



LEEDS JEWISH HOUSING ASSOCIATION **DECANTING TENANTS**

Decanting is the legal term used to explain the process where residents are required to move from their home.

Depending on the circumstances, this can either be:

- **Permanent**
 - where the resident is unable to move back to their existing home

- **Temporary**
 - Where the resident moves out for a period and then moves back in. this can on occasions be due to emergency situations.

If residents have to move out of properties LJHA will look at individual circumstances to try and accommodate you as best as we can. Consideration is given regarding size and location of any suitable alternative.

DECANT ALLOWANCES

Depending if the move is permanent or temporary may determine what compensation residents are entitled to. There are two type of compensation

- Home Loss Payment
- Disturbance payment

HOME LOSS –to complete HLD1 Form

Tenants are entitled to receive a home loss payment if they are required by the Association to move permanently.

The basic principles of Home Loss payments are laid down by the Government in the Land Compensation Act.

With effect from October 2018, the statutory payment is £6,300.

To qualify for a mandatory home loss payment the following conditions should be met:

- The tenant must have been in **occupation for 1 year** at the date required to vacate the home for redevelopment.
- The property must be the **main residence** of the tenant.
- The tenant must be the **lawful** tenant.

Circumstances which do not qualify for a home loss payment;

- LjHA will reduce the amount of the home loss payment by a sum equivalent to any rent arrears and will offset this sum against the tenant's rent account.

If eligible for Home loss payment this will be made within 6 months of displacement (if instructed to move permanently)



DISTURBANCE PAYMENTS – to complete HLD02 form

A home disturbance payment is a payment made to a tenant to cover the costs of removal and relocation when land/ property is being redeveloped.

The legal obligations are covered by Section 37 of the Land Compensation Act 1973 and **apply if a tenant is entitled to a home loss payment** from the Association. (a tenant may be entitled to disturbance payments and not home loss)The payment will cover the reasonable expenses of the person entitled to the payment in moving from the property to be redeveloped to other suitable accommodation offered by the Association.

To assist in meeting new home expenses not covered by disturbance payments, LjHA can advance £500 of the £6,300 home loss payment to tenants up to 4 weeks before a move, on request and provided the tenant is not in arrears.

If LjHA inform you that your present home is located in a development area, you will need to make a claim to the Association for payment of both Home Loss and Disturbance Payments. This can be done by completing the forms prepared for the purpose.

It is important that not only is Leeds Jewish Housing Association fair and equitable in compensating tenants required to move, but also that it achieves value for money by use of:

- Bulk purchase agreements with local suppliers
- Controlling the process by direct payment to suppliers and contractors

Disturbance Payments cover not only the immediate expenses of the physical transfer of furniture and fittings but also those reasonable expenses, which are unavoidably incurred as a natural and direct consequence of the necessity of moving.

It may be possible to provide a package of support measures such as furniture packing and resettling into the new home where a tenant is unable to pack or unpack for themselves due to age or disability; these will be eligible costs.

If a tenant moves into temporary accommodation pending the availability of a permanent property, then only one Home Loss payment can be claimed. Resettlement expenses will be minimised wherever possible but a charge for Storage might be an eligible cost where this will be more cost efficient than refitting furnishings, fixtures and fittings twice.



Payments will generally be made in accordance with the following schedule:

Actual relocation cost	How it will be assessed and paid
<p>a) Cost of removal van to move home contents/furniture etc.</p>	<p>LJHA to pay directly to removal contractors who hold valid contents transport insurance (or tenant obtains three quotations from other approved firms and submits receipt for reimbursement).</p> <p>Sheds will be moved, if able to do so and if there is both adequate space for the shed and there is no shed at the new property</p>
<p>b) Disconnection and reconnection of cooker, either gas or electric</p>	<p>If LJHA contractor unavailable then 2 quotes required prior to issuing works.</p> <p>If gas cooker, disconnection and reconnection to be carried out by registered Gas Safe Registered Fitter.</p> <p>Electric cookers to be disconnected and reconnected by qualified electrician.</p> <p>LJHA to make payment direct to approved company.</p> <p>If no gas in building necessitates the purchase of an electric cooker, up to £250 can be made available (receipt required).</p>
<p>c) Disconnection and reconnection of washing machine and/or dishwasher</p>	<p>LjHA to pay approved plumber directly.</p>
<p>d) Disconnection and reconnection of TV aerial</p>	<p>Association to pay approved contractor directly. Relocating satellite dish or reconnecting cable connection will be eligible claims, if appropriate. If changing from cable to Sky, then the Association will be responsible for meeting cost of initial Sky installation/set up.</p>
<p>e) Redirection of mail</p>	<p>LjHA will pay Post Office charge for three-month redirection.</p>
<p>f) Telephone disconnection and reconnection</p>	<p>BT and/or Cable charge is acceptable</p>
<p>g) Broadband/TV package</p>	<p>Where possible existing package to be transferred. If unable to transfer, LJHA to pay cancelation charges.</p>



<p>h) Special expenses for removal day itself</p>	<p>Loss of earnings caused by time off work, certified by letter from employer. Limited to one adult per household and only payable if adult not otherwise available to assist with removal day. If self-employed, compensation will be calculated on the basis of earned income from most recent tax-return or accounts. No payment can be made to anyone not working at the time of the move.</p>
<p>i) Special adaptations within the home</p>	<p>Disconnection/removal from existing home and refitting in the new home, to be carried out normally under the supervision of occupational therapist (OT) who would nominate an approved contractor if necessary. Not applicable if new property built to meet current disability standards.</p>
<p>j) Decorating</p>	<p>The re-decoration of properties will be agreed individually and subject to individual assessment. Decoration of a new property will not be undertaken if deemed in an appropriate decorative order</p> <p>LJHA contractors will be the first option to undertake works where decoration is required.</p> <p>The association will cover the costs of 1 neutral colour throughout the property or will hang wallpaper (tenant to pay for and supply)</p> <p>The following is the maximum agreed allowance that will be given to allow for re-decoration:</p> <ul style="list-style-type: none"> - Living Room £220 - Double Bedroom £160 - Single Bedroom £125 - Hall, Stairs & Landing £300 - Kitchen £120 - Bathroom £120 - Whole Flat £900 (allowing for economy of scale) - Whole house £1,200
<p>k) Carpets – Option 1</p>	<p>The general expectation is that the relocating resident will maximise the refitting of existing flooring/ carpets and only claim for those agreed areas where they cannot refit or where the new property does not have appropriate floor covering already installed.</p> <p>The cost of taking up, refitting and if necessary adapting existing carpets will be eligible.</p> <p>LJHA to provide the services of an approved carpet</p>



<p>Option 2</p>	<p>fitter or company and will make payment directly to them up to the following agreed level of payment for “extra” carpet:</p> <ul style="list-style-type: none"> - up to a maximum of £8 per sq.m -not kitchen, bathroom or WC where slip resistant vinyl is already laid, - medium range underlay of up to £4.00 per sq.m if required. <p>Tenants are able to “upgrade” carpets at their own expense if it is deemed necessary to install new carpets.</p> <p>Underlay to be installed on all upper floor apartments. No hard flooring to be installed on upper floor apartments.</p> <p>This payment for any agreed extra or reasonable standard replacement carpet will be conditional on the relocating tenant demonstrating that they are unable to re-use existing carpet in the new home. Dimensions of the rooms in both homes will need to be used, in justification of a claim.</p> <p>For those relocating tenants who either have no carpet at all or only have foam-backed carpet that cannot reasonably be refitted, they will have the option of an alternative standard replacement carpet allowance to cover the whole home; the scale above will apply.</p> <p>This allowance option will be taken up through LjHA’s agreed carpet fitter or company up to the agreed amount or allowance. If there is doubt as to whether a carpet can be re-used, LjHA will rely on the advice of the carpet fitter or company.</p> <p>“upgrade” carpets at their own expense if it is deemed necessary to install new carpets.</p>
<p>l) Curtains</p>	<p>The general expectation is that the relocating resident will maximise the refitting of existing curtains and blinds and only claim for those window areas where they cannot be refitted or adapted. The cost of refitting/adapting existing or having to purchase new curtain tracks is an eligible disturbance item.</p> <p>As a standard reimbursement for replacement or additional curtains, the following scale will apply:</p> <ul style="list-style-type: none"> - One bed flat £350



	<p>- Two bed flat/house £550</p> <p>This will include tracks, rails and any additional battening.</p> <p>If replacement is required, LJHA will cover the costs of either curtains or blinds.</p> <p>“upgrade” of curtains or blinds can be undertaken at tenants own expense if it is deemed necessary to replace.</p>
<p>m) Fitted tenant-owned furniture eg kitchen units, bathroom fixtures and wardrobes, beds</p>	<p>LjHA to provide contractor service on moving day to dismantle and refit in new home. Photographs to be taken of units before work commences. Only applies to units tenant has paid to have fitted.</p> <p>This work can only be eligible if, in the case of refitting, it is agreed with LjHA sufficiently in advance that agreed pre-allocated home does not have similar fixtures or a standard Association kitchen fitted. This would be at the point of accepting the allocation of a new home. This avoids waste. It also requires that the refitting be technically possible, robust in construction and reasonable in layout terms.</p> <p>It is possible for tenants to claim additional discretionary payments to allow them to equip their new home to the same standard as their existing one, or to compensate them for improvements they have made to their home that cannot be removed, provided that they were unaware that their property was being considered for redevelopment at the time the exceptional expenses were incurred. In addition, the payment of compensation for these improvements can only be considered where prior permission was sought and granted by LjHA in writing. Such claims will be considered on an individual basis.</p>
<p>Light fittings</p>	<p>If tenants wish for Light fittings to be moved this will be undertaken by LJHA contractor.</p> <p>If LJHA contractor unavailable then 2 quotes required prior to issuing works.</p> <p>If the fittings cannot be moved e.g. spot lights or safety issues raised by the contractor then pendant lights will be installed in the new property.</p>