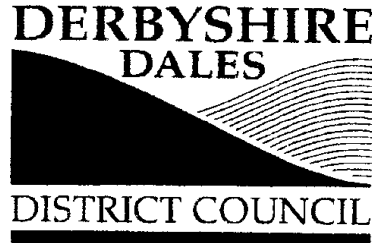


DERBYSHIRE DALES DISTRICT COUNCIL

Housing Benefit



A Guide for landlords

A Guide for Landlords

1. Introduction

This guide is one of a number of leaflets, which have been produced to help our customers understand the Housing Benefit Scheme.

This leaflet is intended as a quick reference guide to the Housing Benefit Scheme for private landlords.

2. What is Housing Benefit?

Housing Benefit is a government scheme designed to help people on a low income pay their rent.

- The scheme is a national one administered locally by the Council.
- The main rules are laid down by parliament and are contained within the Housing Benefit (General) Regulations 1987.

- The original legislation has been updated at regular intervals over the last 10 years.

3. Who may claim ?

- Any person who pays rent for the accommodation they normally occupy as their home.
- This may include boarders who receive meals as part of their tenancy arrangement.
- People on a low income may claim, including state benefits, pension income or earnings.
- There are special rules for claimants who live with their landlord who is a close relative. In these cases no entitlement to Housing Benefit will exist.

4. Ways for tenants to claim Housing Benefit

There are several ways for the tenant to make their claim. This will depend on their source and type of income.

For example:

- The Department for Work and Pensions (formerly the DSS) will give the claimant a form as part of their claim pack for Income Support or Job Seekers Allowance. This form must be completed and returned as quickly as possible.
- The Council has its own form, which, can be obtained directly from the Benefits Section. This form must be completed and returned with all proofs as soon as possible.
- A form may also be obtained and completed at a ONE pilot office.

- The Council will not be able to calculate and pay any Housing Benefit until the claimant has provided proofs of all their income and circumstances.

5. Levels of Housing Benefit

Housing Benefit may not cover;

- The full rent that is being charged. Your tenant will be responsible for paying the shortfall.
- Housing Benefit cannot cover ineligible service charges, for example, charges that you make in the rent for water or heating. These are deducted from the rent used to calculate the benefit and should be collected from your tenant.
- A lower amount of Housing Benefit may be payable for claimants who are under 25 years and who do not have children. This is called the Single Room Rent.

6. Payment of Housing Benefit.

- We can pay your tenants benefit directly to you provided the tenant agrees or if they are more than the equivalent of eight weeks in arrears with their rent.
- Please note that if you accept direct payment from us we may require that you pay back money if the tenant receives benefit, which they are not entitled to.
- We aim to work out the claim entitlement within 14 days of receiving all the information. Occasionally delays in payment occur.
- Where the claimant's benefit entitlement is to be paid to you we will write to you once we have made a decision to provide details of the claimant's entitlement to housing benefit.

7. The Role of The Rent Service.

The Council does not work out the amount of rent that can be used to calculate Housing Benefit.

- The Council will tell the Rent Service (an independent government agency) the amount of rent that has been agreed with your tenant.
- The Rent Service may decide to visit the accommodation concerned to complete their assessment.
- The Rent Service will then tell the Council the figure that should be used in the benefit calculation.
- Where Housing Benefit does not cover all of the rent the claimant may ask the Council to look at its decision again.

Pre-Tenancy Determination

Prospective tenants may ask that the Rent Service values the rent of a property in advance of a tenancy being created. This service enables you and the tenant to get an idea of the level of rent that will be used in the calculation of benefit.

A form may be requested by contacting the Council's Benefit Section directly.

The Benefits Section would strongly recommend that tenants have a pre-tenancy determination completed before committing themselves to a tenancy.

Changes in Circumstances

You must tell the Council when you become aware that a change has occurred in your tenant's circumstances likely to affect entitlement to Housing Benefit.

You must tell the Council when:

- Your tenant leaves the address, or
- Gives notice on their tenancy, or

- Where there is a change in the number of occupants living at the address.
- Where the terms of the tenancy change.


All changes must be reported to us immediately. Please note that it is an offence to make false statements or knowingly fail to declare changes likely to affect benefit entitlement. The Council will take action to prosecute those committing fraud.

Recovery of Overpayments

When we pay Housing Benefit directly to the landlord or the agent we may ask that you repay benefit which has been overpaid. A bill will be sent to you where the Council wants you to repay the overpaid amount concerned.

You may ask to repay the amount by instalments where recovery will cause you hardship.

The law also permits the Council to deduct overpayments from payments to be made to you in respect of other tenants'.



We will write to you explaining our decision and give you details of your rights.

If you think our decision is wrong

Where payment of Housing Benefit has been made directly to you or your agent you may ask us to explain our decision to seek recovery of an overpayment from you.

- All requests of this kind must be in writing and received at the Council within one calendar month of the decision being notified to you.
- We will check our decision and notify you of the outcome in writing.
- If you are still dissatisfied there may be a further right of appeal to an independent agency called The Appeals Service.

- You cannot appeal against the amount of benefit payable on your tenant's claim or the period for which benefit is payable.

MOST IMPORTANT

- The claimant's completed form must be returned as soon as possible even if proofs are not available or benefit entitlement may be lost.

Disclosure of information

The Data Protection Act only allows us to disclose information relating to any claim made by your tenant where we have the tenant's written permission to do this. This may mean that we are unable to answer all of the questions you have regarding the claim.

Please quote your tenants benefit reference number when contacting us about their claim.



Your Opinion Counts

We believe that landlords are important stakeholders in the service that we provide. We are always trying to improve the way in which services are delivered.

- We aim to pay Housing Benefit promptly and accurately.
- We also aim to work with landlords to ensure that overpayments are minimised and that recovery is fair and reasonable.

If you have a suggestion about the service that we provide and how it can be improved, please let us know.

The offices at Matlock,
Ashbourne, Bakewell and
Wirksworth are open during the
following hours:
Monday to Friday
9.00am to 5.00pm

Telephone:
01629 761188

Further information on benefits
and other Council services can be
found on the Council's website at:

derbyshiredales.gov.uk

You can write to us at:

The Benefits Office
Town Hall, Bank Road
Matlock, Derbyshire DE4 3NN

For independent advice you
should contact the following.

Citizens' Advice Bureau
29 Bank Road
Matlock DE4 3NF
Tel: 01629 583539

or
Welfare rights
on
01773 570772
or
01773 570872

**OTHER LEAFLETS
WHICH GIVE
INFORMATION OR
ADVICE ABOUT
HOUSING BENEFIT AND
COUNCIL TAX BENEFIT**

BENEFITS ADVICE

**GENERAL INFORMATION
FOR PRIVATE LANDLORDS**

**HOW TO CHALLENGE
DECISIONS**

BACKDATED CLAIMS

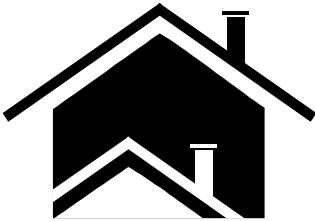
**DISCRETIONARY
HOUSING PAYMENTS**

**HOUSING BENEFIT
PAYMENT ON 2 HOMES**

**TEMPORARY ABSENCE
FROM HOME**

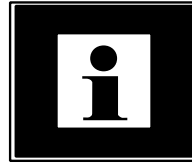


The Council will look again at its decision in the light of representations made by the claimant. Please write to the Council saying why you do not agree with the decision



Do I have to inform the Council of any changes?

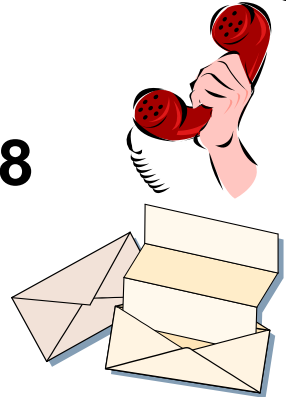
YES: If your circumstances change in any way, it is a requirement of the benefit legislation that you inform the Benefit section immediately of any changes.



Do you require any further information?

If you require any further information then please contact the Housing and Council Tax Benefit section on the following number.

**01629
761188**



**The Benefits Office
Town Hall
Bank Road
Matlock
Derbyshire DE4 3NN**

FRAUDLINE

“ Do you know someone who is
falsely claiming benefit ? “

If you do please inform the
Benefit Investigation Unit
on

01629 761330