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STATUTORY INSTRUMENTS

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**1996 No. 2887**

**HOUSING, ENGLAND AND WALES**

**The Home Repair Assistance Regulations 1996**

<i>Made</i>	- - - -	<i>18th November 1996</i>
<i>Laid before Parliament</i>		<i>26th November 1996</i>
<i>Coming into force</i>	- -	<i>17th December 1996</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 79 and 146 of the Housing Grants, Construction and Regeneration Act 1996(1) and of all other powers enabling them in that behalf, hereby make the following Regulations—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Home Repair Assistance Regulations 1996 and shall come into force on 17th December 1996.

(2) In these Regulations—

“assistance”(except in regulation 4) means home repair assistance

“property” means a dwelling, house-boat or mobile home.

**Making applications for assistance**

2.—(1) All applications for assistance shall be in writing and shall contain the information specified in Part I of Schedule I.

(2) An application for assistance made in respect of a house-boat shall contain the information specified in Part II of Schedule I.

(3) An application for assistance made in respect of a mobile home shall contain the information specified in Part III of Schedule I.

**Dealing with applications for assistance**

3. Applications for assistance shall be dealt with in accordance with Schedule 2.

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(1) 1996 c. 53; see section 101 for the definition of prescribed.

### Applications of Regulations

4. These Regulations shall not have effect in relation to applications for assistance for minor works under section 131 of the Local Government and Housing Act 1989<sup>(2)</sup> made before these Regulations come into force.

Signed by authority of the Secretary of State

15th November 1996

*David Curry*  
Minister of State  
Department of the Environment

18th November 1996

*William Hague*  
Secretary of State for Wales.

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(2) 1989 c. 42.

## SCHEDULE I

Regulation 2

### CONTENT OF APPLICATION

#### PART I

##### GENERAL

1. The name and address of the applicant.
2. The date of birth of the applicant.
3. Whether the applicant is disabled or infirm.
4. Whether the applicant or his partner is in receipt of income support, family credit, housing benefit, council tax benefit or disability working allowance.
5. Whether the works are to adapt a dwelling to enable an elderly, disabled or infirm person, who lives or proposes to live in the dwelling as his only or main residence, to be cared for.
6. The address of the property to which the application relates.
7. Whether the property is a renewal area.
8. Whether the property is a dwelling, a house-boat or a mobile home.
9. Whether the applicant lives in the property as his only or main residence.
10. Whether the applicant—
  - (a) has an owner's interest in the property;
  - (b) is a tenant; or
  - (c) occupies the property under a right of exclusive occupation granted for his life or for a period of more than five years.
11. Where the applicant is a tenant, confirmation that the applicant is not a tenant of an authority or body mentioned in section 3(2) of the Housing Grants, Construction and Regeneration Act 1996 (authorities and bodies not eligible to apply for grants under Chapter 1 of Part I of that Act).
12. Where the applicant occupies the dwelling under a right specified in paragraph 10(c) of this Part (except where the property is in a renewal area or the works are for a purpose described in paragraph 5 or 14 of this Part), whether the applicant has occupied the property as his only or main residence for a period of at least three years immediately preceding the date of the application.
13. A description of the works.
14. Whether the works relate to means of escape from fire or other fire precautions.
15. Confirmation that the applicant has a duty or power to carry out the works.
16. The name and address of the person who will carry out the works.
17. An estimate of the cost to the applicant of the works and, if the works are to be carried out by the applicant, the cost of the materials to be used in carrying them out.
18. Confirmation that the works are not, so far as the applicant is aware—
  - (a) works for which a grant under Chapter I of Part I of the Housing Grants, Construction and Regeneration Act 1996 has been approved or for which an application for a grant is pending; or

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- (b) works which are specified in a group repair scheme approved under Chapter II of that Part or prepared and awaiting the approval of the Secretary of State.
- 19. Details of the amount or value of any home repair assistance given in respect of the property in the period of three years immediately preceding the date of application.
- 20. The signature of the applicant or his agent.

## PART II

### HOUSE-BOATS

- 21. Whether the house-boat qualifies as a dwelling for the purpose of payment of council tax.
- 22. Whether the applicant is in lawful occupation of the house-boat.
- 23. Where the purpose of the works is not one specified in paragraph 5 or paragraph 14 of Part I, whether—
  - (a) the applicant has occupied the boat as his only or main residence for a period of at least three years immediately preceding the date of the application;
  - (b) the boat has for that period had its only or main mooring in the same locality on an inland waterway or in marine waters within the boundary of the local housing authority applied to; and
  - (c) the applicant had a right to moor his boat there.

## PART III

### MOBILE HOMES

- 24. Whether the mobile home qualifies as a dwelling for the purpose of payment of council tax.
- 25. Whether the applicant is in lawful occupation of the mobile home.
- 26. Where the purpose of the works is not one specified in paragraph 5 or paragraph 14 of Part I, whether—
  - (a) the applicant has occupied the mobile home as his only or main residence for a period of at least three years immediately preceding the date of the application;
  - (b) the mobile home has for that period been on land forming part of the same protected site within the meaning of the Mobile Homes Act 1983(3); and
  - (c) the applicant occupied the mobile home under an agreement to which that Act applies or under a gratuitous licence.

## SCHEDULE 2

Regulation 3

### DEALING WITH APPLICATIONS AND INSPECTING WORKS

- 1. As soon as practicable after receiving an application, and in any case within six months from the receipt of the application, the local housing authority shall by notice in writing inform the applicant whether or not they propose to give assistance.

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(3) 1983 c. 34.

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2. If the authority propose to give assistance, they shall state the nature and value of any materials they intend to provide and the amount of any grant they intend to make.
  3. If the authority do not propose to give any assistance they shall inform the applicant of their reasons for not doing so.
  4. The authority shall carry out such inspections of the works or obtain such certificates from the persons carrying them out as are necessary to ensure that they are carried out to a reasonable standard.
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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations deal with the manner of making, and the content of, an application for home repair assistance under Chapter III of Part I of the Housing Grants, Construction and Regeneration Act 1996 and with the procedure for dealing with such applications.

Regulation 2(1) provides that all applications are to be made in writing and are to contain the information specified in Part I of Schedule I to the Regulations. Applications in respect of houseboats and mobile homes are to contain the additional information specified in Part II and Part III of Schedule I respectively (regulation 2(2) and (3)). Regulation 3 and Schedule 2 provide for the procedure for dealing with applications and for ensuring that the works are carried out to a reasonable standard. Regulation 4 contains a transitional provision.