

Scheme of Assistance for Homeowners and Private Tenants

2018-23

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1. **Introduction**

**Background**

In 2003, the Housing Improvement Task Force published its final report: Stewardship and Responsibility: A Policy Framework for Private Housing in Scotland. The report found that there was evidence of widespread disrepair in private sector housing and estimated that the financial assistance previously available through the Private Sector Housing Grant (the old grant scheme) could only tackle 1% of this disrepair. The report also noted that support for private owners had become polarised, with some receiving substantial grant assistance to improve and repair their properties while others received no assistance at all. This report formed the basis of the Housing (Scotland) Act 2006 which encourages homeowners to take responsibility for the repair and maintenance of their properties.

Section 72 of the Housing (Scotland) Act 2006 places a statutory requirement on South Ayrshire Council to produce a statement of assistance for private homeowners. This statement details how the Council will improve the quality of private sector housing by offering targeted information, advice and practical assistance. The statement also explains how assistance can be provided to homeowners and tenants of privately rented accommodation to allow them to live independently in their own home. In addition, this document also highlights South Ayrshire Council’s local priorities and some areas where discretionary grant may be available to homeowners.

**Vision**

The purpose of this document is to promote greater responsibility amongst homeowners for the repair and maintenance of their homes and highlight the ways in which the Council can help homeowners achieve this. The document also states how the Council can help people with disabilities remain independent in the community through the provision of advice, information and assistance.

The aims of the Scheme of Assistance are to:

* Encourage owners to recognise they have the primary responsibility for maintaining their homes;
* More effectively address disrepair in private housing by maximising the use of the available funding;
* Provide a fair and reasonable approach to providing assistance to help homeowners repair, improve and adapt their homes;
* Help older and disabled residents in private properties to continue to live independently in the community where practical; and
* Assist homeowners and private tenants to secure housing solutions.

There are three main elements to South Ayrshire’s Scheme of Assistance:

* Advice and Information
* Practical Assistance
* Financial Assistance

**Strategy**

South Ayrshire Council has developed its [**Local Housing Strategy**](https://www.south-ayrshire.gov.uk/housingstrategy/lhs/documents/south%20ayrshire%20council%20local%20housing%20strategy%202017-2022.pdf) which runs from 2017 until 2022. The Scheme of Assistance directly supports three of the outcomes:

AAS7: People across South Ayrshire have access to housing-related support that helps them to live as independently as possible;

HQN3: Homeowners, landlords and tenants are aware of their rights and responsibilities in relation to property condition and are supported to uphold them; and

HS3: There is an adequate supply of housing across South Ayrshire to meet a variety of needs.

The Scheme of Assistance also supports the following strategic outcomes detailed within the [**Our People, Our Place Council Plan 2018-2022**](https://ww20.south-ayrshire.gov.uk/ext/committee/committeepapers2018/South%20Ayrshire%20Council/1%20March%202018/SAC01031814%20Council%20Plan%202018-22-App1.pdf):

**1.3** - Create an ambitious and innovative culture where staff are empowered to work with communities, delivering responsive and customer focused services.

* We will support and promote a positive organisational culture of empowerment, innovation and change by redesigning services – where necessary – to improve quality and efficiency; and
* We will establish strong community networks and partnerships that will address local needs, focus on reducing poverty and disadvantage, and provide targeted customer-focused services for local people.

**3.5** - Work with communities on opportunities for older people to be active and socialise within their community.

* We will work with our partners to contribute to reducing the number of people delayed in acute hospitals.

**Lifespan of Statement**

This is South Ayrshire Council’s second Statement of Assistance. It will run from 2018 until 2023.

1. **South Ayrshire Council’s Statement of Assistance**

**Information, Advice and Practical Assistance**

Providing accurate advice and information is an integral part in helping homeowners to fully understand their maintenance responsibilities. Appropriate, uncomplicated and well-targeted advice, information and assistance can focus the attention of homeowners on key elements of property maintenance, and highlight the importance of planned maintenance.

**Information**

The Council has introduced a suite of information leaflets for any homeowner that is looking for a guide to repairs, maintenance, adaptations and finding alternative housing. The leaflets cover the following subjects:

* [Aids and adaptations](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/aids.aspx)

* [Building maintenance for the home you own](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/buildingmaintenance.aspx)

* [Checking your building](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/checking.aspx)

* [Identifying and preventing damp and condensation](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/dampcondensation.aspx)

* [Organising common repairs](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/organisingcommon.aspx)

* [Organising repairs to your building](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/organisingrepairs.aspx)

* [Paying for building repairs and maintenance](https://www.south-ayrshire.gov.uk/housing/private-housing/homeowners/payingforrepairs.aspx)
* Housing Options

This information is largely designed to guide homeowners to carry out any maintenance work themselves. It is widely available within South Ayrshire and receives a good uptake. In the last four years over 3000 information packs were distributed to homeowners across South Ayrshire.

Further information will now be developed to cover:

* Factoring services and self-factoring
* Home safety
* Home repair emergencies
* Buying a home
* Renting in the Private Sector

**Advice**

There are occasions when information alone is not sufficient to meet need. In these circumstances tailored advice is available to complement the existing information. Advice services will be available in person, over the telephone or via a dedicated email address. Examples of the advice we provide includes:

* Housing options for people with disabilities or lifelong illnesses
* Setting up maintenance accounts and organising common repairs
* Identifying maintenance issues

There are occasions when the type of advice requested is better provided by other departments of the Council or external organisations. In these circumstances, customers will be referred to specialist advice providers such as:

* Environmental Health
* Building Standards
* Energy Agency
* Money Advice Service

**Practical Assistance**

The provision of information and advice will assist the majority of homeowners to meet their maintenance needs. However there are homeowners who need practical assistance to enable them to carry out maintenance work to bring their home to the Tolerable Standard or to organise an adaptation. The Council will offer practical help in the following areas to owners who are over 60 years of age or are disabled:

* Assistance with completing application forms for financial assistance;
* Requesting quotations from the client’s selected contractors, reviewing the content and instructing works in circumstances where the work will not be carried out by the Council’s chosen contractor for bathroom adaptations;
* Assisting in the collection of all required supporting documentation to be submitted with applications for financial assistance;
* Inspecting completed works and
* Corresponding with homeowners who have a shared responsibility for common repairs.

**Financial Assistance – Repair and Improvement**

The Council will provide a range of information on possible funding options available for repairs and improvements on request.

We will always recommend that customers seek professional guidance from an independent financial advisor. Information on how to find a financial advisor can be obtained from the Financial Conduct Authority (FCA) via their website (<https://www.the-fca.org.uk/consumers>), by telephone (0800 111 6768) or on request via email (consumer.queries@fca.org.uk).

**Customer Services Money Advice Team**

The Council’s Customer Services Money Advice Team provides assistance to those struggling with debt by checking financial circumstances and helping to consider the best options available to deal with debts. This team can negotiate with creditors on behalf of their customers.

For free, confidential and impartial assistance with debt:

* Call 0300 123 0900 or [request a Money Advice call back](http://ww15.south-ayrshire.gov.uk/CitizenPortal/form.aspx?form=money_advice)
* Email [money.advice@south-ayrshire.gov.uk](file:///C%3A%5CUsers%5Candersonke%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5C5CHO75A0%5Cmoney.advice%40south-ayrshire.gov.uk)
* Visit [The Wallace Tower](http://www.south-ayrshire.gov.uk/customer-service-centres/ayr.aspx)

**Local Priorities for Discretionary Grants**

Section 71 of the Housing (Scotland) Act 2006 gives local authorities discretion to decide the works which will be eligible for grant assistance. The local priorities in South Ayrshire are detailed below.

**Assistance for Owners of BTS properties**

South Ayrshire’s 2015 Housing Need and Demand Assessment estimated that there are at least 267 dwellings Below Tolerable Standard (BTS). This figure has dropped from 465 in South Ayrshire’s 2009 Housing Needs and Demands Assessment as a result of the Scheme of Assistance.

A house meets the Tolerable Standard if it:

* is structurally stable;
* is substantially free from rising or penetrating damp;
* has satisfactory provision for natural and artificial lighting, for ventilation and for heating;
* has satisfactory thermal insulation;
* has an adequate piped supply of wholesome water available within the house;
* has a sink provided with a satisfactory supply of both hot and cold water within the house;
* has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house;
* has a fixed bath or shower and a wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house;
* has an effective system for the drainage and disposal of foul and surface water;
* in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purposes of that supply;
* “the electrical installation” is the electrical wiring and associated components and fittings, but excludes equipment and appliances;
* “the relevant requirements” are that the electrical installation is adequate and safe to use
* has satisfactory facilities for the cooking of food within the house; and
* has satisfactory access to all external doors and outbuildings.

The Council is committed to ensuring that all properties meet this minimum standard of living. Therefore, a discretionary flat rate grant of 50% will be offered (subject to budgetary constraints, terms and conditions apply) towards the approved cost of work required to remedy breaches of the elements of the Standard listed above. The assessment of properties is carried out by Environmental Health.

The Housing Service will work in partnership with Environmental Health to identify owners who are eligible for this discretionary grant. Information and practical assistance will be offered where appropriate with the aim of reducing the number of properties that fall below the Tolerable Standard.

Due to limited financial resources additional qualifying criteria are necessary. Grant will not be awarded where:

* The property is not the applicant’s only or principal home.
* The applicant has not lived in the dwelling for at least 2 years.
* The owner acquired the property knowing its condition with a view to developing it.
* The owners removed standard amenities themselves.
* Owners have purchased their property through the Right to Buy in the last 3 years.

The Council reserves the right to apply discretion when considering the additional qualifying criteria.

Owners are expected to meet all other costs and will be provided with the relevant advice, information and assistance to help them do this.

**Mixed Tenure Grant**

The meaning of mixed tenure properties within this Scheme of Assistance is a block of flats made up of properties that are privately owned and Council owned. They have been created by the introduction of various housing policies including the Right to Buy (RTB).

Typically the Council and private owners within these tenements experience difficulties progressing common repairs and maintenance largely relating to:

* Internal close areas, most commonly repair or replacement of security doors and door entry systems;
* Structural repairs; or
* Repairs within the curtilage of the building, this includes, footpaths, steps, etc.

If owners do not agree to the cost of carrying out essential repairs or modernisation then the ability to maintain common areas is restricted, and in some cases, prevented. In many cases the cost of carrying out this work can be the main obstacle with owner occupiers having bought through the RTB without realising the potential costs involved in maintaining a property with common areas.

From 2014 until 2017 the Council approved more than 320 mixed tenure grant applications for homeowners in over 100 blocks of flats bringing common elements of the building to the Scottish Housing Quality Standard.

The Council will continue this work by providing a discretionary 50% flat rate grant (subject to budget constraints) to owners where the follow criteria apply:

* the property is within a block where owners share a responsibility for the cost of common works; and
* the owner is liable to pay £500 or more towards the overall cost of the work; and
* the work is necessary to help achieve regulatory compliance (e.g. SHQS, EEESH, etc.) and/or meets the strategic aims of South Ayrshire Council’s Housing Service.

**Housing Renewal Area Grant**

The Council has developed a policy for designating localities as Housing Renewal Areas where there is a significant number of sub-standard residential properties.

The Council will tackle this disrepair through the use of enforcement powers available and will, in some circumstance, offer homeowners a discretionary 50% flat rate grant to carry out essential maintenance work (subject to budgetary constraints, and strategic priorities).

The qualifying criteria are determined within the [Housing Renewal Area Policy](http://www.south-ayrshire.gov.uk/housing/private-housing/housing-renewal.aspx).

**Energy Efficiency – Home Energy Scotland**

Home Energy Scotland is a Scottish Government programme managed by Energy Saving Trust.  They are a network of local advice centres covering all of Scotland providing free, impartial, expert advice. An extract from their [website](http://www.energysavingtrust.org.uk/scotland/home-energy-scotland) is provided below, detailing the services they offer:

* [**Home Energy**](http://www.energysavingtrust.org.uk/scotland/home-energy)

Help to save energy and money and make your home warmer

A free Home Energy Check over the phone to pin-point savings

In some instances an advisor can visit you at home.

* [**Renewables**](http://www.energysavingtrust.org.uk/scotland/home-energy/renewables)

Help to work out which renewables systems are right for you and your home.

Information about financial support and reputable installers.

* [**Travel**](http://www.energysavingtrust.org.uk/scotland/home-energy/travel)

Help you save fuel whilst driving.

* [**Loans and support**](http://www.energysavingtrust.org.uk/scotland/grants-loans)

Assessing your eligibility for financial support, benefits, and incentives to help you take control of your energy bills through discounted energy rates you might not be aware of.

Call an advisor free on **0808 808 2282** or [request a call back](http://www.energysavingtrust.org.uk/scotland/contact-us).

Home Energy Scotland advisors are available on the phone:

Monday to Friday from 8am to 8pm,

Saturday from 9am to 5pm.

There is a translation service in nine different languages;

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| [Arabic](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20ARABIC.pdf), | [French](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20FRENCH.pdf), | [Gaelic](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20GAELLIC.pdf), | [Latvian](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20LATVIAN.pdf), | [Lithuanian](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20LITHUANIAN.pdf), | [Polish](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20POLISH.pdf), | [Russian](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20RUSSIAN.pdf), | [Somali](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20SOMALI.pdf), | [Swahili](http://www.energysavingtrust.org.uk/sites/default/files/Translation%20service%20for%20phoneline_SC128_HES%20SWAHILI.pdf). |

**Adaptation of Homes for People with Disabilities**

The Council is committed to helping people with disabilities remain independent in the community for as long as practically possible. Over the course of the previous Scheme of Assistance, from 1st April 2010 until 30th March 2017, the Council approved 1462 applications for mandatory grant for private sector disabled adaptations and spent £4.6 million on these works.

The Housing (Scotland) Act 2006 places a duty on all local authorities in Scotland to provide mandatory grant assistance for most essential adaptations and for the provision of a standard amenity.

Grant will be awarded only where an application is supported by a recommendation from an Occupational Therapist, after an assessment of need has been carried out and eligibility for provision of a service has been established.

**Assessment of Need**

An initial enquiry/referral can be made by an individual, a carer, a health professional or an agency direct to the South Ayrshire Health and Social Care Partnership’s Occupational Therapy team. This team has a duty to carry out an assessment of need. The contact details are as follows:

Occupational Therapy

Health and Social Care Partnership, South Ayrshire Council

John Pollock Centre, Mainholm Road, Ayr, KA8 8QD

Telephone: 01292 281993

Applications for assistance will be referred to a suitable specialist, usually an Occupational Therapist, who will be responsible for carrying out the assessment of community care needs. Applications for assessment will be screened on the basis of the information received at the point of referral, to determine the level and priority of the assessment.

The assessment will be in accordance with all relevant legislation and should identify two things; the needs of the person and the eligibility for assistance.

The assessment will also take into account the needs of immediate family members living in the same property and any informal carers as well as the views of the person being assessed and of their carer(s). Advice may also be required from health, housing and social care.

The Health and Social Care Partnership’s eligibility criteria are detailed in the document “[Fair Access to Community Care Services](http://www.south-ayrshire.gov.uk/documents/fair%20access%20to%20community%20care%20services.pdf)”. Hard copies of the document are available on request.

The outcome of the assessment will be available to the individual who is being assessed and it will be based on the criteria for accessing Community Care Services.

When the OT establishes an eligible assessed need for an adaptation, all relevant parties are required to agree to meet that need – including social work, housing, health, the individual and carers. Technical input from the Building Standards Service will also be required.

**Mandatory Grant**

If there is an eligible assessed need for an essential adaptation or provision of standard amenity and all relevant parties agree to meet the need through provision of an adaptation, the Council will fund 80% of the costs. This includes the cost of any extension required solely for the installation of a standard amenity. The applicant’s income or savings will not be taken into consideration.

If the applicant is in receipt of any of the following income replacement benefits, 100% of the cost of the essential adaptation or provision of a standard amenity will be met by the Council:

* Income support
* Income based jobseeker’s allowance
* Universal Credit
* Pension credit (guarantee element)
* Employment support allowance (income related)

**Discretionary Grant**

In exceptional circumstances where an 80% mandatory grant has been awarded and the applicant, after receiving advice and assistance is unable to fund all of the remaining costs of the adaptation the Council may exercise its discretion under the Act to award a discretionary grant. This will be considered on a case by case basis by the Adaptations Review Group.

Consideration will be given to the affordability of the ongoing maintenance of an adaptation as part of the financial assessment for the discretionary grant and ongoing financial assistance may be provided.

**Grant Applications**

Information on how to complete a grant application form and organise the additional documentation required is contained in the grant application pack. This pack is issued by Building Standards or the Housing Service to people who have an assessed need for an adaptation. Contact can be made with the Council’s Housing Grants section for further information about the grant application process. The contact details are as follows:

Housing Grants

South Ayrshire Council

2-6 The Cross, Prestwick, KA9 1AN

Telephone: 01292 612894

Email: HousingGrants@south-ayrshire.gov.uk

Mandatory grant will be approved without undue delay once all relevant information has been submitted.

**All work should not be started before the Council has given approval of financial assistance in writing to the applicant for the grant.** If work commences before the application is approved, the Council may not be able to award a grant.

**Bathroom Adaptations**

The Council has entered into a contract for bathroom adaptations. The contractor offers expertise and specialism in this area of work. Homeowners and private tenants will be advised of the contract when an assessed need for a bathroom adaptation is established and will have the opportunity to opt out.

Those who prefer to select their own contractor will continue to have this option and will be required to provide three competitive estimates for the adaptation. However if the work detailed within the Occupational Therapist’s specification has been pre-priced by the Council’s chosen contractor, these costs will be taken into account and the disabled adaptation grant will be based on the lowest estimated cost.

**Refusal of Mandatory Grant**

South Ayrshire Council reserves the right to refuse mandatory grant for an adaptation in any of the following circumstances:

* An owner of the land or premises in which the adaptation is to be carried out has not consented in writing to the application and/or to being bound by the conditions detailed in section 83 of the Housing (Scotland) Act 2006
* Where work has begun without good reason before the application was approved
* The application relates to premises that contain more than one house and the adaptation would prevent the improvement of any other house in the premises
* The house to which the application relates will not provide long term suitable living accommodation for the applicant and their household after completion of the proposed works
* The adaptation does not reflect best value
* The property and/or the grounds are in a poor condition and would impact upon the effectiveness of the adaptation
* The property does not have the required infrastructure to support the adaptation, as considered reasonable by the Council.

Some examples include:

* A house that does not meet the Tolerable Standard
* A house that does not lend itself to the required adaptation e.g. external access to an upper flat
* An adaptation that cannot achieve Planning consent or will not meet Building Regulations
* Appropriate infrastructures are not in place and would potentially incur significant additional costs

**The decision to refuse an application for mandatory grant will be taken by the Adaptation Review Group and will only be considered if alternative accommodation is found.**

**Alternative Housing Options**

In all cases, alternatives to an adaptation that may provide a more satisfactory solution and ensure ‘best value’ will be considered. Tailored information and advice will be offered to the applicant and will include a range of suitable housing options, for example;

* Buying or renting a new home privately on the open market including the provision of information on the availability of Scottish Government Shared Equity Schemes
* Getting independent financial advice
* Applying for suitable accommodation from the Council or a Registered Social Landlord

Where the cost of the adaptation does not reflect best value, or where there would be technical difficulties in carrying out the necessary adaptation, the Council has a right to consider alternative solutions to meeting assessed need. In circumstances where an adaptation does not meet best value, the case will be referred to the Adaptations Review Group for consideration of the most appropriate solution. This may include a joint solution of identifying alternative accommodation that requires an element of adaptation to meet long term needs and will take into account the financial circumstances and the support requirements.

**House extensions other than those required to install a standard amenity**

In recognition of the fact that an extension normally adds to the value of a house, it is intended that house extensions to provide additional living space (i.e. living room or bedroom) will not attract mandatory grant and should be funded privately by the applicant.

Where a proportion of the work to meet an eligible assessed need does not attract mandatory grant, the Council has a duty to provide advice and assistance to enable the applicant to fund the work. In exceptional cases, where an applicant has received all possible advice and assistance but is unable to access a lending option, or there is a shortfall in funding after lending options to enable the work to proceed, the Adaptations Review Group can consider provision of financial assistance on a case by case basis.

**Voluntary Additional Improvements to the Specification of Essential Adaptations**

If the applicant wants to make additional improvements, including providing additional accommodation or to upgrade the specification of the works, then the cost of the essential adaptation or standard amenity will be funded, as above, with the applicant meeting any additional costs.

**Breach of Conditions of Grant**

South Ayrshire Council will seek recovery of the full amount of grant in the event of a breach of conditions or on the sale of the property, where the prospective buyer is unwilling to accept responsibility for the conditions recorded on the property title.

**Maintenance and Aftercare**

Grants are not available for maintaining equipment or adaptations, as these will be the responsibility of the applicant.

**Assistance with Reinstatement**

Owner Occupiers

The Council has a duty to provide assistance with reinstatement of any property which has previously been adapted. This assistance will take the form of provision of advice and information.

Private Tenants

Tenants in private rented accommodation can apply for a mandatory grant to carry out adaptation work but must obtain consent from their landlord. Private landlords cannot unreasonably withhold consent.

Where a landlord has consented to adaptations but placed a condition requiring reinstatement in terms of S.52 (5) (b) of the 2006 Act, the Council will expect the landlord, in the first instance to seek a new tenant who will use the adaptations. The Council will assist in identifying a suitable tenant. Failing this the Council will offer advice and assistance to meet the cost of reinstatement of those adaptations which reduce the prospect of the property being let.

Applications for financial assistance towards reinstatement will be considered on a case by case basis and will take account of the length of time the adaptation has been in use in the property.

**Adaptation Review Group**

An Adaptation Review Group comprising representatives from Housing, Social Work and Building Standards will monitor the operation of the Scheme of Assistance in respect of adaptations and will consider referrals (where the work required is complex), refusals, requests for discretionary payments and assistance with reinstatement.

**Definitions**

Standard Amenity

Standard amenities are defined in the Housing (Scotland) Act 1987 Section 86 (1), as amended by the Housing (Scotland) Act of 2001 and 2006 as:

* A sink provided with a satisfactory supply of both hot and cold water within the house.
* A WC available for the exclusive use of the occupants of the house and suitably located within the house; and
* A fixed bath or shower and wash-hand basin, each provided with a satisfactory supply of both hot and cold water and suitably located within the house.
* Where additional or replacement facilities are essential to the needs of a disabled person.

Adaptations

Under Section 73(3) of the Housing (Scotland) Act 2006 adaptations are defined as:

Structural work or work that involves other permanent changes to the house but excluding (a) work to extend any structure to create living accommodation, and (b) work to create living accommodation in a separate building from the current living accommodation.

Minor Adaptations and Equipment

Equipment to assist a disabled person with daily living (for example, shower stools) can be provided by the Health & Social Care Partnership’s Social Work service. Minor adaptations such as handrails and banisters where the cost is less than £500 would not be put forward for grant funding but may be funded by the Social Work Service.

Major Adaptations

The type of adaptation work covered by Mandatory Grant can include:

* Installation of a stairlift
* Widening doors for wheelchair access
* Wet floor shower
* Provision of a standard amenity

**Common Repairs/Maintenance Work and Missing Shares**

Responsible homeowners with shared responsibility for common repairs and maintenance are often unable to progress essential work due to other owners being unwilling or unable to contribute their share of the costs. This often leads to lengthy delays resulting in further deterioration of the property.

The Council has developed information to assist homeowners who are organising common repairs and can provide advice and practical assistance on request.

If homeowners continue to have difficulty, Section 50 of the Housing (Scotland) Act 2006 allows local authorities to pay missing shares when it is satisfied that:

* The proposed maintenance work and associated costs are essential and reasonable.
* The majority of owners have agreed to carry out the work
* The owners have set up a maintenance account, as defined within Scottish Government guidance (2006 Act)
* All owners have received notice that they should pay their share of the funds into the maintenance account and those in agreement have deposited their share.
* The apportionment of costs to the non-paying owner is correct in terms of the title conditions.

The payment of missing shares will only be used as a last resort after all options have been explored to try and engage with the owner(s) and enable them to fund the repair work themselves.

Where the Council has maintained contact with a non-paying owner there will be a requirement for that owner to enter into a repayment arrangement with the Council prior to payment of the missing share. Repayments will include associated administrative expenses.

A Repayment Charge will be registered against the owner’s property for the value of the missing share, plus administrative costs. The Council will therefore be able to recover the payment of the missing share when the owner sells their property.

Limited financial resources will be available in each financial year for the use of this Power.

**Enforcement**

The Scheme of Assistance is based on the principle that owners, who have primary responsibility for maintaining their property, may require assistance from the Local Authority to exercise the rights and responsibilities that come with ownership. However, it is recognised that there are owners who are unwilling to maintain their property as opposed to unable. In these cases South Ayrshire Council has a range of existing and new powers that can be utilised to ensure owners take on responsibilities.

The Housing (Scotland) Act 2006 introduced powers for Local Authorities to make owners maintain their property to an appropriate standard.

**Housing Renewal Areas**

The first of these powers is the creation of Housing Renewal Areas where there are a significant number of sub-standard houses and/or a house, or where housing is adversely affecting the amenity of an area. The improvements under a Housing Renewal Area are enforced by the issuing of work notices or demolition notices which state the extent of the works that the owner must undertake and the timescale in which they must do so. Failure to comply with the terms of the Notice may result in the Council undertaking works and recovering all costs and fees from the owner.

**Works Notices**

Work Notices can be served on sub-standard housing out with a Housing Renewal Area on the same basis that they will state the extent of the works that the owner must undertake and the timescales in which they must do so.

**Maintenance Orders**

Maintenance Orders can also be served on the owners of property and these require the owner to prepare a maintenance plan for the property covering a period of up to 5 years. These can be used where the owner has failed to maintain their property to an appropriate standard. Maintenance Orders can also be used to ensure that the raised standard of housing as a result of serving of a Works Notice is maintained.