



Living permanently in a care home – 12-Week property disregard

- If you move to live in a care home and own your previous home, the value of your former main home will not be taken into account in your financial assessment during the first 12 weeks of your permanent stay in a care home. This is known as a 12-week property disregard.
- This is so that you have time to make decisions as to how to meet your contribution to the cost of your care home place. For example, you might want to sell your former home or apply to the council's Deferred Payment Scheme, so you can delay selling your home, see the Deferred Payment Scheme Information Sheet.
<https://www.leicestershire.gov.uk/sites/default/files/2022-12/deferred-payment-scheme-information-sheet.pdf>
- The 12-week property disregard applies to everyone who owns or has a share in a property, that was their main or only home, for the **first 12 weeks of your permanent stay**. If you sell your home within the first 12 weeks, the disregard will no longer apply, and the proceeds of the sale will usually be included in the financial assessment.
- The value of your property may be disregarded in the financial assessment for different reasons, see factsheet, 'Do you own a property?'.
<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Do-you-own-a-property.pdf>
- If your property was disregarded, for example, because your partner still lived there, and they die or go into a care home themselves the 12-week property disregard will apply from the date the other property disregard stopped.
- If you are living permanently in a care home and have been paying for this yourself you will not usually be allowed the 12-week disregard, however, if you experience a sudden and unexpected change in your finances and you still own your former home the council may offer you a discretionary 12-week property disregard in your financial assessment.
- Usually you will only have one 12-week property disregard at the start of moving permanently to live in a care home. You can only have one 12-week property disregard in any 52-week period. If you were a permanent resident in a care home and moved back to your former home without using up the whole 12 weeks, then return to a care home permanently within the same 52-week period you will be entitled to the disregard for the remaining unused weeks. If you become a permanent resident again more than 52 weeks from the end of your

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previous permanent residence a new 12-week disregard will be allowed in the financial assessment.

- Although your property may be disregarded in the financial assessment for up to the first 12 weeks, you will still have to contribute towards your care home charges based on your other income and capital. Leicestershire County Council will meet the costs of the difference between your agreed personal budget (the normal rate for your care) and the assessed contribution you are required to pay.
- If you choose to live in a care home which is more expensive than your agreed personal budget the extra cost will have to be met by a 'top-up' payment. During a 12-week property disregard you can meet this cost yourself, this is known as a 'first-party top-up' or someone else can meet this cost for you known as a 'third-party top-up'. See the Third Party Top Up Factsheet <https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2022/1/24/Third-party-top-up-payments-factsheet.pdf>
- At the end of the 12-week property disregard the additional cost must be met by a 'third party top-up' unless you have a Deferred Payment Agreement in place.
- After the 12-week disregard period the value of your property will usually be taken into account in the financial assessment. You will then usually be responsible for paying the full cost of your care home place directly with the care home. Please note that care homes often charge significantly higher care fees for privately funded residents, rather than the rate charged to the council.
- Living permanently in a care home will affect your entitlement to social security benefits. See the following factsheets:
 - Attendance Allowance, Personal Independence Payment and Disability Living Allowance
<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Attendance-Allowance-Personal-Independence-Payment-and-Disability-Living-Allowance.pdf>
 - Pension Credit
<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Pension-Credit.pdf>
 - Universal Credit and Employment Support Allowance for people of working age
<https://www.leicestershire.gov.uk/sites/default/files/field/pdf/2020/7/27/Living-permanently-in-a-care-home-Universal-Credit-and-CESA.pdf>