



**Wealden**  
District Council

  
**Lewes District Council**  
[www.lewes.gov.uk](http://www.lewes.gov.uk)

  
**Eastbourne**  
BOROUGH COUNCIL

*Hastings*  
BOROUGH COUNCIL  
...Making the Difference...

A black and white photograph of a residential street. In the foreground, a street lamp stands on the left. The street is lined with houses, some with gabled roofs and chimneys. The background shows a hillside with more houses. The overall scene is a typical suburban or village street.

# **Housing Benefit**

## **A Guide for Landlords**

## What is Housing Benefit?

Housing Benefit is a scheme to help tenants who are on a low income pay their rent. By rent, we mean the tenant's accommodation only, Housing Benefit cannot pay for anything included in the rent that is for personal use for example heating, water or meals.

## Who can claim it?

Only tenants can receive Housing Benefit and they must meet three basic rules:

- the tenant must have a liability to pay rent; and
- the tenant must be living in the property as their normal home; and
- the tenant must make a claim for benefit

The majority of people who have a liability to pay rent can make a claim however there are some exceptions, for example people who live with a close relative cannot receive benefit if that relative is their landlord.

The Benefit Service will be able to give advice on individual cases.

## How can it be claimed?

Housing Benefit has to be claimed by the tenant, who has to provide evidence of their identity and proof of their income, savings and rent.

Claim forms are available from the local authority and are included in the claim packs of some other Social Security benefits.

## What can I do to help the process along?

Always make sure your tenant has either a tenancy agreement or some other evidence of their liability to pay rent.

This proof of rent should make clear:

- how long the tenancy is for
- how much the rent is
- what services are included in the rent  
e.g. water, heating
- how often the rent is due
- when the rent is next to increase

## **How will Housing Benefit be paid?**

Housing Benefit may be paid to the claimant or to the landlord. If the tenant has requested that benefit is paid to their landlord, then an authorisation must be signed by both tenant and landlord.

Payments can be made by cheque or by BACS and benefit will usually be paid every four weeks.

Housing Benefit can be paid directly to the landlord without the tenants authorisation if they confirm that the tenant is the equivalent of more than 8 weeks in arrears with their rent.

## **How much will it be?**

A tenant's benefit entitlement is based on their rent liability, their income and savings, their family size and circumstances and their age.

All claims from the private sector must be referred to the Rent Service. The Rent Service will give the Benefit Service their valuation of the rent and this figure will be used to calculate benefit. The Rent Service may restrict the valuation of the rent if the property is considered unreasonably expensive or is too large for the tenant's needs.

## **What if the Housing Benefit is less than the rent?**

The tenant is responsible for paying the difference to their landlord. Tenants can apply to the Benefit Service for a Discretionary Housing Payment (DHP) if they are finding it difficult to pay this difference. DHP is not a state benefit and it is awarded solely at the discretion of the local authority, for a limited period of time.

## **What happens if the tenant's circumstances change?**

The local authority needs to know about any changes in circumstance which may affect the amount of Housing Benefit payable. This includes changes in rent or a change of address as well as changes to the tenant's household size or their financial situation. Landlords are legally required to notify the authority of any changes they become aware of as quickly as possible. The tenant has a similar legal obligation. If Housing Benefit continues to be paid incorrectly there could be an overpayment of benefit which has to be repaid, usually by whoever receives the benefit payments.

## **What happens if there is an overpayment?**

If there is an overpayment and the tenant is still entitled to benefit, usually the overpayment will be recovered from their on-going entitlement.

If benefit is being paid to the landlord, it may be recovered from the landlord and the tenant is expected to make up any difference.

If benefit has stopped and there is an overpayment, depending on the reasons for the overpayment an invoice for repayment may be sent to the landlord if the landlord was receiving the benefit payments. The tenant is expected to pay any rent arrears.

## **What information is provided to the landlord about a tenant's Housing Benefit claim?**

The amount of information that can be given is limited by the Data Protection Act and rules of confidentiality.

If the tenant has request that benefit is paid to their landlord, the landlord will be advised of the amount of benefit awarded, the date of the award, changes to the amount of benefit entitlement, the date benefit ceases and notification of any overpayment.

## **Can landlords appeal against the amount of benefit a tenant is awarded?**

A landlord can appeal about a decision to recover an overpayment or against a decision to pay the Housing Benefit direct but there are no rights of appeal for landlords about a tenant's benefit entitlement.

Tenants are given their right of appeal in all decision notices sent to them.

## FURTHER INFORMATION

### EASTBOURNE BOROUGH COUNCIL

#### Housing Benefits Office:

1 Grove Road, Eastbourne, East Sussex, BN21 4UG

#### Opening Hours:

Monday-Tuesday 0900 - 1700

Wednesday 0930 - 1700

Thursday-Friday 0900 - 1700

#### Telephone:

01323 410000 (General Queries)

#### Fax:

01323 415130

#### E-mail:

housing.benefits@eastbourne.gov.uk (General Queries)

### HASTINGS BOROUGH COUNCIL

#### Benefits Service:

41 Wellington Square, Hastings, East Sussex, TN34 1PP

#### Opening Hours:

Monday-Thursday 0845 - 1630, Friday 0845 - 1600

#### Telephone:

01424 781900 (Helpline)

01424 781573 (Overpayments)

#### Fax:

01424 781541

#### E-mail:

benefits@hastings.gov.uk (General Queries)  
overpayments@hastings.gov.uk (Overpayment Queries)  
fraud@hastings.gov.uk (Reporting Fraud)

### LEWES DISTRICT COUNCIL

#### Finance and Community Services:

Council Offices, Fisher Street, Lewes, East Sussex, BN7 2DQ

#### Opening Hours:

Monday-Thursday 0900 - 1645

Friday 0900 - 1615

#### Telephone:

01273 471600 (General Queries)

#### Fax:

01273 484066

#### E-mail:

Benefit@lewes.gov.uk (General Queries)

### WEALDEN DISTRICT COUNCIL

#### Benefits Service:

Vicarage Lane,

Hailsham,

East Sussex,

BN27 2AX

#### Opening Hours:

Monday-Friday 0830 - 1730

#### Telephone:

01323 443500 (General Queries)

#### Fax:

01323 443146

#### Email:

benefits@wealden.gov.uk