

Housing benefit overview



Here we provide an overview of Housing Benefit and answer your questions.

What is Housing Benefit?

Housing Benefit is a national welfare benefit. The purpose of the housing benefit scheme is to help people on low incomes to pay their rent.

What is Local Housing Allowance?

Local Housing Allowance (LHA) determines the maximum Housing Benefit for tenants who rent accommodation from private landlords.

Am I entitled to Housing Benefit?

You may be entitled to Housing Benefit if:

You probably won't qualify for Housing Benefit if:

- You have savings of more than £16,000;

- You receive Housing Costs in your Universal Credit.

How much would I get?

I am on Guaranteed Pension Credit

- You would receive maximum benefit up to the LHA rate for your household if you rent privately. If you are in social housing, this will be reduced if you have spare bedrooms in line with the new under occupancy rules. Deductions will be made for any non-dependents living with you.

I am not on Guaranteed Pension Credit but I receive a small pension

- If you have no income or your net income is less than the government say you have to live on (or equal to it), then you would receive maximum benefits.

- If your net income exceeds your applicable amount, you would receive:

- Maximum benefit eligible rent, less 65 per cent of your excess income deducted from the eligible rent.

What is an applicable amount?

The applicable amount is the figure used in calculating Housing Benefit. It reflects the basic needs of you and your family. If you are on Income Support or Job Seekers Allowance (income based) the Benefits Agency has already worked out your applicable amount and that is what you receive in those benefits.

I want to know more, where do I go?

For further information, visit www.gov.uk [1].

What happens if my circumstances change?

If you are entitled to benefit and your circumstances change you must inform us immediately. If you don't, you may receive too much or too little Housing Benefit.

Some of the more common changes are listed below:

- Any changes in your (or your partner's) income or the source of your income (such as if you stop getting one Social Security benefit and receive another, if your earnings increase or your hours at work reduce).

- Any change in the circumstances of people living in your home (such as starting work or leaving school).

- Changes in the number of people in your home (such as children being born or leaving home or taking in a lodger).

If we pay you more Housing Benefit than you are entitled to because you did not tell us about a change in your circumstances straightaway, you will have to repay us the overpaid benefit.

If we pay you too little benefit because you did not tell us about a change in your circumstances straightaway, you may lose the right to the arrears of underpaid benefit.

If you are not sure if the change in your circumstances will affect your benefit, tell us about it straightaway.

You can complete a Change of Circumstances form [here](#) [2].

When will my Housing Benefit payments start from?

Normally, benefit is paid from the Monday following the date you made your claim. If you have a good reason for not having applied earlier, the Council can consider back-dating your entitlement by up to 1 months for working aged claimants or 3 months for pensionable aged claimants.

What constitutes a good reason is not defined, but it is not usually sufficient to simply claim a lack of awareness of the availability of benefit.

How will my Housing Benefit be paid?

Housing Benefit payments are normally paid at 2 or 4 weekly intervals into your bank account depending on whether we pay direct to yourself or your landlord.

What happens if I don't understand the Council's decision about Housing Benefit?

When we have dealt with your claim for Housing Benefit we will send you a letter explaining our decision. You should check this letter carefully to make sure all your details are correct. If you do not understand this letter, you can contact us by letter, telephone or by calling into the Council Offices and we can explain it to you. You can also request a Statement of Reasons by writing to us; this will explain how we worked out your Housing Benefit entitlement.

What happens if I disagree with the Council's decision about Housing Benefit?

If we send you a decision about your Housing Benefit and you disagree with it, you must write and tell us why you think your benefit decision is wrong. This must be received within one month of the date of the decision notice.

What happens next?

We will look through your claim again, taking into account any further information you provide in your letter. We will decide either to change the decision and pay you more or less benefit or not to change the decision. We will then write to you and tell you what we have decided.

If we decide not to change our decision or we decide to pay you less benefit and you remain dissatisfied you have one month to write and ask us to pass your case to the Tribunals Service.

The Tribunals Service

If your appeal is passed to the Tribunals Service you will be sent a copy of the Council's case which you should read carefully. If you do not understand it you can ask us to explain it to you or get help from an advice centre or a solicitor. You will also be sent a pre hearing enquiry form asking you whether you wish your appeal to be dealt with in writing or by attending in person. You have 14 days to return your pre-hearing form.

If you choose to attend the appeal hearing in person you can take someone with you to help you state your case such as a solicitor or a friend. There will usually be a person from the Council attending to state our case and the members of the Tribunals Service may ask you questions about why you think the Council's decision is wrong.

If you choose not to attend the hearing, the tribunal will make a decision about your appeal based on what you have written.

At both types of hearing, the members of the Tribunal will look at the evidence, the law and the circumstances at the time we made the decision you are appealing against. They will write to you and to the Council with their decision, and the Council will implement it straightaway.

Source URL: <https://www.copeland.gov.uk/content/housing-benefit-overview>

Links

[1] <https://www.gov.uk/>

[2] <https://www.copeland.gov.uk/attachments/change-circumstances>