

What if I own my own home?

This factsheet only applies to Long Term Residential Care. Your home is not included in the financial assessment for Respite Care and Non Residential Care Services

One of the biggest worries that people have when thinking about long term care is what will happen to my home? The information below will answer some of those questions.

If your husband, wife or partner continue to live in your family home, it will be disregarded from your financial assessment. The Financial Assessment Officer will talk to you about any other circumstances where a disregard may apply.

Otherwise, for the first 12 weeks the value of your home will be ignored in your financial assessment. However, from the 13th week onwards the County Council will treat the value of your home as capital in your financial assessment.

If we include the value of your property in your assessment it is likely that you will have to pay the maximum contribution. The maximum contribution will depend on your care needs. The Financial Assessment Officer will tell you how much this will be.

However don't worry we realise that you probably wouldn't be able to pay your maximum contribution until your home is sold, which can sometimes take a long time. The Financial Assessment Officer will, therefore, work out how much you are able to contribute in the meantime, from your income and any other capital you may have.

For more information:

You can visit us at one of our Customer Access Points
or visit our website at www.staffordshirecares.info
or Telephone: 0300 111 8010

You can also get this information in large print, Braille and on audio tape

The County Council will then pay the shortfall until your house is sold, when you will be able to pay us back. Before making these payments, the County Council will register a legal charge against your house as security. The legal charge will remain until your house is sold. However, if you return to your house at any point then the charge would be cancelled.

Deprivation of Assets

Deliberate deprivation is the term used when someone is considered to have given away their assets (such as their home) to reduce the amount they will have to pay for their care.

The Department of Health has provided us with guidance which says that we must consider when and why people give away their assets. If it is known that the main reason is to reduce their charges, the assets can continue to be included as if they have not been given away.

Deferred Payments Agreement

If you choose not to sell your property straight away you can also enter into a Deferred Payments Agreement. This is a legal agreement between you and the County Council. You will still be asked to pay an amount from your income and savings, but the extra amount (or shortfall) which the County Council pays on your behalf will be called a 'Deferred Payment'. A Legal Charge will also be registered against your property, as security,

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Under this agreement, the deferred payments do not have to be repaid until

- You choose to sell your house; or
- If you choose not to sell your house, 56 days after your death.

There are several benefits to a Deferred Payment Agreement. These include:

- You will not be forced to sell your home
- You could rent out your home and create some income for yourself which would reduce the amount you had to pay us back when the house was sold
- You might be entitled to claim some benefits which you could use towards your charges

How do I apply for Deferred Payments Agreement?

The Financial Assessment Officer will tell you whether you can be considered for Deferred Payments Agreement and will explain the process should you be approved.

Who should sign the Deferred Payments Agreement?

All agreements should be signed by you if you are able to do so. It should also be signed by a Lasting Power of Attorney. If you are not able to handle your own affairs and no-one is able to act on your behalf, the agreement should be signed by a Deputy, as appointed by the Court of Protection.

During the period of the agreement, will I have to pay anything?

Yes. As part of the agreement you will be asked that you pay a contribution which will be assessed by the Financial Assessment Officer. You can also make extra payments at anytime during the period of the agreement.

Should I seek legal advice?

Yes, we strongly recommend that you get independent financial advice **before you sign the agreement**

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