1 The Housing (Scotland) Act 2006 and the Building (Scotland) Act 2003 include statutory powers that the Council may use when an owner or owners fail to maintain or repair their properties.

Maintenance Orders

- 11.2 Section 42 of the Housing (Scotland) Act 2006 gives local authorities the power in certain circumstances to serve a Maintenance Order on the owner of a residential property. A Maintenance Order requires the owner to develop a Maintenance Plan for the property covering a period of up to five years. If the owner fails to develop a satisfactory Maintenance Plan, the Council has the power to produce a Plan which the owner will be required to implement. If the owner fails to carry out the work required in the plan, the Council has the power to undertake the work and recover the cost of doing so from the relevant owner(s).

- 11.3 The Council may issue a Maintenance Order;

- Where the Council has previously provided grants to assist with the repair of a property and the benefit of that repair is being lost due to a lack of maintenance. In this situation, owners will be given the opportunity to agree a voluntary Maintenance Plan prior to a Maintenance Order being served.
- Where the Council becomes aware of serious problems that are the result of a lack of maintenance of common parts of a particular property.
- In response to requests from the majority of owners with shared common repair obligations or in response to a request from a property factor or manager representing such owners.
- Where lack of maintenance to a non-flatted property is causing damage to an adjoining property.

Work Notices

- 11.4 Section 30 of the Housing (Scotland) Act 2006 gives local authorities the power to serve a Work Notice on the owner of a house that is sub-standard. The Council may issue Work Notices or, in the case of the Building (Scotland) Act 2003 Defective or Dangerous Building Notices, on individual or multiple properties where serious disrepair is adversely affecting the occupation of a property or the amenity of an area.
- 11.5 Influencing factors will include whether the disrepair is likely to lead to a rapid deterioration in the fabric of the building and there is a risk to the safety and health of occupants, members of the public or other properties/premises.
- 11.6 In all cases where a Work Notice is served, the Council will provide the owner(s) with information, advice and assistance as detailed in section 4 of this document. Grants are not be available, but the Council may be able to direct owners to other sources of financial assistance.
- 11.7 A Work Notice or Defective Building Notice will specify the work that is required and the timescales within which the owner(s) must complete the specified work. The time

allowed to comply with the Work Notice is at the discretion of the Council and is dependent on the extent of the works. An appeal can be lodged with the Sheriff Court up to 21 days from the serving of the Notice.

- 11.8 If owners fail to make reasonable efforts to comply with a Work or Defective Building Notice, the Council may use its discretionary powers to undertake the works and recover the full cost from the owner(s). These costs will include administrative costs and professional fees. The recovery of such costs may, in the case of a Works Notice, involve the use of Repayment Charges (see below) or in the case of a Defective Building Notice, a Charging Order.

Housing Renewal Areas

- 11.9 The Housing (Scotland) Act 2006 contains powers to designate Housing Renewal Areas. These powers are designed to allow local authorities to deal with poor quality housing on an area basis.
- 11.10 The Council does not currently plan to designate any Housing Renewal Areas. This will be reviewed each year and the Council may choose to use these powers in the future.

Repayment Charges

- 11.11 In certain circumstances, the Council has the power to use Repayment Charges or Charging Orders to secure the recovery of costs associated with carrying out work. If an owner fails to pay an amount due, the Repayment Charge or Charging Order is registered against the property with the Land Registry and remains in place until it is paid.
- 11.12 A Repayment Charge specifies that the amount should be paid in 30 equal annual instalments whilst a Charging Order gives discretion to set the number of annual instalments from 5 to 30. An owner may choose to pay an outstanding balance at any time and, if the property is sold, the amount due will automatically be deducted from the proceeds of the sale.
- 11.13 Repayment Charges and Charging Orders will only be used by the Council where it has undertaken work using its powers under Sections 30 or 42 of the Housing (Scotland) Act 2006, or Section 28 of the Building (Scotland) Act 2003 or where the Council has provided 'missing share' funding as described in section 4.16 of this document.

12. APPEAL PROCESS

- 12.1 Where a customer is dissatisfied with a decision in relation to their eligibility for or entitlement to financial assistance, they may request a review within 14 days of the decision being issued.
- 12.2 The request for a review should be addressed to The Housing Care and Repair Co-Ordinator, Housing and Environment Service, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD. A review of the case will be carried out by a senior officer who was not involved in the original decision. The customer will be advised of the review decision within 28 days of the request being received by the Council.

- 12.3 If a customer remains dissatisfied following the review process, they have the right to refer their case to the Scottish Public Services Ombudsman. Contact details for the Ombudsman are listed in the 'Useful Contacts' section on page 16.

13. GRANT CONDITIONS

- 13.1 The Housing (Scotland) Act 2006 states that where grant funding is provided, it will be subject to the following conditions which will apply for a period of **ten** years from the date the works have been completed;

Condition A is that the house must be used as a private dwelling; but that does not prevent the use of part of the house as a shop or office or for business, trade or professional purposes.

Condition B is that the house must not be occupied by the owner or a member of the owner's family (within the meaning of section 83 of the 1987 Act) except as that person's only or main residence.

Condition C is that the owner of the land or premises must take all practicable steps to keep it in a good state of repair.

Condition D is that the owner of the land or premises must, if required to do so by the local authority, certify that the conditions A to C are, in so far as they apply, being observed.

- 13.2 Breach of any of these conditions may result in the grant having to be repaid with interest.
- 13.3 The Council may, at any time during the period in which these conditions apply, require the owner to certify that these conditions are being observed.
- 13.4 When the grant has been paid, the Council will arrange for a Notice to be recorded in the Register of Property Deeds, the cost of which is included within the legal/administration charge that is deducted from the grant award.
- 13.5 In cases where an Empty Homes Initiative (EHI) grant has been awarded the specific EHI requirements will also apply for a period of **5** years and with the repayment penalty arrangements set out in Section 9.6 of this document.

USEFUL CONTACTS/WEB LINKS

Perth and Kinross Council

<http://www.pkc.gov.uk/home>

Customer Service Centre

Tel: 01738 475000

E-mail: enquiries@pkc.gov.uk

Text: 07824 498145

Fax: 01738 475497

Main Housing Page

<http://www.pkc.gov.uk/housing>

Advice on Adaptations

<https://www.pkc.gov.uk/article/17268/Adapting-homes>

Occupational Therapy

Community Care Access Team,

Perth & Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

Tel: 0345 30 111 20

E-mail: accessteam@pkc.gov.uk

<https://www.pkc.gov.uk/article/14274/Occupational-therapy>

Caledonia Housing Association

Caledonia Care and Repair

5 South St Johns Place, Perth, PH1 5SU

Tel: 01738 474810

http://www.caledoniaha.co.uk/242_CareRepair.html

Care and Repair Scotland

135 Buchanan Street, Suite 2.5, Glasgow, G1 2JA

Tel: 0141 221 9879

<http://www.careandrepairsotland.co.uk>

Better Business Partnership

Trading Standards,

Perth & Kinross Council, Pullar House, 35 Kinnoull Street, Perth, PH1 5GD

Tel: 01738 476476

E-mail: TradingStandards@pkc.gov.uk

<http://www.pkc.gov.uk/bbp>

Perth and Kinross Credit Union

282 High Street, Perth, PH1 5QS

Tel: 01738 624872

E-mail: info@pkcu.org.uk

<http://www.pkcu.org.uk/>

Financial Services Authority (FSA)

25 The North Colonnade, Canary Wharf, London E14 5HS.

Tel: 0207 066 1000

E-mail: consumer.queries@fca.org.uk

<http://www.fsa.gov.uk/consumerinformation/>

Citizens Advice Bureau

7 Atholl Crescent, Perth, PH1 5NG
Tel: 01738 450580 (Helpline) & 01738 450 581 (Appointment Line)
<http://www.perthcab.org.uk/>

Scottish Government (Housing)

<http://www.scotland.gov.uk/topics/built-environment/housing/quality/16193>

Housing (Scotland) Act 2006

http://www.opsi.gov.uk/legislation/scotland/acts2006/asp_20060001_en_1

The Tenement (Scotland) Act 2004

<http://www.gov.scot/Topics/Justice/law/17975/11023>
<http://www.gov.scot/resource/doc/76169/0019425.pdf>

Landlord Accreditation Scotland Ltd

Hopetoun Gate, 8B McDonald Road, Edinburgh, EH7 4LZ
Tel: 0131 553 2211
E-mail: info@landlordaccreditationscotland.com
<http://www.landlordaccreditationscotland.com/>

SCARF (Save Cash and Reduce Fuel)

1 Cotton Street, Aberdeen, AB11 5EE
Tel: 01224 213005
E-mail: info@scarf.org.uk
<http://www.scarf.org.uk/>

Energy Saving Trust Scotland

Second Floor, Ocean Point 1, 94 Ocean Drive, Edinburgh, EH6 6JH
Tel: 0131 555 7900
<http://www.energysavingtrust.org.uk>

HEEPS Equity Loan Scheme

<http://www.energysavingtrust.org.uk/scotland/grants-loans/heeps/heeps-equity-loan-scheme>

Scottish Public Services Ombudsman

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS
Tel: Freephone 0800 377 7330
E-mail via Online form <https://www.spsso.org.uk/complain/form/start/>
<http://www.spsso.org.uk/>

Under One Roof

Impartial, internet-based advice on repairs and maintenance for flat owners in Scotland
E-mail: info@underoneroof.scot
<http://www.underoneroof.scot/>

If you or someone you know would like a copy of this document in another language or format, (on occasion only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000

ان احتجت أنت أو أي شخص تعرفه نسخة من هذه الوثيقة بلغة أخرى أو تصميم آخر فيمكن الحصول عليها (أو على نسخة معدلة لمخلص هذه الوثيقة مترجمة بلغة أخرى) بالاتصال ب:
الاسم: Customer Service Centre
رقم هاتف للاتصال المباشر: 01738 475000

اگر آپ کو یا آپ کے کسی جاننے والے کو اس دستاویز کی نقل دوسری زبان یا فارمیٹ (بعض دفعہ اس دستاویز کے خلاصہ کا ترجمہ فراہم کیا جائے گا) میں درکار ہے تو اس کا بندوبست سروس ڈیولپمنٹ Customer Service Centre سے فون نمبر 01738 475000 پر رابطہ کر کے کیا جاسکتا ہے۔

如果你或你的朋友希望得到這文件的其他語言版本或形式 (某些時候，這些文件只會是概要式的翻譯)，請聯絡 Customer Service Centre 01738 475000 來替你安排。

Jeżeli chciałbyś lub ktoś chciałby uzyskać kopię owego dokumentu w innym języku niż język angielski lub w innym formacie (istnieje możliwość uzyskania streszczenia owego dokumentu w innym języku niż język angielski), Proszę kontaktować się z Customer Service Centre 01738 475000

P eжете-li si Vy, anebo n kdo, koho znáte, kopii této listiny v jiném jazyce anebo jiném formátu (v n kterých p ípadech bude p eložen pouze stru ný obsah listiny) Kontaktujte prosím Customer Service Centre 01738 475000 na vy ízení této požadavky.

Если вам или кому либо кого вы знаете необходима копия этого документа на другом языке или в другом формате, вы можете запросить сокращенную копию документа обратившись Customer Service Centre 01738 475000

Nam bu mhath leat fhèin no neach eile as aithne dhut lethbhreac den phàipear seo ann an cànan no ann an cruth eile (uaireannan cha bhi ach geàrr-iomradh den phàipear ri fhaotainn ann an eadar-theangachadh), gabhaidh seo a dhèanamh le fios a chur gu Ionad Sheirbheis Theachdaichean air 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.