



STATUTORY INSTRUMENTS.

S.I. No. 670 of 2007

HOUSING (ADAPTATION GRANTS FOR OLDER PEOPLE AND
PEOPLE WITH A DISABILITY), REGULATIONS 2007

(Prn. A7/1774)

HOUSING (ADAPTATION GRANTS FOR OLDER PEOPLE AND PEOPLE WITH A DISABILITY), REGULATIONS 2007

The Minister for the Environment, Heritage and Local Government in exercise of the powers conferred on him by section 5 of the Housing Act, 1966 (S.I. No. 21 of 1966), as amended by section 24 of the Housing (Miscellaneous Provisions) Act 1992 (No. 18 of 1992), sections 5 and 6 of the Housing (Miscellaneous Provisions) Act, 1979 (S.I. No. 27 of 1979), and the Environment and Local Government (Alteration of Name of Department and Title of Minister) Order 2003 (S.I. No. 233 of 2003), with the consent of the Minister for Finance, hereby makes the following Regulations:

Citation

1. These Regulations may be cited as the Housing (Adaptation Grants for Older People and People with a Disability) Regulations, 2007.

Commencement

2. These Regulations come into operation on 1 November 2007.

Interpretation

3. (1) In these Regulations—

“approved cost”, in relation to improvement works, means the cost estimated by the housing authority to be the reasonable cost of carrying out the works or the actual cost of carrying them out, whichever is the lesser;

“the Minister” means the Minister for the Environment, Heritage and Local Government;

“the Regulations of 2001” means the Housing (Disabled Persons and Essential Repairs Grants) Regulations, 2001 (S.I. No. 607 of 2001);

“tax reference number” means—

- (a) in the case of a person paying income tax under PAYE, the Personal Public Service (PPS) Number stated on any determination of tax credits issued to that person by an inspector of taxes, or
- (b) in the case of a self-employed person or a company, the reference number stated on any return of income form or notice of assessment issued to that person or company by an inspector of taxes.

“spouse” means—

- (a) each person of a married couple who are living together, or

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 5th October, 2007.

- (b) a man and woman who are not married to each other but are cohabitating together as husband and wife.

“household income” means—

- (a) the combined annual gross income in the previous tax year of both the owner of any property the subject of an application pursuant to these Regulations, together with that of his or her spouse, as appropriate, or,
- (b) where the property the subject of an application pursuant to these Regulations is also the subject of a tenancy agreement, the combined annual gross income in the previous tax year of both the tenant of the said property together with that of his or her spouse, as appropriate.

“house building cost index” means the year on year percentage change in the average cost of building a house as assessed by the Minister for the Environment, Heritage and Local Government;

(2) In these Regulations, any reference to an article is a reference to an article of these Regulations and any reference to a sub-article is a reference to a sub-article of the article in which the reference occurs.

4. These Regulations, shall apply to grants and contributions in kind by housing authorities under sections 5 & 6 of the Housing (Miscellaneous Provisions) Act, 1979, where such applications for grants are received on or after the 1st day of November 2007.

Housing Adaptation Grant for People with a Disability

5. (1) A housing authority may pay a grant to a person for the provision of additional accommodation or the carrying out of works of adaptation that, in the opinion of the authority, are reasonably necessary for the purpose of rendering a house more suitable for the accommodation of a member of the household who has an enduring physical, sensory, mental health or intellectual impairment.

(2) A housing authority may prioritise applications for grant assistance on medical or mobility grounds.

(3) A grant under this article, shall not exceed, where the household income falls within the bands specified in column (2) of the Table to this sub-section of this article at any reference number in column (1) of the Table, the percentage cost of the works approved in column (3) of the Table at that reference number, up to a maximum contribution as specified in column (4) in respect of works carried out to a house which has been erected for a period of more than 12 months and up to a maximum contribution as specified in column (5) in respect of works carried out to a house which has been erected for a period of less than 12 months.

Table

Reference Number	Annual Household Income	Percentage of Cost of Works Available	Maximum Grant for houses erected for more than 12 months	Maximum Grant for houses erected for less than 12 months
(1)	(2)	(3)	(4)	(5)
1	Up to €30,000	95%	€30,000	€14,500
2	€30,001 – €34,000	90%	€27,000	€13,050
3	€34,001 – €38,000	80%	€24,000	€11,600
4	€38,001 – €42,000	70%	€21,000	€10,150
5	€42,001 – €46,000	60%	€18,000	€8,700
6	€46,001 – €50,000	50%	€15,000	€7,250
7	€50,001 – €54,000	40%	€12,000	€5,800
8	€54,001 – €65,000	30%	€9,000	€4,350
9	In excess of €65,000	No grant is payable	No grant is payable	No grant is Payable

(4) The household income as specified in column 2 of the table to sub-section 3 of this section shall be reduced for eligibility purposes by €5,000 for each member of the household in full-time occupation of the house where such member is aged not more than 18 years or is aged between 18 and 23 years and is in full-time third level education.

(5) The Minister may from time to time issue guidelines to housing authorities in relation to the level and nature of income to be disregarded for the purposes of the operation of the scheme.

(6) The income bands as specified in column 2 of the table to sub-section 3 of this section shall be amended by the housing authority annually in line with the percentage change in the average industrial wage as assessed by the Central Statistics Office in the preceding year as notified to the housing authority by the Minister for the Environment, Heritage and Local Government.

(7) The amount of the maximum grant as specified in column 4 and column 5 of the table to sub-section 3 of this section shall be amended by the housing authority annually in line with the house building cost index in the preceding year as notified to the housing authority by the Minister for the Environment, Heritage and Local Government.

(8) A grant shall not be paid under this article unless the member of the household to whom sub-article (1) refers occupies the house as his or her normal place of residence on completion of the works.

(9) Where a grant is paid under this article in respect of works carried out to a house which has been erected for a period of more than 12 months, the Minister may make to the housing authority a contribution which shall not exceed 80% of the approved cost of the works or €24,000, whichever is the lesser, or such amount as amended pursuant to sub-article 7.

(10) Where a grant is paid under this article in respect of works carried out to a house which has been erected for a period of less than 12 months, the Minister may make to the housing authority a contribution which shall not exceed 80% of the approved cost of the works or €11,600, whichever is the lesser, or such amount as amended pursuant to sub-article 7.

(11) The Minister may from time to time issue guidelines to housing authorities in relation to the operation of the scheme.

Scheme of Housing Aid for Older People

6. (1) A housing authority may pay a grant to a member of the household for the carrying out of necessary repairs or improvements to a house where, in the opinion of the authority, it considers the repairs or improvements reasonably necessary to make habitable the house for the lifetime of the occupant.

(2) A housing authority may prioritise applications for grant assistance on medical grounds.

(3) A grant under this article, shall not exceed, where the household income falls within the bands specified in column (2) of the Table to this sub-section of this article at any reference number in column (1) of the Table, the percentage cost of repairs or improvements approved in column (3) of the Table at that reference number, up to a maximum contribution as specified in column (4).

Table

Reference Number	Annual Household Income	Percentage of Costs of Works available	Maximum Grant
(1)	(2)	(3)	(4)
1	Up to €30,000	100%	€10,500
2	€30,001 — €34,000	90%	€9,450
3	€34,001 — €38,000	80%	€8,400
4	€38,001 — €42,000	70%	€7,350
5	€42,001 — €46,000	60%	€6,300
6	€46,001 — €50,000	50%	€5,250
7	€50,001 — €54,000	40%	€4,200
8	€54,001 — €65,000	30%	€3,150
9	In excess of €65,000	No grant is payable	No grant is payable

(4) The household income as specified in column 2 of the table to sub-section 3 of this section shall be reduced for eligibility purposes by €5,000 for each member of the household in full-time occupation of the house where such member is aged not more than 18 years or is aged between 18 and 23 years and is in full-time third level education.

(5) The Minister may from time to time issue guidelines to housing authorities in relation to the level and nature of income to be disregarded for the purposes of the operation of the scheme.

(6) The income bands as specified in column 2 of the table to sub-section 3 of this section shall be amended by the housing authority annually in line with the percentage change in the average industrial wage as assessed by the Central Statistics Office in the preceding year as notified to the housing authority by the Minister for the Environment, Heritage and Local Government.

(7) The amount of the maximum grant as specified in column 4 of the table to sub-section 3 of this section shall be amended by the housing authority annually in line with the house building cost index in the preceding year as notified to the housing authority by the Minister for the Environment, Heritage and Local Government.

(8) A grant shall not be paid under this article unless the member of the household to whom sub-article (1) refers occupies the house as his or her normal place of residence on completion of the works.

(9) Where a grant is paid under this article, the Minister may make to the housing authority a contribution which shall not exceed 80% of the approved cost of the works or €8,400, whichever is the lesser, or such amount as amended pursuant to sub-article 7.

(10) The Minister may from time to time issue guidelines to housing authorities in relation to the operation of the scheme.

Mobility Aids Grant Scheme

7. (1) A housing authority may pay a grant to a person for the carrying out of works of adaptation to a house that, in the opinion of the authority, are reasonably necessary to facilitate the mobility needs of a member of the household.

(2) A grant may be paid under this article towards the costs of:

(a) accessible showers;

(b) access ramps;

(c) grab rails;

(d) stair lifts;

(e) other minor works as may be deemed necessary to facilitate the mobility needs of a member of a household.

(3) A grant under this article shall not exceed, where the household income falls within the band specified in column (2) of the Table to this sub-section of this article at any reference number in column (1) of the Table the percentage amount specified in column (3) of the Table at that reference number, up to a maximum contribution as specified in column (4).

Table

Reference Number	Annual Household Income	Percentage of Costs of Works available	Maximum Grant
(1)	(2)	(3)	(4)
1	Up to €30,000	100%	€6,000

(4) The household income as specified in column 2 of the table to sub-section 3 of this section shall be reduced for eligibility purposes by €5,000 for each member of the household in full-time occupation of the house where such member is aged not more than 18 years or is aged between 18 and 23 years and is in full-time third level education.

(5) The Minister may from time to time issue guidelines to housing authorities in relation to the level and nature of income to be disregarded for the purposes of the operation of the scheme.

(6) The income band as specified in column 2 of the table to sub-section 3 of this section shall be amended by the housing authority annually in line with the percentage change in the average industrial wage as assessed by the Central Statistics Office in the preceding year as notified to the housing authority by the Minister for the Environment, Heritage and Local Government.

(7) The amount of the maximum grant as specified in column 4 of the table to sub-section 3 of this section shall be amended by the housing authority annually in line with the house building cost index in the preceding year as notified to the housing authority by the Minister for the Environment, Heritage and Local Government.

(8) A grant shall not be paid under this article unless the member of the household to whom sub-article (1) refers occupies the house as his or her normal place of residence on completion of the works.

(9) Where a grant is paid under this article in respect of works carried out to a house, the Minister may make to the housing authority a contribution which shall not exceed 80% of the approved cost of the works or €4,800, whichever is the lesser, or such amount as amended pursuant to sub-article 7.

(10) The Minister may from time to time issue guidelines to housing authorities in relation to the operation of the scheme.

Further Conditions

8. A grant shall not be paid under articles 5, 6, or 7 of these Regulations unless—

- (a) the owner of the property which is the subject of an application pursuant to these Regulations furnishes to the housing authority his/her tax reference number and details of his/her tax district and a statement that, to the best of his/her knowledge, his/her tax affairs are in order;
- (b) in respect of the contractor carrying out the works or, where there is more than one such contractor, in respect of each contractor, the housing authority is furnished with the contractor's name, address, tax reference number and tax district and the number and expiry date of a certificate of authorisation issued to the contractor by the Revenue Commissioners or of a tax clearance certificate issued to the contractor by the Collector General of the Revenue Commissioners.

Revocation

9. (1) The Regulations of 2001 are revoked with effect from 1 November 2007.

(2) Notwithstanding sub-article (1), the Regulations of 2001 shall continue to apply to applications received by a housing authority before the commencement of these Regulations.



GIVEN under my Official Seal,
26 September 2007

JOHN GORMLEY,
Minister for the Environment, Heritage and Local Government

The Minister for Finance hereby consents to the foregoing Regulations.



GIVEN under my Official Seal,
26 September 2007

BRIAN COWEN,
Minister for Finance

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).

These regulations provide for:

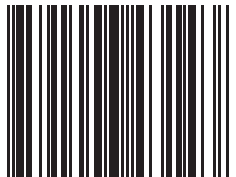
- (i) the schemes of grants for the adaptation of houses for people with a disability and older people and the carrying out of necessary repairs and improvements to the houses of older people;
- (ii) increases in the maximum amount of grant payable by local authorities under the Housing Adaptation Grant for People with a Disability (formerly known as the Disabled Persons Grants Scheme);
- (iii) increases in the maximum amount of grant payable by local authorities under the Housing Aid for Older People Scheme (formerly known as the Essential Repairs Grants Scheme);
- (iv) increases in the percentage of the approved cost of works, which can be paid by a local authority by way of a grant under the Housing Adaptation Grant Scheme for people with a Disability (formerly known as the Disabled Persons Grant Scheme);
- (v) the introduction of a means test on which the grant available or percentage grant available to an applicant applying under the Housing Adaptation Grant for People with a Disability scheme is based;
- (vi) the introduction of a means test on which the grant available or percentage grant available to an applicant applying under the Housing Aid for Older People scheme is based;
- (vii) the introduction of a means test on which the grant available to an applicant applying under the Mobility Aids Grant Scheme is based;
- (viii) increases in the maximum amount recoupable to housing authorities by the Minister in respect of grants paid under the Housing Adaptation Grant for People with a Disability, the Housing Aid for Older People Scheme and the Mobility Aids Grant Scheme.
- (ix) indexation of the maximum grant levels payable under the Housing Adaptation Grant Scheme for People with a Disability, the Housing Aid for Older People Scheme and the Mobility Aids Grant Scheme.
- (x) the continued application of the 2001 regulations to all applications, received for grant aid under those regulations, by a local authority prior to 1 November 2007.

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