

Council Tax guidance

**if you are disabled or have a
disabled person living with you**

Revenues and Benefits Service

Keltan House, 89-115 Mare Street, Hackney E8 4RU



You must pay the full amount of Council Tax if at least two adults live in your property. This leaflet explains the reduction that is available if someone who is disabled lives in your property.

You may apply for the Disabled Band Reduction if:

- you are liable to pay Council Tax;
- a disabled child or adult lives at the property; **and**
- the property has:
 - a room, other than a bathroom, kitchen or toilet;
 - a second bathroom or kitchen; **or**
 - enough floor space to allow the disabled person to use a wheelchair.

The room or extra feature must be ‘predominantly used by’ and be ‘essential or of major importance’ to the wellbeing of the disabled person.

This reduction is to make sure that the person liable to pay should not have to pay more as a result of meeting the special needs of the disabled person.

What do we mean by essential or major importance?

We will consider the room or extra feature to be essential or of major importance if, were it not available:

- the disabled person would find it physically impossible or extremely difficult to live in the property; **or**
- their health would suffer or the disability would become worse. The room or space concerned must be needed by the disabled person as a result of their disability.

What do we mean by predominantly used by?

The fact that a disabled person uses a room will not, on its own, lead to us granting a reduction. The room has to meet the needs of the disabled person.

The room can be either an existing room or an extra room. The **room** must be of importance to the disabled person, and not what is in the room, unless specific adaptations have been made to it.

The following are a couple of examples where we would not grant a reduction.

- A couple, one of whom is disabled, are living in a two-bedroom property. They decide to sleep in separate rooms because of the disabled person's disability.

Unless the bedroom has been specifically adapted to meet the needs of the disabled person, we would not allow a reduction because everyone needs somewhere to sleep.

- A person who lives in a purpose-built disabled property would not necessarily qualify for a reduction. Although the property may have been adapted to meet a disabled person's needs generally, they will not qualify unless it has been adapted to meet the **specific** needs of the individual living there.

The following are examples where a room has qualified for the reduction.

- A specially built therapy or treatment room
- A room used to store equipment, bandages and a wheelchair
- A room adapted for dialysis treatment
- A specially adapted bedroom

A second bathroom or kitchen

The fact that a property has a second bathroom or kitchen does not mean that it will automatically qualify for a reduction, unless the second bathroom or kitchen is essential to meet the needs of the disabled person.

Wheelchair space

We will normally only grant the reduction if the disabled person needs to use the wheelchair to get about the property.

If the disabled person only uses a wheelchair outside, this will not qualify for the reduction.

Who can confirm if a feature is essential or of major importance to the disabled person's wellbeing?

We are not always qualified to say whether a feature is essential or of major importance to a disabled person's wellbeing. It would be helpful to us if you could get someone qualified like a doctor, social worker or therapist to confirm if the feature in their opinion, is essential or of major importance. This will allow us to decide on your entitlement quicker, although confirmation will not always mean that you will automatically be entitled to the reduction.

What are special features?

Special features are things such as ramps and lifts which have been provided for a physically disabled person. These features can add to the value of the property but we won't have taken them into account when valuing the property for Council Tax. Having said that, we will have taken account of all the features which would have reduced the value of the property.

Care homes

Some care homes may also qualify for a reduction. A person must live in the care home and be disabled, and it will have to be proved that a feature is present which meets the specific needs of that person's disability, even if it is used by other residents.

The fact that a care home has disabled residents is not, on its own, a good enough reason for a reduction. The need for a room, second kitchen or wheelchair space must be related to the needs of the disabled person.

How much is my bill reduced if I qualify?

The reduction will be equal to you being charged at one valuation band below that shown in the valuation list for your property. People who qualify and live in a property which is in band A will receive a $\frac{1}{6}$ reduction.

When can I expect the reduction to start?

It is unlikely that we will grant the reduction earlier than the date that we receive your application. A property inspector from Hackney Council will visit your property to confirm the information that you have given on the application form.

Do you need to check the position from time to time?

The reduction can continue each year as long as you meet all of the qualifying conditions. We will send you a form each year to review your circumstances at that time. However, if you believe that the reduction should no longer apply at any time, you should contact us immediately.

