

Compensation for Improvements

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If you end your Scottish Secure, or Short Secure, Tenancy and have carried out certain improvements to your home since 30th September 2002, which will be left for the benefit of the next tenant, you may be entitled to receive a compensation payment. The scheme does not apply if you are ending your tenancy because you are purchasing your home under right to Buy, being evicted, or being granted a new tenancy of your existing home.

Do I need permission to carry out improvements?

Yes, you must get written permission from the Council before you make any improvements or alterations to your home, apart from internal decoration. If the Council has refused you have the right of appeal to the Sherriff court.

How do I claim?

To make a claim you should give your local office full details of the improvement work in writing, together with the cost of that work, such as receipts for materials (but not for appliances such as cookers and fridges) and labour (you cannot claim for your own labour). If you do not have receipts or an invoice for the work, you can give an approximate cost.

By law you must make the claim within the 28 notice period or within 21 days of the tenancy ending.

What happens next?

On receiving your claim, your Housing Officer will:-

- Inspect the Improvements to see that they are of good quality/condition and that they will be left for the new tenant;
- Check that landlord consent was given for the work and that it was undertaken after 1st April 1994;
- Calculate the amount payable by using a formula specified by the government.

How is my compensation worked out?

The calculation starts with the cost of the work, and you may be required to provide evidence of the amount spent. If you received any grant to carry out the improvements that will be deducted from the cost.

The cost will then be adjusted to the present value by using a depreciation formula based on the approximate life of the improvements (this is set out in the table), because the value of the improvements will have reduced over time.

The compensation payable will also be adjusted - up or down - depending on the condition of the improvement when the tenancy ends.

If you owe any money to the Council at the end of your tenancy, such as rent arrears, this will be deducted from the compensation amount.

How much can I get?

There is a maximum of £4,000 for any one improvement, but you will not receive any compensation for an improvement if the amount payable is below £100.

What if I don't agree with the Council's decision on my claim?

If you want to appeal against the decision about compensation due, or the amount, you can ask for the decision to be reviewed by

- A valuer or surveyor who was not involved in the original decision, appointed by the Council or
- One of the Elected Members who was not involved in the original decision

If you are still not happy following the review you have the right of appeal to the Sheriff.

Tel: 01506 280000

Email: customer.service@westlothian.gov.uk

What kind of improvements can I get compensation for?

The Right to Compensation applies to the following improvements:

Qualifying Improvement	Approximate Life (Years)
Bath or shower	12
Cavity wall insulation	20
Sound insulation	20
Double glazing or other external window replacement or secondary glazing	20
Draught proofing of external doors or windows	8
Insulation of pipes, water tank or cylinder	10
Installation of mechanical ventilation in bathrooms and kitchens	7
Kitchen sink	10
Loft insulation	20
Rewiring and the provision of power and lighting or other electrical fixtures including smoke detectors	20
Security measures other than burglar alarm systems	15
Space or water heating	12
Storage cupboards in bathroom or kitchen	10
Thermostatic radiator valves	7
Wash hand basin	12
Toilet	12
Work surfaces for food preparation	10

Please note:-

- Interior decoration does not qualify for compensation.
- This leaflet is only a general guide and is not a complete statement of law. If you make a false claim for more than the real amount your landlord can take you to court.



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