

CLAD DAG



Leaseholder Disability
Action Group

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John Griffiths MS, Local Government and Housing Committee
Welsh Government
Cathays Park
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17 December 2021

Dear Mr Griffiths,

Residential flats with flammable cladding and fire defects: Disabled Leaseholders and those with health conditions

We write to you in your capacity as Chair of the Local Government and Housing Committee.

We advocate specifically for disabled and older leaseholders who are affected by the building safety crisis in multiple and complex ways. As you will be aware, nearly half of those who lost their lives in the Grenfell Tower fire were disabled.

We were pleased this week to hear Julie James MS announce plans to launch a buy-out scheme in the New Year for leaseholders who find themselves facing significant hardship. Many disabled people are trapped in flats which are no longer accessible for them. For example, they have become disabled and/or their conditions have progressed during the crisis, and are unable to sell or move to suitable accessible homes. You can see some of their stories here:

<https://claddag.org/2021/12/16/disabled-leaseholders-must-be-included-welsh-governments-buy-out-plans/> You will appreciate how dangerous this is, both in terms of managing daily needs and emergency evacuation.

We would be grateful if as a committee you will reflect on the manner in which disabled and older leaseholders are experiencing additional barriers and we include a briefing note of our findings.

Please do not hesitate to contact us if we can support you with this work.

Yours sincerely

Sarah Rennie and Georgie Hulme
On behalf of the CladDAG - Leaseholder Disability Action Group

Disabled and Older Leaseholders: Building Safety Crisis

Claddag, a disability action group, advocates for disabled leaseholders affected by the building safety crisis. We echo UKCAG and End Our Cladding Scandal's position, but seek to highlight the additional ways disabled and older people are impacted. Here are our key asks of Government in its plan to resolve this crisis.

Ask #1: Protect leaseholders from the costs of remediation works

No leaseholder should have to pay to fix the historic defects caused by developers, construction companies and flawed regulatory systems. The financial expectations placed ordinary people is absurd and cruel. However, as advocates for disabled leaseholders, there are structural, practical and health issues we must raise.

The distress caused by crisis is having a detrimental impact on our health. 8 out of 10 disabled leaseholders that we surveyed consider that their existing health conditions have worsened or they have been diagnosed with new physical and mental health conditions as a result of the stress caused by the crisis.

"I am Epileptic and my seizures have become more regular and more severe since the stress of building safety scandal."

"My husband became suicidal. I have had panic attacks and we both have trouble sleeping."

There are many reasons why disabled and older people are less likely to have access to the substantial funds which leaseholders are currently expected to pay towards remediation works, including waking watch and insurance premiums hikes.

The Joseph Rowntree Foundation reports that out of 14 million people in the UK living in poverty, 25% are disabled people and further 25% have a disabled person living in their household. Disabled people must pay for the extra costs of disability and care charges, have additional energy costs and live on fixed incomes eg pensions.

Three out of four respondents fear losing their home as a result of the financial impact of the crisis.

"I live alone and in recent years I rely on Universal Credit because I'm unable to work due to health issues. As a shared-ownership leaseholder, I only own 25% of my property yet I'm liable for the full cost of this remedial work. I have no idea at all how I'm going to pay."

Many older leaseholders do not identify as disabled but nevertheless experience impairments, access issues and financial barriers in a very similar way. 64% of older people told us they feared losing their home because of the crisis.

"We are pensioners on a fixed income. We cannot afford remediate our building and will lose everything. We had realised we needed to move because ageing is starting to affect our ability to live here. We are trapped and cannot hope to move any time soon. Our whole retirement years are being destroyed along with our mental health. We have no time to recover from this."

The exclusion of buildings under 18 metres from the building is grossly unfair and must be rectified. Most disabled people live on upper floors of mid-rise buildings – in our survey 71% disabled leaseholders lived on floors 1-5.

We ask the Government to recognise the unfairness and life-altering consequences of current policy and protect us all from financial liability.

Ask #2: Fund accessible alternative accommodation

Many disabled and older people have experienced a progression in their health conditions and are trapped in flats which are no longer accessible for our needs but are unable to move. We cannot afford to move to accessible properties whilst we are still paying service charge, rent and mortgage on our current, unsuitable flats.

"I was diagnosed with MS in 2018. My condition is deteriorating. It's only a matter of time before I won't be able to walk. I want to move into more suitable accommodation but my flat is unsellable."

Remediation works on our buildings, whilst welcomed in principle, mean that many leaseholders will be forced out of our flats as works make properties inhabitable. Disabled people are telling us that their agents cannot find suitable alternative accommodation - 60% felt that they would not have anywhere suitable to live temporarily. One of the reasons disabled people are pushed towards full or shared ownership is the ability to adapt our properties to meet our accessibility needs - one in four disabled respondents told us they had invested in adaptations to their flat. Accessible rental properties are in scarce supply.¹

"All leaseholders in my building will be forced to leave our flats for at least a month next year. I need structural equipment such as a ceiling hoist, a wash/dry toilet, a profile bed and a wet room. My managing agent can only find a simple level-access flat as a 'reasonable adjustment' for me - nothing else. This will be grossly unsafe for me and my care assistants. My social worker cannot help me. Where will I go?"

We ask the Government to secure and fund suitable alternative accessible accommodation for disabled leaseholders until they are able to sell their flat or move back in.

Ask #3: Fund the aids and equipment needed for safe evacuation

42% of disabled/older leaseholders we surveyed would have difficulty evacuating from their flat in an emergency or hadn't been asked to consider the issue. Of these, only 18% had a personal emergency evacuation plan ("a PEEP"). Whilst we expect the Government to impose requirements for PEEPs following the 2021 consultation, we are very concerned that the onus is on disabled residents to trigger the process and the lack of funding for essential evacuation aids. Of the few disabled we know who have secured evacuation aids from their landlords, they have been funded through 'crowd funding' or been put through the service which is causing resentment from fellow leaseholders.

"My husband has late stage Alzheimer's, has difficulty with the stairs and following instructions. I have arthritis in wrists and spine with two full knee replacements."

"I'm a wheelchair user. For the last 10 years, the Fire Service reassured me that I could use the lift to evacuate my high rise building. It now transpires that the lift was negligently constructed and the lift cannot be used in a fire, as signed off. Now I'm trapped."

"In April there was a fire alarm test in my building. The people who were meant to come and help me evacuate did not come... This left me stranded in bed thinking there could be a fire"

We ask the Government to establish a central fund to cover the costs of evacuation aids (or extend the remit of disabled facilities grants) for affected disabled leaseholders irrespective of building height.

More information

You can find more information and resources at www.claddag.org or contact us via leaseholderDAG@gmail.com.

Facebook: @LeaseholderDAG

Twitter: @Claddag

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¹ 1.8 million disabled people have an accessible housing need and at least 1 in 6 households that need accessible homes do not currently have all the accessibility features they need, according to Hidden Housing Report by Habinteg