



Comhairle Cathrach Chorcaí

Cork City Council (E)

Senior Citizen Housing under the Downsizing Scheme

Caution

Applicants are required to engage a solicitor and to obtain legal advice in respect of the Downsizing Scheme prior to and in respect of the completion of this application form.

An explanatory memorandum in respect of the Downsizing Scheme is incorporated in this application form. Applicants and their Solicitors are advised to read this memorandum carefully prior to completing this application form.

Form of Application

I/We wish to apply for housing under the Downsizing Scheme.

I/We agree to offer my/our house for sale to Cork City Council in the first instance on the terms set out in Cork City Council's Downsizing Scheme - Explanatory Memorandum.

If Cork City Council is not interested in purchasing my/our house, I/we understand that we may sell the house privately in which case I/we will be required to make an appropriate contribution from the net proceeds of the sale to Cork City Council in return for being re-housed by Cork City Council as tenant(s) under the Downsizing Scheme.

I/We fully understand that in the event that my/our application is approved, I/we will be life-long tenants of Cork City Council and I/we will be required to waive my/our statutory entitlement (if any) to purchase the tenanted property under the Downsizing Scheme.

I/We understand that any tenancy granted by Cork City Council to me/us is to satisfy my/our housing needs only and will be granted on the basis that I/we are capable of independent living.

Personal Details

	Applicant	Joint Applicant
<u>Name :</u>	_____	_____
<u>Address :</u>	_____ _____ _____	_____ _____ _____
<u>Date of Birth :</u>	__ / __ / 19__	__ / __ / 19__
<u>Age :</u>	_____	_____
<u>P.P.S. Number :</u>	_____	_____
<u>Weekly Income €:</u> (Please Submit Proof)	_____	_____
<u>Contact Phone Number :</u>	_____	_____

Description of Current Property :

Name(s) and Age(s) of all persons currently residing in House :

Are you the sole Owner(s) of House :

(Please Submit Appropriate Supporting Documentation)

Nature Of Title :

Freehold : _____

Leasehold : _____

Other : _____ Please give Details : _____

Do you Currently Reside at this Address : _____

Do you own any other Property / Land : _____

If “Yes”, Please give Details : _____

Area(s) of Preference in which Senior Citizen Accommodation is Sought :

1. _____
2. _____
3. _____
4. _____
5. _____

Have You any Special Housing Needs to Declare : _____

Solicitors Name and Address :

Signed :

Applicant : _____

Date : _____

Joint Applicant : _____

Date : _____

Applicant's Signature(s) To Be Witnessed By Solicitor :

Solicitor's Signature : _____

Date : _____

Solicitor's Name in Block Capitals: _____

Solicitor's Official Stamp :

**THE FOLLOWING DOCUMENTS MUST BE SUBMITTED
WITH EACH APPLICATION :**

1. APPLICANTS BIRTH CERTIFICATE(S)
2. PROOF OF OWNERSHIP OF DWELLING
3. DETAILS OF ANY MORTGAGE(S) OUTSTANDING
4. CURRENT INCOME DETAILS / SOCIAL WELFARE DETAILS OF APPLICANT(S)
5. CLEAR SERVICE / REFUSE CHARGE RECEIPT
6. CERTIFICATE FROM DOCTOR CLEARLY INDICATING ANY MEDICAL CIRCUMSTANCES THAT WE SHOULD BE MADE AWARE OF
7. LETTER FROM SOLICITOR CONFIRMING THAT DOWNSIZING SCHEME HAS BEEN EXPLAINED IN FULL TO APPLICANT(S)

DOWNSIZING SCHEME - EXPLANATORY MEMORANDUM

Downsizing Scheme for the Elderly

Cork City Council has within its rented stock designated dwellings which are suitable for the needs of elderly persons. The City Council's downsizing scheme allows persons aged **60 years or over** who **own their private dwelling** within the administrative area of Cork City, or are existing **Cork City Council tenants** to apply to the City Council for a tenancy in a City Council dwelling under the downsizing scheme.

Eligibility Requirements:

1. All individual applicants, including all joint applicants, must each be over the age of 60 to qualify.
2. Applicants must be living alone. Applicants with dependants living at home will not be deemed eligible.
3. Applicants must be currently living in a house of a size too great to meet their housing needs and must be capable of independent living.

Priority of Applicants:

Subject to the eligibility requirements being satisfied and subject to the City Council's approval of the acquisition of the applicants existing dwelling, Cork City Council will consider applications for letting under the downsizing scheme in the following circumstances and in priority as follows in accordance with the City Council's scheme of letting priorities:

1. Persons who are living in unfit accommodation.
2. Persons who are in need of housing on medical, compassionate or other similar grounds.
3. Persons who are in the opinion of the City Council not able to financially meet the cost of maintenance and upkeep of the accommodation they are occupying or are financially unable to obtain suitable alternative accommodation.

The City Council reserves the right to grant or not to grant a letting of a dwelling under the downsizing scheme.

Conditions of Tenancy:

The decision to grant a tenancy of a dwelling under the downsizing scheme shall be subject to the following conditions:

1. the sale by the applicant of his/her/their existing dwelling to the City Council subject to the applicant's title being to the satisfaction of the Council's Law Agent, or alternatively, in circumstances where the City Council is not interested in purchasing the Applicant's existing dwelling, to the sale of the Applicants existing dwelling on the open market;
2. the payment of a financial contribution to the City Council;
3. the execution of the City Council's prescribed form of Tenancy Agreement;
4. the payment of weekly rent set under the Differential Rent Scheme;
5. agreement by the Applicant to waive its statutory entitlement (if any) to purchase the tenanted dwelling.

Acquisition of Properties by Cork City Council – Terms:

Applicants should note that where Cork City Council approves the acquisition of their properties the following terms apply:

1. Cork City Council will arrange for an Independent Valuation of the Property. The applicant's property will be valued at the gross current market value i.e. what it would sell for if it were in good repair.
2. Where the property is in good repair, the current market value will be the figure on which the financial contribution to be paid by the Applicant to Cork City Council will be calculated.
3. Where the property is in poor repair, an amount equal to the cost of all works which would have to be carried out to the property to bring it into good repair will be deducted from the current gross market value leaving a nett current market value figure on which the financial contribution to be paid by the Applicant to Cork City Council will be calculated.
4. Net proceeds of sale shall exclude:-
 - The discharge of any existing mortgage or charge on the applicants property;
 - The discharge of any legal fees incurred by the applicants in relation to the sale of the applicants property and the discharge of any existing mortgage or charge thereon.
 - Any and all other legal fees incurred in relation to the completion of the application and the tenancy agreement.
5. Applicants are required to engage a Solicitor and obtain legal advice in respect of the Downsizing Scheme prior to the completion and submission of an application under the scheme

Financial Contribution paid by the Applicant to Cork City Council:

The financial contribution payable by the Applicant will be calculated by Cork City Council as follows

<u>Age</u>	<u>Financial Contribution</u>
60 – 69 years	1/3 of net proceeds of sale of dwelling
70 – 79 years	1/4 of net proceeds of sale of dwelling
80 years and over	1/5 of net proceeds of sale of dwelling

Example:

Market Value of Property to be sold to Council	= €250,000
No Charge / Mortgage on Property	
Legal Fees on Sale	= €5,000
Net Proceeds of Sale	= €245,000

Applicant Age 62 - Financial Contribution = $245,000 \div 3$	= €81,666
- Balance of Monies retained by Applicant	= €163,334

Applicant Age 72 - Financial Contribution = $245,000 \div 4$	= €61,250
- Balance of Monies retained by Applicant	= €183,750

Applicant Age 82 - Financial Contribution = $245,000 \div 5$	= €49,000
- Balance of Monies retained by Applicant	= €196,000

General Provisions:

Applicants may be excluded from consideration for Housing under the Downsizing Scheme if he/she supplies false information or withholds relevant information.

Applicants may also be excluded from consideration for Housing under the Downsizing Scheme where the City Council believes the applicants have been involved in Anti-Social Behaviour.

“*Anti-Social Behaviour*” shall have the meaning ascribed to it in the Residential Tenancies Act 2004, and shall include, inter alia

- (i) engaging in behaviour that constitutes the commission of an offence, being an offence the commission of which is reasonably likely to affect directly the well-being or welfare of others;
- (ii) engaging in behaviour that causes or could cause fear, danger, injury, damage or loss to any person living, working or otherwise lawfully in the dwelling concerned or its vicinity and, without prejudice to the generality of the foregoing, includes violence, intimidation, coercion, harassment or obstruction of, or threats to, any such person, or
- (iii) engaging, persistently, in behaviour that prevents or interferes with the peaceful occupation –
 - (1) by any other person residing in the dwelling concerned, of that dwelling
 - (2) by any person residing in any other dwelling contained in the property containing the dwelling concerned, of that other dwelling or
 - 3) by any person residing in a dwelling (“neighbourhood dwelling”) in the vicinity of the dwelling or the property containing the dwelling concerned, of that neighbourhood dwelling.

Please Return Completed Application Forms to:

Pascal O’Leary, Housing Capital, Cork City Council, City Hall, Anglesea Street ,Cork.