

can you make an urgent interim payment?

We make an interim payment (sometimes known as a payment on account) of Housing Benefit when we have all the information we reasonably need from the tenant but we are still waiting for more information from someone else. We pay interim payments mainly whilst we are waiting for the Rent Officer valuation. The amount of the interim payment will be an estimate of what the Housing Benefit will be. If we pay too much, we can ask you or the tenant to repay it.

can I contact you for information on the progress of my tenant's claim?

If your tenant has signed the consent form in Part 19 of the application form we can confirm:

- whether your tenant has claimed or renewed his/her claim for Housing Benefit;
- if we have made a decision on your tenant's claim;
- if we have requested more information to enable a decision to be made about your tenant's claim, and what that information is.

We cannot give you personal details about the tenant's finances or family.

You can contact us:

by phone: 01621 854477

by fax: 01621 852575

by e-mail: benefits@maldon.gov.uk

landlord's guide to housing benefit

Housing Benefit is a national welfare benefit that is administered by local authorities in Great Britain on behalf of the Department for Work and Pensions. The Social Security Acts set out the basic conditions of entitlement.

The questions and answers in this leaflet are aimed at landlords. Although we have taken care to make sure the information is correct, you should not treat it as a full statement of law.



MALDON DISTRICT
COUNCIL

DISTRICTPRIDE
DISTRICTWIDE

NOVEMBER 2006

what is Housing Benefit?

Housing Benefit is a Social Security benefit to help tenants pay their rent. It is administered by the Local Authority and has to be claimed by the tenant.

It is a 'means-tested' welfare benefit to help people on low incomes to pay their rent. 'Means-tested' means that entitlement depends on a tenant's income, savings and family circumstances.



I am receiving direct payments of Housing Benefit. What responsibilities do I have?

If your tenant's circumstances change and we can reasonably expect you to know that it will affect his/her entitlement to Housing Benefit, you must tell us, in writing. You should write to us at the address at the end of this leaflet, or telephone us on 01621 854477.

what is an overpayment of Housing Benefit?

An overpayment is when the Housing Benefit we pay is more than the amount the tenant is entitled to. We can recover all overpayments unless **all** of the following apply:

- we made a mistake, **and**
- this mistake causes the overpayment, **and**
- you and the tenant did not contribute to that mistake, **and**
- neither you nor the tenant could, at the time we made the payment, be reasonably expected to realise that you or they were being overpaid.

Unless the circumstances are exceptional, all overpayments must be repaid. We will decide whether you or the tenant should repay the overpayment.

Sometimes, we will reduce the tenant's future Housing Benefit payments until the overpayment is repaid. The tenant should make extra rent payments to you to cover this.

However, if the tenant has not requested payment to be made direct to you, but is eight or more weeks in arrears with their rent, you can apply to have the payments paid straight to you. In most cases, we will agree to this.

how often will I be paid?

If we pay Housing Benefit straight to you, we send you the payments every four weeks (lunar monthly) for the four weeks that have just passed.

how will I be paid?

We pay Housing Benefit by a crossed cheque every four weeks. We will soon be offering the facility to receive payment by BACs.

I have several tenants who are entitled to Housing Benefit. Who is the payment for?

We will post you a payment schedule. This gives you a breakdown of which tenants the payments are for.

I am receiving direct payments of Housing Benefit. What rights do I have?

You have the right to appeal in two areas.

- 1 You can appeal against the decision to pay Housing Benefit straight to the tenant.
- 2 You can appeal when we hold you liable to repay an overpayment.

how can a tenant claim Housing Benefit?

If your tenant wants to claim Housing Benefit, he/she should download and complete our on-line Housing Benefit application form. Hard copy versions of our Housing Benefit application forms are available from the Customer Service Team at **m@ldon district direct** on 01621 854477.

Once the Housing Benefit application form is filled in and signed, the tenant should send it to us at the Council Offices, Princes Road, Maldon, CM9 5DL together with the evidence that is required in Part 15 of the application form. If there is a delay in sending the application form to us benefit may be lost. Additionally, if we do not receive all the evidence that is required with the claim form, housing benefit could be delayed.

Before we can pay benefit we need to see evidence of the following:

- identity;
- National Insurance Number;
- all capital, savings and investments;
- earnings;
- all benefits, allowances and pensions;
- all other income;
- rent and tenancy;
- monies being paid out for maintenance or child minding fees.

The Council must see original documents, photocopies cannot be accepted.

Most delays in paying Housing Benefit are due to tenants not providing the above evidence when they make a claim.

how is Housing Benefit worked out?

When we work out Housing Benefit, we take account of:

- the other people who live with the tenant;
- the tenant's income, savings and investments, and those of a partner (if there is one); and
- the amount of the eligible rent.

There is an on-line benefits calculator at www.maldon.gov.uk which enables a tenant to carry out an estimate of the benefit.

how do you work out the eligible rent?

We need to send the Rent Service details of the rent and tenancy. The Rent Service are independent professional valuers. They fix a rental value for the accommodation after considering the rents in the area, the individual property, and the size and make-up of the tenant's family.

The Rent Service valuation is for Housing Benefit purposes only and does not directly affect any arrangement between you and the tenant.

We cannot pay Housing Benefit to cover certain service charges such as water rates, electricity and gas charges, meals, Supporting People charges and other less common charges.

If a property has a registered rent, we do not need to refer it to the Rent Service. This means that the eligible rent (depending on any service charges) is the registered rent.

If you are a registered social landlord (a housing association), we refer the property to the Rent Service only if we believe the property is unreasonably large or unreasonably expensive.

what does Housing Benefit cover?

Apart from rent itself, Housing Benefit can also cover:

- 'mesne profits' (income you have lost because a tenant is living in your property without your permission);
- use and occupation charges; and
- site rents for caravans and mooring fees for house boats.

This is not a full list but these are the main categories.

can I find out beforehand what value the Rent Service will set on my property?

Yes, any prospective tenant can ask us for a pre-tenancy determination. A pre-tenancy determination form is available from Customer Services at the Council Offices or online from our website. The form needs to be completed and signed by the applicant. You or the letting agent must then sign the form as well. The prospective tenant must immediately post it to us. After checking it, we will fax it to the Rent Service. The Rent Service will process the form and normally issue a valuation within five working days.

will the full amount of eligible rent be paid as Housing Benefit?

This depends on the tenant's and his/her family's income and other circumstances.

will the Housing Benefit be paid to me or my tenant?

The tenant can choose whether to receive the Housing Benefit or have it paid to you. If the tenant has requested that rent is paid to you direct, he/she will need to complete sections A and C of Part 18 of the application form, and you will need to complete sections B and D.