

Appendix B1

Standard letter to go to client' representative relating to a 12 week property disregard.

Dear

Assistance with the cost of Residential or Nursing Care – 12 week property disregard

I understand that you represent Mrs AN Other and have requested assistance from Devon County Council to help pay for a place in a care home, because Mrs Other is waiting to or does not wish to sell her former home.

People who are permanently entering a care home are entitled to have the value of their former home disregarded for a period of 12 weeks or until the house is sold whichever is shorter. For this period, a contribution toward the cost of care will be required from Mrs Other and this will be assessed based on other capital assets (Savings etc) held and income being received by her. In addition to this amount, if the cost of the placement is more than the Council would normally pay to meet Mrs Other's needs, she or someone else on her behalf will have to agree to pay the difference. After the end of the 12 week period or earlier if their property is sold, Mrs Other will be required to pay the full cost of her accommodation.

If at the end of the 12 week period the house remains unsold, and Mrs Other is unable to pay the assessed contribution, the Council will need to take action to protect any sums due to it. If Mrs Other does not wish to sell her home at all, it may be possible for her to enter into a Deferred Payment Agreement with the Council. This means that the Council will continue to pay the full fee for her accommodation, but the difference between the assessed contribution as described above and the full cost of the accommodation will be secured against her property. Such an agreement will involve the Council's interest being formally registered with the deeds to the property. The outstanding sum will be payable to the Council when Mrs Other dies or when the property is sold whichever is the sooner.

Either you (if you legally represent Mrs Other) or the resident will need to sign and return the attached acknowledgement and you will also need to keep the Council informed of any developments relating to the sale of your property. In case Mrs Other does not wish to sell her former home at present, I attach an information sheet and application form for a Deferred Payment Agreement.

Yours sincerely