us in writing and send us proof of the amount.

If the tenant leaves the property please let us know at once. If they owe you rent and you want us to send you any unpaid benefit, please ask for this in writing.

Payment to landlords can be four-weekly in arrears into a bank account. Sometimes this can be paid calendar monthly.

Please tell your tenants when you receive payments from us and make sure that they know the amount of benefit you are receiving for them.

What information can we give landlords?

A benefit claim is a confidential matter between the claimant (tenant) and the council. We will always respect that confidence and we cannot give any private details of any claim to a landlord, or anyone else, without the claimant's written permission.

All our computer records are covered by the Data Protection Act; and the benefit staff will always keep to the requirements of that Act.

Recent legal cases have made it clearer what a landlord can be told. The two pieces of information that we can normally tell you are:

- The amount of benefit payable, but only if you are being paid benefit direct, so that you can work out any rent that the tenant owes you.
- Information about an overpayment of benefit that has been made direct to you.

The benefit staff will always do all they can to help landlords, but please do not ask them for information other than this, as the answer must always be 'no'.

... and finally

We can only pay benefit when a tenant is entitled to it. The fact that we pay benefit to your tenant does not change their responsibilities to you as a tenant.

Please keep in regular contact with your tenant to make sure that you know about any changes in their benefit that may mean you have to collect more rent.

Breckland Council
Revenues Services
Breckland House
St Nicholas Street
Thetford IP24 1BT

Phone: 01362 656872
Fax: 01842 756513

Forest Heath District Council
Benefits Section
College Heath Road
Mildenhall
Bury St Edmunds
Suffolk IP28 7UZ
Phone: 0800 163030

Customer Counter open Monday to Friday
See our website: **www.angliarevenues.gov.uk**

If you need further information, please ask for our leaflet 'A Guide for Landlords'.

May 06 hb32.pub

Anglia Revenues Partnership

Breckland

Forest Heath District Council

Information For LANDLORDS

Revenues Services

Beacon Authority

2006-2007
Transforming the Delivery of Services Through Partnerships

A landlord's Guide to Housing Benefit

Who can claim housing benefit?

Anyone who pays rent for their home can claim Housing Benefit.

Only the tenant can claim, but you should encourage them to claim so that they do not lose any benefit.

Once we have a complete claim, and all the proof we need to support it, we will work out the benefit. The benefit belongs to the tenant to help them pay their rent.

When is the right time to claim?

The tenant should claim as soon as they get the tenancy. We usually pay benefit from the Monday after the day the tenant contacts us at the benefit office.

If a claim is delayed for any reason the tenant is likely to lose benefit. Your tenants should **not** wait until they have all the proof they need to support their claim. They should send in their claim and let us have the proof later.

In some rare cases we may be able to backdate a claim if the tenant can show a 'good cause' for why it was not possible to make the claim at the proper time. They should send us a letter, when they make their claim, explaining why there was a delay, or fill in one of our backdated benefit claim forms.

When will we pay benefit?

We will work out the benefit within 14 days of having a complete claim, or as soon after as practicable. We can normally only pay Housing Benefit for the time your tenant is living in the property. That is, we cannot pay benefit if they are away on a long holiday, have a long stay in hospital, or go to prison.

A claim is only 'complete' when we have the following items at the benefit office.

1. An application form, fully filled in, which includes details of the property.
2. Proof of the rent payable.
3. Proof of all the tenant's income and savings.
4. A landlord agreement if you are going to receive benefit on behalf of your tenant.

If we do not receive all these items benefit may be delayed.

Will the full rent be paid?

There are many reasons why a tenant's benefit is not as much as their rent:

- The benefit depends upon the tenant's income. The more income they have, the less benefit they get.
- Housing Benefit does not pay for certain services that may be included in the rent - for example water and sewerage charges, heating and lighting charges. Unless the tenant is billed separately for these services we have to make a deduction from their benefit.
- If people share the property, and they are not dependants of the tenant, we have to make a set deduction.

For each of the above examples, the tenant should make up the shortfall of their rent from their other income.

Please note: we work benefit out using the details supplied. If you accept a lower rent for any reason then we must work out the benefit again.

Other reasons why a tenant's benefit might be less than their rent are:

- if the rent you charge is more than the rent charged for similar properties in the area, we must put a limit on the benefit we pay
- if the property is considered to be too large for the tenant's needs, or at the top end of the market
- if, when working out the benefit, we find that the tenant can afford to pay something towards their rent.

The rent officer

The rent officer will tell us the rent limit that benefit can cover. The rent officer may visit the property to assess it.

You can continue to charge whatever rent you wish, but any shortfall will have to be paid from the tenant's other income.

Before your tenant takes the tenancy they can ask for a valuation, telling them the rent limit their benefit would be based on. This is called a 'pre-tenancy determination'. The rent officer will then assess the property and tell them the rent limit for Housing Benefit. We need your written permission to do this.

How will the benefit be paid?

Usually benefit will be paid to the tenant four-weekly or monthly, in arrears.

Can payment be made to the landlord?

Yes. We can pay benefit direct to you if:

- the tenant is more than 8 weeks behind with their rent and this is not because of the delay in paying Housing Benefit - remember, benefit is paid monthly in arrears
- the tenant still owes rent after leaving the property and there is some unpaid benefit
- the tenant asks us to and you agree.

You will be asked to sign an agreement about repaying any overpayment of benefit that may arise.

If your tenant is behind with their rent, please contact us to see if we can help you or your tenant before you consider taking enforcement action. If you want us to pay benefit direct to you, please ask