



Removal Grant Leaflet

This leaflet explains our policy on the Removal Grant Scheme that is available for Council tenants wishing to move into a smaller Council house which is suitable for their needs.

This leaflet covers four main issues: -

- 1) It describes our legal obligation and basis of the scheme
- 2) It explains how the scheme is run
- 3) It explains how to apply
- 4) It details how we monitor our removal grant scheme in practice

This leaflet is intended as a plain language guide only, not as a precise statement of the law.

It is also available in other languages, on request, and in formats such as in large print, audio format and Braille.

Orkney Islands Council is referred to as "we" throughout this leaflet.

Why we offer a Removal Grant Scheme

Many of our tenants' needs may have changed through time with children growing up and moving out or a death in the family for instance. Therefore some people may be living in a property that is 'under-occupied', a term which refers to an individual or family occupying a property that has more bedrooms than they now need. Or they may be living in a property which has been adapted but these adaptations are no longer needed.

Therefore the basis of the scheme is to allow tenants who wish to move to a smaller property to do so without the worry of any financial constraints.

There is no legal requirement for the Council to operate this scheme, but it helps us to make the best use of our stock by freeing up larger properties for families who need them.

The Grant

The basis of the removal grant scheme is that the Council would pay a sum of money to a tenant who wishes to move to a smaller property and vacate a

larger one. The sum paid is intended to help with removal costs and extra costs such as replacement of floor coverings etc.

The level of payment tenants may receive is based on the reduction of house size and is detailed below:

Moving from:	To a 2 apartment	To a 3 apartment	To a 4 apartment
From a 3 apartment	£ 700	N/A	N/A
From a 4 apartment	£ 900	£ 700	N/A
From a 5 apartment	£1,100	£ 900	£ 700

In addition a payment of £500 applies for tenants transferring from a one bedroom extra care property to a one bedroom general needs property outwith the extra care scheme. This applies in exceptional circumstances.

Payment will be made after the tenant has moved.

Generally smaller properties have lower rent, council tax and fuel bills as well.

In cases where a tenant has existing rent arrears or where they have been asked to complete repairs as part of a Pre-Tenancy Termination Inspection and have failed to do so and therefore will be recharged, we may enter into separate arrangements. This will be done in close consultation with the tenant concerned and each case will be considered on its own merits.

The Tenancy

The smaller property would normally be let under a Scottish Secure Tenancy (SST) and therefore would benefit from the same securities as the property that was left behind.

However, in exchanging properties, the tenants would become subject to the modernised Right to Buy. This differs from the old Right to Buy in relation to the length of time a tenant must live in a property before exercising their Right to Buy and also has lower discount levels. This is covered in more detail in our leaflet on the Right to Buy.

Where a tenant exchanges properties and moves to a property that has been let for the first time after 1 March 2011, the tenant will lose their right to buy while they occupy that property. This is covered by the Housing (Scotland) Act 2010, Part 14.

Eligibility

To be eligible for the scheme the following criteria must be met:

- ◆ The tenant must be a Council Scottish Secure Tenant
- ◆ The current property must have one or more bedrooms surplus to their needs, as determined by our letting policy

- ◆ The property must be in Kirkwall, Stromness or other area determined as being one of high demand.

Gold Priority Passes are awarded in line with our lettings policy regardless of the size or type of property.

In certain situations consideration may be given to awarding a Platinum Priority Pass. This may happen in cases where the property type, size, location is in urgent demand. In addition consideration may be given to allowing OIC tenants who are being rehoused by OHAL (as a result of underoccupancy) to benefit from the grant provided they otherwise meet the criteria above.

Reasons for Refusal

Each case is assessed on its own merits but in certain circumstances we may refuse an application. These may include where:

- ◆ A notice of proceedings has been served
- ◆ An order for recovery has been made against the tenant
- ◆ The house occupied by the tenant has been provided by the landlord for employment purposes
- ◆ A situation where a legal order such as an anti-social behaviour order has been taken against one of the tenants (or other household member)
- ◆ The current property size is correct for the number of occupants
- ◆ Overcrowding may result.

Exemptions

Supported Accommodation is exempt from the scheme as these properties are allocated based on the individual needs of the applicant. The scheme is also not applicable for Mutual Exchanges since the purpose is to obtain a vacant, larger property to let to a household with a high level of housing need.

To apply

The Housing Management Section will deal with all requests for assistance under the removal grant scheme. Applicants should complete:

- ◆ An application for social rented housing in Orkney and;
- ◆ The removal grant scheme standard application form

Applicants who have not already registered for a transfer will have to fill out both applications, while applicants already registered on the transfer list will only be required to complete the removal grant scheme standard application form. In the case of joint tenants, both tenants should sign the removal grant scheme standard application form.

Our Housing Management staff will help with filling in forms on request. A decision will be made within one month of receipt of application.

Appeals

Tenants have the right to appeal our decision if they are in any way unhappy with the way their application has been handled. The tenant has 21 days from the postmark on their letter, in which to lodge their appeal. This request must be made in writing and forwarded to the Executive Director of Education, Leisure and Housing. The Citizen's Advice Bureau can assist if required.

Monitoring

The scheme is monitored on a regular basis to ensure that our policies and procedures remain relevant. Interest in the scheme relative to property size, type and area is monitored regularly. Demand is determined through our Local Housing Strategy, Temporary Accommodation Strategy and our Lettings Policy and reported to Council accordingly.

Contacts

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