

Under occupancy for Housing Benefit



Information about the changes to Housing Benefit in April 2013 for tenants renting in the Social Sector. This has become known in the media by some as "the bedroom tax".

What is under-occupation?

Under-occupation is where the Government believes you are living in a property that is bigger than you need. Because there is a shortage of family homes across the country, the government is going to reduce the amount of Housing Benefit for people who are under occupying. The aim is to encourage people with bigger homes to move to somewhere smaller, so that we can provide accommodation to families needing larger homes.

You are classed as under occupying your home if you have more bedrooms than you need.

Size Criteria for under-occupation

One bedroom is allowed for each of the following categories of occupier and each occupier may only be in one category:

- every adult couple, and
- any other adult aged at least 16 years, and
- any two children of the same sex aged under 16 years, and
- any two children regardless of sex aged under 10 years, and
- any other child aged under 16 years, and

One further bedroom can be allowed for:

- child with severe disabilities who is unable to share a room, and
- a foster child living with an approved foster carer, or
-

an approved foster carer between placements for up to 52 consecutive weeks, or

- a newly approved foster carer pending a placement for up to 52 consecutive weeks from the date of approval, and
- a non-resident overnight carer
- a member of the armed forces who is away on operations and who intends to return to the dwelling

Using this size criteria you would be over occupied if you were, for example:

- A single person or a couple living in a 2 bedroom property
- A couple with one child living in a 3 bedroom property

What is the change?

If you are classed as under-occupying the amount of Housing Benefit you will receive will be reduced. There are two rates for the reduction:

- 14% of the total eligible rent for under-occupation by one bedroom; and
- 25% of the total eligible rent for under-occupation by two bedrooms or more

Who is affected?

Everyone claiming Housing Benefit who is between 16 and state pension credit age (currently 61 and increasing) will be affected apart from the following exemptions:

- Shared ownership properties
- Non-mainstream accommodation - including mooring charges for house boats, site charges for caravans/mobile homes and excluded tenancies including regulated tenancies
- Temporary accommodation - any claimant who is accepted as homeless under homelessness legislation of the Housing Act 1996 and placed in temporary accommodation by the local authority as described in regulation A13(3) because they are homeless or to prevent homelessness
- Supported 'exempt' accommodation - This is a particular type of supported accommodation defined as accommodation provided by a housing association, a registered charity or voluntary organisation where that body or a person acting on its behalf also provides the claimant with care, support or supervision.

What are my options?

You have several options. You can:

- Pay the difference yourself and stay where you are.
- If you think you will struggle to make the additional payments then you can apply for a Discretionary Housing Payment.

- Think about moving to a property with the number of bedrooms for your family size. Your landlord can give you more information about this.

- Take a sharer in to use your extra bedroom. You should be aware that doing so could affect the amount of Housing Benefit you are entitled to.

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