

STEWARTS
THE LEGAL SERVICE

HOUSING ADAPTATIONS



Housing Adaptations following serious injury

If you suffer a serious injury, you may need to adapt your property in order to make it suitable for your needs. The local authority has a responsibility to provide community care equipment and minor adaptations where the cost is less than £1,000.

Minor adaptations are generally not means tested which means that there is usually no cost to you. If more substantial adaptations are required, you may wish to consider whether you are suitable for a Disabled Facilities Grant (DFG).

A DFG is a grant provided by your local authority to help meet the cost of adapting a property to enable individuals with disabilities to continue to live in their homes. DFGs can be used to fund adaptations including works to improve access, such as installing ramps, as well as providing additional facilities, such as an accessible bathroom.

Eligibility

To be eligible for a DFG, you must:

- Be an owner occupier, private tenant, landlord with a disabled tenant, local authority tenant or housing association tenant;
- Intend to live in the property during the grant period (currently five years); and
- Be disabled or be applying on behalf of someone who is disabled.

In addition, the local authority will need to check that the proposed works are:

- Necessary and appropriate to meet the disabled person's needs; and
- Reasonable and practicable depending on the property.

Before making an application, you should find out what works are required and obtain an estimate of costs. An occupational therapist can look at your circumstances and recommend the types of adaptations required.

The local authority will usually require two written estimates from different contractors before they can decide on a cost. You may not receive a DFG if works are commenced on the property before the local authority approves the application. You will also need to ensure that you apply separately for planning permission or building regulations approval.

DFG value

The maximum grant available is £30,000 in England, £25,000 in Northern Ireland and £36,000 in Wales. The DFG will only be paid when the work has been completed to the local authority's satisfaction and in accordance with the approvals provided.

DFGs are means tested. The test is designed to calculate how much, if anything, you can afford to contribute towards the cost of the works based on any excess income you may have. This means the relevant local authority will consider the income and any capital over £6,000 of a disabled person and their spouse or partner (if they have one).

If you have no excess income, your contribution will be zero. If you do have excess income, you will be required to contribute towards the cost of the works.

The means test is not applicable for a DFG made for the benefit of a disabled child under 19 for whom child benefit is payable.

Applying for a DFG

You should contact your local authority's housing or environmental health department to request an application form. This will set out the further documentation required. The local authority must provide its decision in writing within six months of receipt of a valid application.

If the application is approved, the local authority may pay the grant in full on completion of the works or in instalments throughout the works. The grant can be paid directly to the contractor or to you.

You can appeal the local authority's decision if you are unhappy with it. You should contact your local authority in the first instance to request their appeals and complaints procedure. If, following the appeal, you are still unhappy with the decision, you can complain to the Local Government and Social Care Ombudsman.

Other Assistance

Discretionary assistance may be available from your local authority (in addition to DFGs) in the form of low cost loans, equity release or grants for adaptations to or equipment for your home.

“After the accident and all the emotion that goes with it, the support of the Legal Service team was very reassuring and supportive. The personal touch and the information given when so many life changing decisions needed to be made was comforting.”

(S.W. a former client)



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