

# A guide to Housing Benefit

CARLISLE  
CITY COUNCIL



[www.carlisle.gov.uk](http://www.carlisle.gov.uk)

## Useful contacts

Get in touch with us by writing to:

Revenues & Benefits Services  
Carlisle City Council  
Civic Centre  
Carlisle  
CA3 8QG.

Fax: **01228 817266**

E-mail: **hben@carlisle.gov.uk**

Or you can phone us on one of the following numbers.

- Benefit queries: **01228 817201**
- Council Tax queries: **01228 817200**

If you prefer you can call into the Civic Centre to speak to someone.

Our Customer Contact Centre on the ground floor of the Civic Centre is open from:

- 9am to 5pm, Monday to Thursday;
- 9am to 4pm on Fridays.

## **You can get independent advice on Housing Benefit and Council Tax Benefit from the following:**

Citizens Advice  
Old Post Office Court  
Devonshire Street  
Carlisle  
CA3 8LE  
Phone: **01228 633900**

Benefits Advice Centre  
Civic Centre  
Carlisle  
CA3 8QG  
E-mail: **bac@carlisle.gov.uk**

Please phone **01228 625250** between 1pm and 3pm on Mondays to arrange an appointment.

Please ring **01228 817400** between 2pm and 4pm on Thursdays for advice over the phone.

## **What is Housing Benefit?**

Housing Benefit is a state benefit, paid to people with low incomes to help with their rent.

This leaflet tells you how to claim Housing Benefit if you pay rent to a private landlord.

This includes housing associations and sheltered housing.

## **Can I claim Housing Benefit?**

You can claim Housing Benefit if you are on:

- Income Support;
- Jobseeker's Allowance;
- Pension Credit; or
- a low income.

If you are married, or living with your partner as if you are married to them, you only need to fill in one claim form.

## **Who can't claim Housing Benefit?**

You can't claim Housing Benefit if:

- you are not liable to pay rent;
- either you or your partner, or both of you together, have more than £16,000 in savings unless you are in receipt of Pension Credit (Guaranteed);
- you live in a care home, such as a nursing home or old people's home;
- you rent a former joint home from your ex-partner;
- you are the parent or guardian of your landlord's child; or
- you live in your home as part of your job (tied accommodation).

## **Renting from a Private Landlord**

The most common types of private rented properties are:

- **Lodgings:** where you rent a room within your landlord's house.

You will have your own room but will share everything else with your landlord. This type of rented accommodation gives you the least rights if your landlord wants you to leave.

- **Shared Houses:** where you rent a room in a house and share facilities such as the kitchen and bathroom with other people who are renting rooms, but the landlord does not live in the building.

If you are single, under 25 and have no dependants, then Housing Benefit will normally consider a room in a shared house reasonable for you to live in. If you choose to rent other accommodation, they will still limit your Housing Benefit to the level of rent a room in a shared house, in the same area would cost.

- **Bedsits:** where you have your own room that you use as a living room and bedroom and you will also have your own kitchen area.

You may still have to share a bathroom with other residents.

- **Self-contained accommodation:** where you rent a whole house or flat and only you and your dependants live in it.

## **What is a pre-tenancy determination (PTD)?**

A PTD shows you how much of your rent we can use to work out your Housing Benefit.

If you are thinking about moving to a privately rented property and you will be claiming Housing Benefit, you should apply for a PTD before you sign up for the tenancy.

The PTD will help you decide if you can afford to rent the property before you make an agreement with the landlord.

It **will not** tell you how much Housing Benefit you will get, but it will show if you need to pay some of the rent yourself.

You can get a PTD form from us. (Our contact details are on page 2 of this leaflet.)

You should fill it in and ask the landlord of the property to sign the form to say that they agree with a PTD being made.

You should then send the form to us and we will pass on your details to the Rent Service.

They will value the property and send a copy of their decision to you, as well as to the landlord and to us.

Please note:

- you don't usually have to apply for a PTD if you are thinking of renting from a housing association. If you're not sure, contact us for help;
- if you are under 25 and single, government rules limit the amount of Housing Benefit you can get if you are living in private rented accommodation;

- You should apply for a PTD before you accept a tenancy.

These rules may limit the amount of rent we can use when we work out your Housing Benefit and we call this the 'single-room rent'. It is based on the market rent for single-room accommodation in the area, with shared toilet and kitchen facilities.

There are some exceptions to the 'under-25' rule. Please contact us for more information.

## **Fair Rents**

The majority of private sector tenancies (especially those that started after April 1997) will be assured shorthold tenancies and the rent which can be charged will be the open market rent. However, some older tenancies may be different and tenants and landlords are entitled to have what is called a "Fair Rent" registered by the Rent Officer. You are entitled to have a Fair Rent registered if you have:

- a regulated tenancy under the Rent Act 1977;
- a statutory tenancy or licence under the Rent (Agriculture) Act 1976; or
- a tenancy granted by a Registered Social Landlord or Housing Association which is subject to the Rent Act 1977.

## **How does the Rent Service decide what rent to use?**

The Rent Service will look at how much rent you are paying for your home, but they don't need to do this if your rent has been registered as a fair rent.

The Rent Service looks at things like:

- if your rent is higher than the rent paid for similar homes in your area; and
- if your home is larger than you need.

The Rent Service will tell us if they think your rent should be restricted and if it does we will work out your benefit based on the rent that they say is appropriate for your home. We then send you a letter explaining what we have done.

Rent Service decisions are valid for 12 months, unless there is a change in the property or in the number of people in the household.

## **How do I claim Housing Benefit?**

- **If you claim Income Support, income-based Jobseeker's Allowance or Pension Credit.**

The Benefits Agency/Pension Service will give you form HCTB1 to fill in.

You can claim Council Tax Benefit on the same form.

You should fill in this form and send it to us straightaway, so that we can work out your benefit.

- **If you are on a low income.**

You should ask us to send you an application form, or you can call into our office and pick one up. (See page 2 of this leaflet for our contact details.)

Our leaflet 'How to claim Housing Benefit and Council Tax Benefit' also gives you more detail.

## **What if I need help filling in the form?**

Please contact us if you need help filling in the form. We will be able to tell you where you can get help.

You can also contact the Citizens Advice Bureau for help. (See page 2 of this leaflet for details.)

If you have difficulty making a claim because you are elderly or disabled, we may be able to visit you at home. Please contact us directly for help.

## **How much Housing Benefit can I get?**

Housing Benefit is means-tested. This means that when we work out your benefit, we look at the following:

- your income;
- your savings and investments;
- the size and condition of your home, compared with similar homes in your area;
- the amount of your rent; and
- other people who live with you.

If your rent includes an amount for things such as heating, water rates or meals, we will need to reduce your benefit because we can't pay for these services.

If you do have services included in your rent, ask your landlord how much you pay for each of them and let us know.

If your landlord cannot say how much you pay for these services or if the amounts quoted are unrealistic, we will need to reduce the amount of your Housing Benefit. (These amounts are set by the Government each year.)

## **How is my Housing Benefit worked out?**

- **If you get Income Support, income-based Jobseeker's Allowance or Guaranteed Pension Credit**

You will get the full amount of your rent after we have taken off charges for:

- other people who live with you – these are called non-dependants;
- service charges; and
- any rent restrictions which the Rent Service has told us about.

- **In all other cases**

We will work out your benefit by comparing the money you get each week with your 'applicable amount'.

Your applicable amount is what the Government says you and your family need to live on each week.

The applicable amount will be higher for some people - for example, if you are disabled or if you are a one-parent family.

When we have worked out what money you get each week, if it's less than, or the same as, the applicable amount, you will usually get the maximum benefit.

If you have any non-dependants living with you, we might have to make deductions from your benefit for them.

The amount of Housing Benefit you get may be affected by what the Rent Service has said, or by any service charges that are included in your rent.

If your income is less than, or the same as, your 'applicable amount', you should claim Income Support or Jobseeker's Allowance as you might be able to get your income increased.

## **What money do you take into account when you work out my benefit?**

We take into account any money you have coming in.

This includes:

- social security benefits;
- maintenance;
- works pension; and
- wages.

We take into account the money you earn from work after money has been taken out for:

- tax and National Insurance contributions; and
- half of any money you pay into a pension fund.

If you work we will need to see:

- five payslips if you are paid every week;
- two payslips if you are paid every month; or
- three payslips if you are paid every two weeks.

If you are self-employed, we will want to see your recent accounts.

If you cannot provide them, please contact us for help.

We ignore some of your wages when we work out your benefit.

We do not count the first:

- £5 of the money you earn each week, if you are single;
- £10 of the money you earn each week, if you are a couple;
- £20 of the money you earn each week, if you are disabled; or
- £25 of the money you earn each week, if you are a single parent.

Pick up our leaflet 'Housing Benefit and Council Tax Benefit for people who work' for more information.

Sometimes we ignore different amounts from other types of income and benefits.

For example, we ignore the first £15 of any maintenance payments you receive if you have dependent children.

We also ignore:

- Disability Living Allowance;
- Attendance Allowance; and
- Mobility Allowance.

## **What about other money I have?**

Small amounts of savings and investments don't affect your claim, but you must still tell us about all your savings and investments, including any current bank accounts.

You should tell us about all the bank and building society accounts that you or your partner has.

Don't forget to tell us about any stocks and shares that you have too.

Government rules say that if you and your partner, if you are a couple, have savings and investments of more than £16,000, you cannot claim Housing Benefit.

- **if you or your partner are under 60** and have £6,000 or less, it will not affect your claim.
- **if you or your partner are under 60** and have between £6,000 and £16,000, it will affect how much benefit you can claim.

For every £250 (or part of £250) you have over £6,000, we add £1 to the money we count each week when working out your benefit.

This is called 'tariff income'.

- **if you or your partner are over 60** and have £6,000 or less, it will not affect your claim.
- **if you or your partner are over 60**, we will only use tariff income if you have between £6,000 and £16,000.

For every £500 (or part of £500) you have over £6,000, we add £1 to the money we count each week when working out your benefit.

Please remember to tell us about all the different kinds of income you get. If you're not sure, contact us for help.

## **Do you need proof of my rent?**

Yes, we do need proof of your rent. You should give us proof of how much you pay and what services are included in your rent. Services include heating, water rates and meals.

If you have a tenancy agreement, please send us the original so we can use it to work out all the details we need to process your claim.

If you don't have a tenancy agreement, ask your landlord to write to us telling us:

- their name and address;
- your name and address;
- how much rent you pay;
- what services are included in your rent;
- how much you pay for these services;
- what date your tenancy started; and
- what date you moved into your home.

Alternatively, ask us for our 'Verification of Rent' form which need to be completed by you and your landlord (or his/her agent).

## **What happens if there are other people living with me?**

If you have friends, relatives or anyone over 18 living in your home, you may get less benefit.

These people are called 'non-dependants'.

We may take an amount out of your benefit for each non-dependant who lives with you in your home.

Non-dependants do not include:

- your partner;
- a child you receive Child Benefit for;
- people under 18;
- people in full-time education; or
- people on youth training schemes.

We will not take money out of your benefit for non-dependants if:

- you get Attendance Allowance;
- you get the care part of Disability Living Allowance;
- you are registered blind;
- the non-dependant is a paid carer provided by a charitable or voluntary organisation; or
- the non-dependant is under 25 and on Income Support or income-based Jobseeker's Allowance.

Our leaflet 'How other people in your home affect your Housing Benefit and Council Tax Benefit' gives more detailed information.

If you are over 60, we will defer any non-dependent deduction for the first 26 weeks that the non-dependent moves into your household.

## **What happens next?**

We will work out your eligible rent when we receive your claim form and all the proof we need.

The eligible rent is the rent you pay each week after we have taken off things like:

- any deductions for other people who live with you;
- any service charges included in your rent; and
- any restrictions to your rent which the Rent Service says we have to use.

We will then work out your Housing Benefit and write to tell you whether you qualify.

## **How long will it take to work out my benefit?**

We aim to deal with all claims as soon as possible, but it depends on how quickly you give us the information we need.

When we have all the information, we will work out your benefit and write to tell you how much you will receive.

If you have requested that we make payments direct to your landlord, we will also inform them of the amount that you will receive.

## **When will my benefit start?**

If you qualify, your benefit will usually start from the Monday after we get your claim form.

But, if you think your benefit should start earlier, you need to let us know in writing:

- the date you think your benefit should start; and
- the reason why you think it should start from that date.

If you get benefit from an earlier date, it is called 'backdating'.

You must show that there was 'good cause' for backdating, the maximum time we can go back is 52 weeks from the date you ask us to backdate your benefit.

Our leaflet called 'Housing Benefit and Council Tax Benefit – can your claim be backdated?' gives more detailed information.

## **How will you pay me?**

We usually pay you every four weeks for the previous four weeks. We can pay you or, if you prefer, we can pay your landlord or his agent directly.

We usually have to pay your landlord directly if you owe more than eight weeks' rent, or if we decide that it's in your best interest to pay them. We only issue crossed cheques, there is no other payment method.

## **What should I do if anything changes when I'm getting benefit?**

You should tell us straightaway if your circumstances change as this might affect how much you get. If you don't tell us, you may lose benefit.

If you don't tell us about a change and we pay you too much benefit, you may have to pay it back.

Pick up our leaflets 'Changes you need to tell us about if you are claiming Housing Benefit and Council Tax Benefit' and 'What happens if you've been paid too much Housing Benefit or Council Tax Benefit' for more information.

## **What happens if you give me too much money?**

If we pay you too much benefit, it is called an overpayment.

If there is an overpayment, we will write to you telling you:

- why we gave you too much benefit;
- how much the overpayment is;
- if you have to pay back the amount; and
- how you can appeal if you think this is wrong.

Pick up our leaflet 'What happens when you've been paid too much Housing Benefit or Council Tax Benefit' for more information.

## **Notice of Eviction**

If the landlord issues you with a Notice because of arrears which have built up as a result of a Housing Benefit claim being processed, you should contact the Housing Benefit Team and explain that your landlord is trying to evict you because you are behind with your rent. (Our contact details are on page 2 of this leaflet.)

## **What can I do if I don't agree with your decision?**

If you don't agree with our decision you can ask us to look at it again. Our letters about our decision tell you what your rights are.

You could also pick up our leaflet 'If you think the decision about your Housing or Council Tax Benefit is wrong' which gives you more detailed information.

## **Where can I get help?**

You can always phone us for help and advice. (See page 2 of this leaflet for our contact details.)

Or, you can contact Citizens Advice or the Benefits Advice Centre. (See page 2 of this leaflet for details.)

## **What if I want to comment on your service?**

We would like to know what you think about this leaflet or about the service we provide to you. If you have any comments, please contact us. (Our contact details are on page 2 of this leaflet.)

## **The following leaflets are available to give you information about Housing Benefit and Council Tax Benefit.**

- Discretionary Housing Payments – help you can get to top up your Housing Benefit and Council Tax Benefit
- Housing Benefit and Council Tax Benefit – can your claim be backdated?
- A guide to Housing Benefit and Council Tax Benefit for students
- A guide to Housing Benefit and Council Tax Benefit for landlords
- What happens when you have been paid too much Housing Benefit and Council Tax Benefit
- How to claim Housing Benefit and Council Tax Benefit Council Tax Benefit
- Council Tax Benefit
- Housing Benefit - help with your rent
- Housing Benefit and Council Tax Benefit for people who work
- Housing Benefit and Council Tax Benefit for people who are away from home
- How other people in your home affect your Housing Benefit or Council Tax Benefit

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