

nightingale hammerson

Placing a charge on a property

If you have more than £23,250 in assets including a property you will be required by law to use the value of these assets to pay for your care until they deplete to the £23,250 level.

Please note that this doesn't apply if you still have a spouse living in your home.

If therefore you do not have sufficient liquid assets to pay your care home fees from any other source, it will be necessary for the property to be sold.

If you have assets in the form of a property, it will often be the case that you would sell this prior to moving into a care home.

It may be necessary for you to move into a care home within a very short period of time, meaning that it may not be possible for you to sell the property before moving in.

In such circumstances, and with your agreement, a charge can be put on the property by Nightingale Hammerson. This means that when your property is eventually sold, Nightingale Hammerson would receive from this sale the amount owing at that time for the care received at the Home.

In processing the charge on the property, it will be necessary for you to use the services of a solicitor, advice agency or law centre to liaise with regards to this matter.

A charge on a property means that when the property is sold, the charge has usually to be discharged first before any of the proceeds of the sale can be given to you.

If there is already a charge on the property, possibly arising from a mortgage or an equity release scheme, in some circumstances authority will be required from the first mortgagee before Nightingale Hammerson can put a charge on the property.

You will have to pay to put a charge on your property. If you use a solicitor, you will have to pay your solicitor's fees and Nightingale Hammerson's costs which are in the region of £500.

Nightingale Hammerson reserves the right to charge interest upon any fees and additional fees that are outstanding 28 days after the date the payment is due; this interest charge will be 2% above Base Rate of NatWest for the time being.

Whilst awaiting the sale of your property, we would still require you to pay the four weeks deposit and 13 weeks (a quarter) in advance. If there is any difficulty with this, you would need to speak with us at the earliest opportunity.

Once your property has been sold, we will then credit your account with whatever you have paid us previously.

If you receive a weekly income through a pension or statutory allowance, we would seek a contribution from you each week until we receive the outstanding fees. This can mean a statutory, private and/or War Pension, Attendance Allowance and Savings Credits. We would invoice you for a proportion of your weekly income and leave you with £22.60 which is the rate set by the Department of Work and Pensions.

A **12 week property disregard** can sometimes be arranged with your local authority who will assess you to determine your eligibility for this scheme.

This means that the local authority will make a contribution towards the first 12 weeks of your care.

Source:

Some of this information appears on Her Majesty's Courts Service (HMCS) website www.hmcourtsservice.gov.uk and NS&I website www.nsandi.com

If you would like any further information please speak with our Residents Services team on 020 8673 3495 or email residentsservices@nightingalehammerson.org

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Registered Charity No. 207316

January 2014