CHANGES TO DISCOUNTS AND EXEMPTIONS FOR UNOCCUPIED PROPERTIES WITH EFFECT FROM 1 APRIL 2013

I am a Landlord of a furnished property and I get a 50% discount between tenants, will I still get this?
No. If your property is furnished but unoccupied it is liable for a full charge from 1 April 2013.

I am a Landlord of an unoccupied and substantially unfurnished property and I get an exemption for 6 months and then a 50% discount between tenants, will I still get this?
No. You will only be entitled to a 100% discount for 3 months and then a full charge will be payable. If the property remains vacant for 2 years, you will be charged 150% Council Tax.

I currently get the Second Home Discount, but I am the sole occupant in my main home, can I claim the Single Person Discount (SPD) for my other address instead?
You can only claim SPD for the property deemed as your main home. If you feel that your property in the Erewash area has become your main home, then tell us. Once we have checked the status of your other home with the relevant local authority, we will award the SPD if appropriate.

I live in a property that is provided by my employer and is Job-related?
If accommodation is provided for the better performance of your duties by your employer and it is a condition of your contract of employment that you reside in the job-related dwelling, you can still receive a 50% discount on your second home.

The conditions are:

- an employee needs to live at the property to carry out their duties of employment. You will need to explain to us the duties of your employment which you perform from that address and why you must reside in that property, in particular, to perform the duties of your employment
- you are employed in a job where it is customary for employers to provide accommodation and the accommodation is required for better performance of the duties of your employment
• you are required under contract to live at that property and you live there for the proper performance of the duties of your employment. The contract must be entered into at arms length and you must be required to carry on a trade or profession at that address.

Is it the same amount of discount for second homes in other areas apart from Erewash?

The discounts and exemptions affected by the changes in the Local Government Finance Bill are subject to local discretionary decisions. The level of discount that can be awarded on a second home is between 0% and 50%. The level of discount awarded will vary from one local authority to another depending on their local decisions.

My current Class A exemption (undergoing or requiring major repair work) started on the 1 Jan 2013. As it started before the 1 April 2013, do I still get 100% exemption until my twelve months is up?

No. You are entitled to a full exemption up to and including 31 March 2013. From 1 April 2013 you will be charged full Council Tax because the property has already been vacant for more than 3 months.

My current Class C exemption started on the 1 Jan 2013. As it started before the 1 April 2013, do I still get 100% exemption for six months?

No. You are only entitled to a full exemption up to and including 31 March 2013. From 1 April 2013 you will not be entitled to a 100% discount for a maximum period of 3 months. This is because the property will have already been unoccupied and unfurnished for the maximum period of time. With effect from 1 April 2013, if a property has already been vacant for 3 months, you will be required to pay the full amount of Council Tax due from this date and 150% if the property remains vacant over two years. If the property becomes vacant on 1 February 2013, the 100% discount will expire on 30 April 2013.

What impact will this have on my bill from 1 April 2013?

If you are applying for a reduction in your bill which prior to the 1 April 2013 changes would have allowed you a Class A or a Class C exemption, you will receive a 100% discount for three months. After the reduced period you will be liable for a 100% council tax empty property charge on the property.
If you own a second home the current 50% reduction in your bill will cease from 1 April 2013 and you will be liable for 100% of the council tax for the property.

Who has agreed this?

The power to make these changes has been approved in Parliament, as part of the Local Government Finance Act 2012. The level of discount awarded was approved by Erewash Borough Council on 24 January 2013. Removing the discount on long term vacant properties will increase the overall revenue for the Council. It will also encourage a quick turnaround of vacant properties, increasing the supply of affordable housing in the area.

What is the empty property premium?

If a property has been both unoccupied and also substantially unfurnished for two years, it will go straight into the long term empty premium of 50%, which will mean that a charge of 150% will be payable. Exceptions to the premium (properties that will only be charged 100% Council Tax after two years) include properties left vacant by a member of the armed forces, who is absent from the property as a result of such service and annexes deemed unoccupied because they are being treated by the occupier of the main dwelling, as part of that main dwelling.

Can my property be removed from the Valuation List?

A property may be removed if the Valuation Office Agency considers it to be derelict and repairs of such severity required that if undertaken, would change the character of the building. This would mean that there were more than a reasonable amount of repairs needed.

Can I appeal against the change in my Council Tax liability?

The changes in council tax liability arising from the reforms to empty property discounts are not in themselves grounds for appeal. However, if you disagree with the Council Tax banding that appears in the current rating list for your
property, under the existing arrangements, you may challenge it by making a proposal against it to your local valuation office.

Who do I contact at the Valuation Office Agency?

The Valuation Officer is an officer of HM Revenue and Customs and can be contacted on telephone number 03000 501501, or visit their website: http://www.voa.gov.uk/

What help is available?

We understand that these changes may have a significant impact on you in what are already difficult times. Please get in touch with us because we may be able to help you. For example, we can offer advice on how to:

- bring your property back into use;
- access low-cost schemes for repairs to your property;
- sell or lease your property to a housing association, a charitable Landlord or through estate agents / letting agents.

You can get in touch with us by either:

- speaking to someone from our Housing Renewal Team on 0115 931 6060;
- e-mailing us via environmentalhealth@erewash.gov.uk

Information is also currently available via our website:

- www.erewash.gov.uk / Environment & Waste / Land and premises / Empty residential properties