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### Statement of Policy Aims/Principles

Yoker Housing Association (the Association) may make payments to residents in certain circumstances arising from major development works.

The Land Compensation (Scotland) Act 1973 and subsequent amendment(s) sets out the criteria and procedures for making home loss and disturbance payments to tenants and owners. Registered Social Landlords are obliged to meet all valid claims for payment from tenants or owners moved from their homes on or after 16 November 1990.

Home Loss payments are intended to compensate for the upheaval and personal upset involved in an involuntary move. Disturbance payments are intended to compensate a claimant for reasonable expenses and losses incurred as a direct result of an involuntary move. A disturbance payment is a form of compensation quite separate from, and may be payable in addition to, a home loss payment.

The purpose of this policy is to ensure that the Association meets its legal obligations in the assessment and payment of home loss and disturbance payments. We aim to ensure that the calculation of amounts due (where these are not determined by statute) are based on a fair assessment of the loss or costs incurred.

### Policy Details

The Association's Development Section will assess the validity of claims for home loss and disturbance in accordance with the legislation and will ensure that the claimant meets the criteria set out therein in order to qualify for such payments. Where there is doubt as to the eligibility of a claim, then the case should be referred to the Association's solicitor.

#### Home Loss Payments

The criteria for being eligible for a home loss payment and the amount of that payment is set out in the legislation and this will be applied when applications are being considered.

The legislation requires that no home loss payment or discretionary payment shall be made except on a claim in writing made by the person entitled thereto ("the claimant") giving such particulars as the authority responsible for making the payment may reasonably require for the purpose of determining whether the payment should be made and, if so, its amount.

Where it is deemed that a person is entitled to a home loss payment, the payment shall be made on or before the latest of the following dates:

- a) The date of displacement;
- b) The last day of the period of three months beginning with the making of the claim; and
- c) Where the payment is being made to an owner occupier, the day on which the market value of the interest in question is agreed or finally determined

#### Claims in Writing

In order to assist claimants, the Association will issue a form to be completed by the applicant. The pro forma is appended to this policy.



POLICY STATEMENT

SUBJECT: HOME LOSS AND DISTURBANCE PAYMENT  
POLICY

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Disturbance Payments

The criteria for being eligible for a disturbance payment is set out in the legislation and this will be applied when applications are being considered.

5 In accordance with the legislation, disturbance payments shall be equal to the reasonable expenses of the person entitled to the payment in removing from the land from which he is displaced and will include such examples as

- Disconnection and reconnection of appliances and services (cooker/phone)
- Moving furniture and fittings
- Mail redirection
- Refitting of carpets

10  
15 **Policy Review**

In order to ensure that any change in circumstances is accommodated this policy will be subject to review every 5 years in the month of July.

20 **Policy Approval**

This policy was last reviewed / approved by the Management Committee of Yoker Housing Association Limited at its meeting held on Tuesday the 30th of July 2019.



APPLICATION FOR PAYMENT

Name:	
Flat Position:	
Address:	
District:	
Post Code:	
Telephone Number:	
Email Address:	

PLEASE ANSWER THE FOLLOWING QUESTIONS AS FULLY AS YOU CAN (if you need help completing this form, please do not hesitate to contact a member of the Housing Association staff)

How long have you lived at your current address?	
Have you been asked to move from your property?	
Is this move a temporary or permanent move?	
Please state the reason why you have been asked to move (for example, to accommodate housing development works)	

IF YOU ARE MAKING YOUR APPLICATION RETROSPECTIVELY, PLEASE COMPLETE THE FOLLOWING QUESTIONS:

What address did you live at?	
When did your tenancy start?	
When did your tenancy end?	
What was the reason for the move?	

Your Signature: \_\_\_\_\_ Date: \_\_\_\_\_