Information for landlords about housing benefit

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Housing benefit is a means tested benefit administered by us on behalf of the Department for Work and Pensions (DWP). It assists customers on low incomes with their rent payments. Housing benefit cannot help with deposits or rent paid in advance.

Data Protection
Our staff must adhere to the Data Protection Act and the Benefit Regulations when dealing with enquiries concerning a customer's personal information.

What can we tell a Landlord about their tenant's benefit claim?
All details concerning a tenant's claim are confidential and cannot be disclosed to a third party in any circumstances, unless written consent has been provided by the tenant. This includes confirming whether a claim has been made.

Payments direct to a Landlord
For Local Housing Allowance (LHA) housing benefit will be paid direct to your tenant unless they can show satisfactory reasons why it would be in their best interests to have payment made to you. e.g. This may be due to medical reasons or a previous history of bad debt.

If we do make payment to a landlord the following information can be disclosed:

- The dates on which entitlement started and ended
- The weekly amount of benefit, amounts paid and dates of payment

We will also tell you when:
A determination on a claim has been made
Entitlement ends due to a change in circumstances
Entitlement ends due to a change of address
A claim is suspended

Please note that the responsibility for supplying evidence of liability and income rests solely with the tenant.

**Can a Landlord insist they receive Housing Benefit?**

Our customers/tenants can choose under Housing Benefit Regulations to have payments made directly to them. We can make payment direct to a landlord when the customer requests this and the landlord agrees to accept payment. However, when a customer has more than 8 weeks rent arrears, the regulations state that we must make payment to a landlord. As the landlord you should write and tell us if your tenant is getting into rent arrears so we can investigate and make payment to you until the arrears are cleared.

Where payments are made directly to a landlord we will require a payment to landlord form signed by both the landlord and tenant. The form notifies you that you must tell us of any change in your tenant's circumstances and that you accept that future overpayments may be recovered from you.

**Will housing benefit pay off rent arrears owed when a tenant leaves?**

A landlord is legally required to tell us as soon as they are aware that a tenant in receipt of benefit has left. If there are any rent arrears, full written details of the amount owed and how the debt arose are required, as well as confirmation of the date the tenant moved out.

The final benefit payment would normally be paid up to the following Sunday, but it may be earlier depending on the circumstances.

**Important Notes**

We deal solely with a tenant's entitlement to Housing Benefit. Rent that is due and payable under the terms of a tenancy is a matter between the you, as landlord and the tenant. The tenant retains full liability for rent and for paying you any sums owed.

Benefit may not be payable for a period where a tenant left without giving notice to you, nor where the tenant has claimed benefit at another address but has failed to tell their landlord.

**Repaying overpayments**

In cases where housing benefit has been paid to you and an overpayment of housing benefit has occurred you may be required to repay any overpaid Housing Benefit.

This applies where it is reasonable to expect you to repay the overpayment. For example, if a tenant leaves and does not inform us and housing benefit continues to be paid to you (as housing benefit is not payable for any period after your tenant has vacated).

Housing benefit cannot be paid because your tenant has failed to give you notice that they were leaving, has not returned the keys or has left personal belongings in the accommodation.
When an overpayment occurs and the payment has gone direct to you we will write and tell you:

- the amount of the overpayment
- the period that the overpayment covers
- the reason for the overpayment
- the tenant that the overpayment is in respect of.

If you have any queries regarding overpayments of housing benefit contact the Benefit Overpayment section on 0845 054 8600.

**Landlords' rights of appeal**

Landlords' rights of appeal are limited to areas directly involving them and the council. This would be where the council is seeking to recover an overpayment of Housing Benefit from a landlord or we have refused to pay you Housing Benefit payments rather than your tenant. To appeal a landlord is bound by the same rules as a claimant.

The appeal:

- must be in writing
- must give reasons for the appeal
- must be made within one calendar month of the date of notification to the landlord.

A landlord has no rights of appeal relating to a claimants benefit award.

All correspondence should be sent to:

Revenues and Benefits Services  
Copeland Borough Council  
Copeland Centre  
Catherine Street  
Whitehaven  
CA28 7SJ

The Benefits reception in the Customer Contact Centre at the Civic Centre is open for enquiries:

Monday, Tuesday, Thursday - 8.45am to 5.15pm  
Wednesday - 10am to 5.15pm  
Friday - 8.45am to 4.30pm

Or you can contact us on:

E-mail: benefits@copeland.gov.uk [4]  
Tel: 0845 054 8600

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**Links**  
[1] https://www.copeland.gov.uk/taxonomy/term/161