

Guidance Notes for Alteration/ Improvement



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East Dunbartonshire Council

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Making alterations or improvements to your house

The Council recognises that on occasion, you may wish to make improvements to your home – for example, fitting a new kitchen or bathroom. This leaflet provides important information which you should be aware of if you are considering making improvements or alterations.

Firstly, under your Tenancy Agreement, **you can only make alterations or improvements to your house with the Council's permission**. You must obtain our permission before you carry out the work. Under your Tenancy Agreement, we are obliged to accept or reject your application within 28 days. We will not turn down any request for permission which is reasonable. Secondly, did you know that under the law, **you may be entitled to receive compensation** for the improvement work you have carried out, when your tenancy comes to an end?

Read on for more information ...

1) Obtaining the Council's permission

When is permission needed for alterations and improvements?

You need to obtain the Council's advance permission if you want to carry out any of the following types of work to your house:

- Altering, improving or enlarging the house, its fittings or fixtures;
- Adding new fixtures or fittings (for example kitchen or bathroom installations, central heating or other fixed heaters, double glazing, laminate flooring or other types of fixed hard flooring, or any kind of external aerial or satellite dish);
- Putting up a garage, shed or other structure;
- Building a driveway;
- Putting up a fence, wall or similar structure;
- Decorating the outside of the house.

Please note that we will not normally grant permission for extensions, loft conversions or conservatories. If you need a bigger house, we would aim to meet your needs through re-housing.

How do I apply for permission?

Your application for permission must be made in writing. You can obtain an application form from your local Housing Officer, housing office or local HUB. If you need any help filling in the form, we will be happy to help you with this. The application form contains all of the information which we will need to consider your request. By using the form and providing all the information it asks for, you can help us to help you.

How will my application be assessed?

We must reply to your written application within one month of receiving it. If you have not heard from us within a month, the Tenancy Agreement says that we are taken to have agreed to your request.

We will give you our decision in writing as soon as possible. We may carry out an inspection first, to look at the work you want to do.

When we write to you, we will tell you:

- if we agree to the work you wish to carry out
- whether we attach any conditions to our approval.

Remember, we cannot refuse your application unless there are reasonable grounds for doing so. If we refuse permission, we will tell you what the reason is.

What sort of conditions might be attached to the Council's approval?

We may grant permission with conditions attached. For example:

- If the work you are planning needs a building warrant, planning permission or any other statutory permission, you will be responsible for obtaining this.
- If you are planning to make changes to the electrical wiring or gas installations in your house, our approval would be conditional on you using a competent and qualified tradesperson.
- If you are planning to install laminate floors, our approval would be conditional on you agreeing to be responsible for uplifting the flooring (and meeting any costs involved), if essential repair work needs to be carried out in future.

If we refuse your request, you can ask us to review our decision

If you disagree with the Council's decision, you can request that the decision is reviewed by the Property Maintenance Manager. If you are not satisfied after this, you can appeal to the Council's Head of Housing and Community Services. If you still disagree with our decision, you have the right to raise proceedings in Court. The Court can order the Council to consent to your request, if it considers our refusal was unreasonable.

2) Compensation for improvements

Will I be entitled to compensation for the works I am planning?

Under the Housing (Scotland) Act 2001, you may be able to receive compensation from the Council for improvements which you make to your home. To qualify for compensation:

- The Council must have given its approval for the work
- Your tenancy must have ended.

What improvement works qualify for compensation?

Details of the improvements covered by the compensation scheme are listed at the end of this leaflet. As you will see, many different types of work qualify. But remember, you will only be entitled to compensation if you obtained the Council's permission to carry out the work.

How do I claim?

You can apply for compensation up to 28 days before your tenancy ends, or up to 21 days afterwards. It is best to contact us as soon as you know that you will be ending your tenancy. We will provide you with a written reminder about the compensation scheme, when you give notice that your tenancy will be ending.

You can also apply for compensation if your tenancy comes to an end because your house or flat is being transferred to a new landlord. If your tenancy ends because you have died, or in other special circumstances, compensation can still be claimed.

To apply, you should write to us with the following information:

- copies of invoices and receipts, to show the original cost of the work for which you are claiming compensation
- details of when the work was started and completed.

The Council will then arrange to inspect your property. You will not receive compensation if you buy your house or flat under the Right to Buy scheme. And you will not receive compensation if your home is being repossessed by the Council, because you have broken your tenancy conditions.

How will my claim be assessed?

Your compensation payment will be based on the costs you incurred in carrying out the improvement work. This can include **the cost of materials** (but not appliances such as cookers or fridges); **and labour costs** (but not your own labour).

We will then calculate your compensation payment by comparing:

- the costs of the work
- how long ago the work was carried out, and
- the "notional life" for the type of work involved.

The notional life for different types of improvement works has been set by the Scottish Executive and is shown at the end of this leaflet. So, for example, if you leave your house 6 years after putting in a new bathroom, the compensation payable would be half of the original cost. This is because a new bathroom has a notional life of 12 years, and your bathroom would be halfway through this period.

If you had financial help such as a grant to help make your improvements, we will take this into account in calculating your compensation payment. We may also reduce your compensation if the improvements are to a higher specification than the Council would normally provide. We may increase or reduce your compensation depending on the condition of the improvement when your tenancy ends.

Lastly, we will deduct any money you owe from the compensation you are entitled to (for example, for unpaid rent or rechargeable repairs).

How much can I receive?

You can receive up to £4,000 for each improvement. But you will not receive any compensation for an improvement if the amount of compensation would be less than £100.

What happens if I disagree with the Council's assessment of compensation?

You can ask us to review our decision, by contacting your Team Leader in Kirkintilloch or Milngavie.

We will then have the decision reviewed by:

- an independent valuer or surveyor of our choice;
- the Head of Housing and Community Services.

If you are still dissatisfied, you may be able to ask the Scottish Public Services Ombudsman to review the case on your behalf. Or you may be able to raise legal proceedings against the Council. A solicitor or advice agency will be able to advise you, if you need independent advice.

Qualifying improvements and the notional lifespan of each type of work

| <i>(Item)</i> | <i>(Notional life in years)</i> |
|---|---------------------------------|
| Bath or shower | 12 |
| Cavity wall insulation | 20 |
| Sound insulation | 20 |
| Double glazing or other external window replacement or secondary glazing | 20 |
| Draught proofing of external doors or windows | 8 |
| Insulation of pipes, water tank or cylinder | 10 |
| Installation of mechanical ventilation in bathrooms and kitchens | 7 |
| Kitchen sink | 10 |
| Loft insulation | 20 |
| Rewiring and the provision of power and lighting or other electrical fixtures including smoke detectors | 20 |
| Security measures other than burglar alarm systems | 15 |
| Space or water heating | 12 |
| Storage cupboards in bathroom or kitchen | 10 |
| Thermostatic radiator valves | 7 |
| Wash hand basin | 12 |
| Watercloset | 12 |
| Work surfaces for food preparation | 10 |