

**Levelling Up, Housing and Communities Committee inquiry - Disabled people in the housing sector**

**Evidence from Propertymark**

**August 2023**

**Background**

1. Propertymark is the UK's leading professional body for estate and letting agents, inventory providers, commercial agents, auctioneers and valuers, comprising over 17,500 members. We are member-led with a Board which is made up of practicing agents and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry-leading training programme and mandatory Continuing Professional Development.

**Overview**

2. The Levelling Up, Housing and Communities Committee have opened an enquiry examining the role Government, local councils and developers play in ensuring the delivery of suitable housing for disabled people and what the Government and do to support disabled tenants in the Private Rented Sector in England. The Committee will also investigate the National Planning Policy Framework (NPPF) and its compatibility with the Equality Act 2010 when building housing.

**Disabled people in the housing sector**

**What can the Government do to ensure disabled residents across England have access to accessible and adaptable housing?**

3. We think there are two things the Government can do to ensure disabled residents across England have access to accessible and adaptable housing:

Firstly, consider increasing the provision and eligibility of specialist Help to Buy and Shared Equity Schemes to support more people with a disability with housing. According to the English Housing Survey 2019, people with a disability in 2019 were less likely to own their own home, with just 42.4% owning their own home, compared with 53.2% of non-disabled people.<sup>1</sup> The Government should view this as a long-term commitment as many disabled people require security of tenure

---

<sup>1</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/bulletins/disabilityandhousinguk/2019>

with many looking to live near support networks and specific services close to their home and are likely to be less transient than other groups. There are currently specific shared equity schemes for disabled people and people with limiting long-term conditions such as the Home Ownership for People with Long-term Disabilities (HOLD) Scheme. However, the Government should look at extending this to a larger number of people as eligibility is means tested to household income, restricted to first time buyers and the scheme is ineligible for those disabled people who work.

- Secondly, the Government should appoint a Disabled Person's Commissioner who would work across Government departments and be independent of the Government to improve the experiences of disabled people especially in terms of housing. This could allow longevity of the work within the remit of the commissioner and to build a cross party consensus to champion improved accessibility and adaptable housing. Part of a potential commissioner's remit could be to assess the provision and barriers to housing for disabled people which could feed into a national strategy. Such a strategy could ensure that complex problems are solved in disabled people's housing such as ensuring housing is accessible to other services such as education, health care and work opportunities. To connect these services, assessments should be made on the appropriate of integrated accessible transport and connectivity to ensure that disabled people are able to independently live within their housing.

**Since the Government consultation 'Raising accessibility standards for new homes' (July 2022), what has been done to improve housing provisions for disabled residents in England? And has it been sufficient?**

4. Since the close of the consultation, the Government pledged to build more accessible homes through improving standards on building regulations. The current statutory Building Regulations Guidance from Approved Document M are largely optional for local authorities to implement through planning policies where they can evidence local need. Requirement M4(2), sets a high standard of accessible homes and M4(3) sets a standard for wheelchair appropriate homes are entirely optional. To meet the needs of disabled people's housing needs, the baseline standard should be for homes to be compliant to M4(2) except for cases where this is unpractical and unachievable. In addition, there should be a mandatory percentage of homes that meet M4(3)

and this should be reflected in local planning authorities LDPs. The current building regulations standard from M(1) is mandatory which sets out minimum standards to ensure people can access and use the dwelling. This is largely insufficient for the needs of many disabled people. In order to drive standards up and improve housing provision for people with a disability, the Government should collect and make publicly available data from every planning authority on the number of new homes built to each of the Categories set out in Approved Document M and by each requirement.

**What role should the Government, Local Authorities and developers have for ensuring the delivery of suitable housing for disabled people?**

5. **Local authorities** - local authorities should be required to improve their data and understanding of the number of disabled people living in their areas and that this should feed into their Local Development Plans (LDPs) to assess the future need and provision of disabled persons housing needs. This would also give local authorities greater understanding of the number of homes they projected to be required to cater for future generations of disabled people.
6. **Developers** - essentially, for disabled residents to have the homes they require, developers will have to build enough accessible and adapted homes. Given the specific needs required in developing accessible homes, developers may require incentives to build such homes especially High-Volume Developers who are building at scale. For developers to be incentivised to build accessible homes, the government should consider financial incentives such as grants.
7. **Local authorities and developers** - some local authorities are fixated on placements for housing options for disabled people and need to offer more person-centred planning. When a disabled person is allocated a home regardless of tenure, this should be an opportunity for disabled people, their families, social workers, and housing providers to come together to support the disabled person get a home that meets their needs. This again may require greater communication between local authorities and housing providers.
8. **Government** - another opportunity to stimulate growth in the development of accessible homes could be for Local Planning Authorities to transfer a proportion of their Section 108 obligations over to accessible housing. Section 108 housing is typically used to ensure affordable housing is provided. However, there has been opportunities to reserve housing development for particularly

excluded groups such as former armed forces veterans. This method could be used more effectively to boost the provision of housing for disabled people where it is needed most, and where more appropriate services are planned.

### **Does the Disabled Facilities Grant fully support housing adaptations?**

9. No, the Disabled Facilities Grant (DFG) does not fully support adaptations. This is because not all adaptations are funded by the DFG. For works that have been assessed as 'minor' and cost less than £1,000 to implement including grab rails or raised toilet seats, the local authority will usually fund these adaptations. However, when the DFG is utilised, the maximum grant payable is £30,000 in England, £25,000 in Northern Ireland and £36,000 in Wales. The grant will only be paid when the local authority is satisfied that the work has been completed to their satisfaction and in accordance with the grant approval. In Scotland there is a different system and provisions under the Housing (Scotland) Act 2006<sup>2</sup> which enables local authorities to provide grants, loans, subsidised loans, practical assistance and information or advice to homeowners for repairs, improvements, adaptations, and the buying or selling of a house.
  
10. To ensure that the DFG fully supports adaptations it should cover most forms of adaptations and according to a review of DFGs back in 2018, the average grant awarded is usually less than £10,000.<sup>3</sup> However, providing a local authority has a locally published Housing Assistance Policy under the Regulatory Reform Order (RRO) (2002), then they have the discretion to top up the DFG<sup>4</sup>. This can be particularly useful for properties in London where the costs of building are higher, for some complex buildings such as Grade II listed buildings or those in a conservation area or for highly complex adaptations such as those that require structural changes to a property. For example, widening walls for improved wheelchair access. On a more cosmetic note, some people consider adaptations to look overly clinical and not in keeping with their property. Landlords, tenants and homeowners can also top up DFG funding to pay for higher specification products that blend in with their home.

### **How can the Government ensure it provides sufficient provisions to support disabled residents who do not live in new build homes?**

---

<sup>2</sup> [Housing \(Scotland\) Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/22/section/1)

<sup>3</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/762918/DFG\\_Review\\_2018\\_Summary.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/762918/DFG_Review_2018_Summary.pdf)

<sup>4</sup> [Disabled Facilities Grant \(DFG\) delivery: Guidance for local authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/762918/DFG_Review_2018_Summary.pdf)

11. The Government need to have more oversight on local authorities because they are in a good position to signpost residents regardless of their tenure to advice, funding, and further support. We recommend Government revives, funds, and publicises guidance for local authorities on how they can provide greater support to homeowners, landlords and tenants regardless of their tenure or archetype of the property. Local authorities could then work collaboratively with local statutory and voluntary bodies to provide advice and support to disabled people and their families. As part of this collaborative approach between local authorities and voluntary bodies, we further recommend Government agrees with local authorities on a plan for supporting and extending the work of Home Improvement Agencies that can deliver home improvements at the neighbourhood level.

### **What can the Government do to support disabled tenants in the private rented sector?**

12. There are three things that the Government can do to support disabled tenants in the private rented sector:

- **Promote the Disabled Facilities Grant more widely** - according to data from the National Residential Landlords Association (NRLA), 79 per cent of landlords had no knowledge of DFGs but after learning about DFG funding, 68 percent of landlords were more willing to adapt their properties.<sup>5</sup> Propertymark believe that the Government should promote DFG funding to private landlords on a national scale and that local authorities should engage with letting agents and landlords operating within their boroughs on the potential to future proof their businesses. Not only is landlord and agent awareness of the funding relatively weak, but it is likely that private landlords and their agents may have misconceptions about adapting their properties.
- **Increase take-up of the Disabled Facilities Grant** - according to the English Housing Survey 2019-20, 1.9 million households in England which equates to 8 per cent of all English households, had at least one person with a long-standing physical or mental health condition and said that they required adaptations to their home.<sup>6</sup> These levels have remained largely static since 2014. Despite the increased numbers of disabled people accessing the PRS, DFG grant funding remains relatively low in comparison with other

---

<sup>5</sup> <https://www.nrla.org.uk/news/NRLA-calls-on-local-authorities-work-with-private-landlords-to-close-the-adapted-properties-gap>

<sup>6</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1000070/EHS\\_19-20\\_Home\\_adaptations.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000070/EHS_19-20_Home_adaptations.pdf)

tenures. According to data from Foundations, the National Body for Disabled Facilities Grants and Home Improvement Agencies, 58 per cent of DFG funding went to owner occupiers, 35.7 per cent to housing association accommodation and just 6.4 per cent went to the Private Rented Sector.<sup>7</sup>

- **Increase awareness and understanding of adaptations in rented property** - letting agents and landlords might not just be unaware of grant funding but might lack the expertise on what adaptations would be required for their properties. It is important to note that to access DFG funding, the landlord must have a tenant in the property that requires the adaptations. However, with the increasingly aged UK population, some landlords and agents might see adapting their property as an opportunity to form a business niche or to future proof their business. For these investors, they may require the support and advice from local authorities on what adaptations are required. Furthermore, evidence from conversations with letting agents has alluded to the fact that there are no provisions to deal with adaptations when the tenant moves out, tenants will have to move out while the adaptation is being made resulting in loss of income and that adaptations will be restrictive to other tenants. With the right support from local authorities, these concerns can be addressed.
- **Local authorities complete a database of accessible properties and engage with landlords and agents** - as more local authorities are under increasing pressure in the discharge of their homelessness duties, many local authorities have become increasingly reliant on the PRS. In order to ensure that disabled people at risk of homelessness are adequately housed to meet their needs, Propertymark recommends that local authorities improve their engagement with landlords and letting agents to greater understand what property is in their area and what adaptations are available. The need for this data is only going to become more essential. Secondly, we would recommend that following engagement with landlords and letting agents, local authorities complete a database of accessible properties within their area to signpost disabled tenants to the PRS when appropriate property is not available in the social sector.
- **Work with professional bodies and the National Trading Standards Estate and Letting Agency Team** – letting agents play a key role in marketing property to rent and providing

---

<sup>7</sup> <https://www-foundations-uk-com/wp-content/uploads/2021/12/DFG-Report-2019-2020.pdf>

information to tenants including ensuring that information is accessible and in required formats. Disabled tenants are likely to require an understanding of whether a property is appropriate and accessible for their needs prior to viewing. Letting agents can support all tenants to understand property they want to rent with tools such as online floor plans, video tours and photos. Therefore, there is a role for professional bodies, such as Propertymark and the National Trading Standards Estate and Letting Agency Team<sup>8</sup> in providing education, guidance and best practice as well as guidelines on ensuring letting agents provide appropriate and accessible information and this is standardised across the sector. The National Trading Standards Estate and Letting Agency Team protects consumers and businesses by enforcing the Estate Agents Act (1979) and the Tenant Fees Act 2019. They are also working with property portals, such as Rightmove, OntheMarket and Zoopla, and industry groups to make it as easy as possible for estate and letting agents to provide basic essential material information.

---

<sup>8</sup> <https://www.nationaltradingstandards.uk/work-areas/estate-agency-team/>