

Decant Policy – Home Loss and Disturbance Compensation - October 2018

Statutory Home Loss Payments	Statutory Disturbance Payments	Discretionary Payments
Criteria:	Criteria:	Criteria:
1.1 Entitlement to Home Loss is subject to the occupier being permanently displaced as a consequence of any improvement or redevelopment by a Housing Association	1.1 Compensation for losses or expenditure arising as a natural and reasonable consequence of being ‘disturbed’ from land and buildings which are to be redeveloped or improved by the Co-op	1.1 Discretionary payment can be chosen to be paid by the Co-op (or Ombudsman), rather than being an obligation to honour.
1.2 Lodgers and licences do not qualify for home loss payments. Joint tenants only entitled to one home loss payment	1.2 Statutory disturbance is not payable where works are defined as repairs.	
	1.3 Temporary or permanent move The move must be permanent to qualify for a statutory disturbance payment. A temporary move from a building which is to be totally redeveloped (e.g. demolished and rebuilt) is counted as a permanent move because the building the tenant will return to is so different and can be seen as a totally new home	
Length of Occupancy :	Length of Occupancy :	Length of Occupancy :
2.1 Tenant can qualify if they have been in lawful occupation of such a dwelling as his / her main/ principal home for 12 months ending with the date of displacement	2.1 Tenant can qualify for statutory disturbance if in lawful occupation immediately prior to the date the Co-op acquired the land by agreement (prior to being moved)	
Compensation Payment	Compensation Payment:	Compensation Payment
10% of market value (max £45K)	Standard current disturbance payment offers are: Claimants in unfurnished rented property moving to unfurnished property £ 1,210 Claimants displaced from furnished property - £277 Claimants displaced. The Co-op should cover ‘reasonable expenses’ incurred. Interest is payable on any amounts spent from the day the expense was incurred to the day payment is made. These include: <ul style="list-style-type: none"> • Removal costs • Disconnection and reconnection of cookers, water heaters, washing machines , telephones and TV aerials • Fixtures & fittings (special locks / alarms) • Fitting and adaption of carpets and curtains • Miscellaneous items e.g. redirection of mail for maximum 1 year. 	
Claims Timeframe:	Claims Timeframe:	Timeframe:
3.1 Claims for Home Loss Payment must be made before the expiration of the period of 6 months beginning with the date of displacement	3.1 No such restriction applies to claims for Disturbance payment but desirable to encourage claimants to submit their claims as soon as possible after the date of displacement	•
Home Loss Payments on or before the latest following dates:		•
<ul style="list-style-type: none"> • The date of displacement 	•	•
<ul style="list-style-type: none"> • The last day of the period of 3 months beginning with the date of the claim and 	•	•
<ul style="list-style-type: none"> • Where the amount of the payment is to be determined in accordance with Amount of Home Loss Payment, the day on which the market value of the interest in question is agreed or finally determined 	•	•