

Information for Tenants

Leaflet No. 7
(Issue May 2011)

Works and Compensation

Arcon regularly improves and modernises its flats and houses. Usually this work is carried out when a property becomes empty. Sometimes however this work is done when someone is still living in the property.

If the work can be done around you, we will warn you in advance and arrange with you to make sure there is as little disturbance as possible. If the work is so extensive that you must be moved for health and safety reasons, you are entitled to suitable alternative accommodation and compensation.

The need to move

There are three categories of work that would mean to have to move:

Redevelopment—where a property is to be demolished, gutted or rebuilt.

Improvement—where a property is to be substantially modernised, upgraded or enlarged.

Major Repairs—where normal repair work cannot be carried out safely while you are living in your home.

Temporary or permanent move?

A move will be temporary or permanent depending on the type of work involved. Generally you are unlikely to be able to move back if your home is redeveloped. In the case of improvements or major repair works we will look at the length of time the work will take before deciding whether a temporary or permanent move is appropriate. We will fully discuss the decision with you before the move is made.

Entitlement to compensation

Permanent moves

Redevelopment—Home loss or disturbance or both

Improvement and Major Repairs—Reasonable expenses

Temporary moves

Redevelopment—Disturbance or reasonable expenses or both

Improvement and Major Repairs—Reasonable expenses

Compensation

There are four types of compensation available to tenants disturbed by works.

Home loss payment

Under the Planning & Compensation Act 1991 any tenant who must leave their home permanently because their landlord wishes to carry out redevelopment work is entitled to a lump sum payment of £1,500 to compensate them for the loss of their home. To qualify you must have lived in your home as a tenant for one year.

Disturbance payment

The Planning & Compensation Act also gives tenants the right to claim all reasonable expenses involved in moving out of one home and setting up in another. These expenses will include disconnecting and reconnecting telephones and washing machines, etc and adapting carpets and curtains, as well as physical removal costs. If there are any disputes about the amounts payable, tenants have the right to appeal to the Lands Tribunal.

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Reasonable expenses

Where a tenant is not entitled to the statutory payments outlined above, Arcon will pay the reasonable expenses involved.

Compensation for loss of rooms or facilities

If tenants do not have to move out but are unable to use certain rooms or facilities, they are entitled to a reduction in rent (see below). The Housing Management Committee reviews these amounts from time to time.

If any of the events listed below occur, the tenant will be entitled to a rebate on their weekly rent after the first day without the facilities, up to a maximum of 50%.

- Living room unusable 20%
- Bedroom unusable 25%
- No access to cooking facilities 30%
- No access to washing facilities 30%

In any of the events listed below occur, the tenant will be entitled to 50% rebate on their weekly rent after the first day without the facilities.

- No sanitary provision of any kind
- No supply of cold water either from a tank or rising main
- No habitable rooms
- No heating

Habitable rooms are defined as any bedrooms or living rooms but not kitchens and bathrooms.

Compensation for loss of use of rooms and facilities

Compensation is not payable when the loss is a fault of a third party (for example a water, gas or electric supplier) or a matter over which Arcon has no control, or arises as a result of negligence by the tenant or their failure to conform with the terms of the tenancy.

Compensation for improvements

Arcon will also compensate tenants when they leave improvements that they have made as long as we gave written consent, before the improvements were carried out. Please ask your Housing Officer for a copy of our compensation policy for full details.

Compensation under Right to Repair

Compensation is also paid when we fail to complete certain repairs, known as **qualifying repairs**, within a specified time. Please ask your housing officer for a copy of our compensation policy which gives details of **qualifying repairs** and the specified time periods.