

What are the Landlord's responsibilities regarding Housing Benefit?

If you find out about any change of circumstances that you think might affect your tenant's Housing Benefit, you have a duty to tell us straight away. For example;

- your tenant or any other member of the household moves out
- another person moves in with the tenant
- the tenant has a change in circumstances e.g. starts work
- you suspect fraud
- it is your duty to make regular checks that your tenant is still living in the property

A reminder about confidentiality

The Council follows the strict requirements of the Data Protection Act and can therefore only share information about a claim with the landlord where;

- the tenant has given signed consent, in writing
- the tenant has requested direct payments (this still only allows us to give information about the payments themselves, not personal data).

Please remember that staff have a duty to respect the claimant's confidentiality and are not allowed to disclose any personal information. Security checks are in place when dealing with telephone enquiries. If you are having difficulties with rent arrears, you must contact your tenant direct.



How can I get more help or advice?

You can contact the Council's Benefits Unit for general information or advice, or to ask for claim a claim form at:-

Bassetlaw District Council
Queens Buildings,
Potter St
Worksop
Notts
S80 2AH

Bassetlaw District Council
17b The Square
Retford
Notts
DN22 6DB

Housing Information Office
Scrooby Rd
Harworth
Doncaster
DN11 8JP

For a confidential appointment, telephone
Worksop (01909) 533198 or
Retford (01777) 713808
Harworth (01302) 743935

To request a claim form, please ring
Worksop (01909) 533157

To discuss a benefit query please ring either
(01909) 533710 or
(01777) 713855

You can e-mail us at benefits@bassetlaw.gov.uk

Come along to the landlord forum!

We also hold regular landlord forums where current general issues can be discussed. We cannot discuss individual cases at the landlord forum. To find out more please contact the Benefits Unit on (01909) 533710.

We welcome any comments good or bad, which will help us to improve our service.

— Bassetlaw—Serving North Nottinghamshire —

Housing Benefit a guide for Landlords



BASSETLAW
DISTRICT COUNCIL
NORTH NOTTINGHAMSHIRE

A guide for Landlords

This leaflet aims to help you if you are renting your property or rooms out to someone who has claimed or is about to claim Housing Benefit.

Bassetlaw District Council is committed to providing landlords with clear advice so that we can work together to minimise delays in making Housing Benefit payments. Our aim is to provide a service that is:-

- **focused on the customer, modern and efficient with a culture of good performance**
- **quick and accurate**
- **reduces the risk of fraud and error whilst punishing fraudsters**
- **supports claimants to live in decent housing**
- **is accessible to those who need it**
- **reduces social exclusion and promotes benefit take-up**
- **ensures your tenants receive what they are entitled to**
- **minimises any barriers to working**
- **recovers overpayments quickly and sensitively**

How can my tenant claim Housing Benefit?

Your tenant needs to fill in a benefit claim form which can be obtained from Council offices shown on back page. Forms can also be requested from the Citizens Advice Bureau or the Jobcentre.

If your tenant is claiming Jobseekers Allowance or Income Support, s/he will be able to claim Housing Benefit at the same time. The Department for Work & Pensions (DWP) will have provided a form. In these cases, it may be possible for them to also get help with rent in advance from the DWP.

What proof will the Council need?

Before Housing Benefit can be paid, we must be satisfied about the tenants identity, that they have a legal liability to pay rent and that they have moved in to the property.

We will ask your tenant for documentary proof of their identity and National Insurance number, income, capital and rent due and paid. Your tenant can request a form from us to help them prove what is included in their rent. We prefer to have a tenancy agreement and a rent book or receipts as proof of rent.

All documents provided must be the originals. Our staff are trained to verify these documents and will photocopy them.

The role of the Rent Officer Service

The Rent Officer Service has a part to play in the Housing Benefit claim in working out the maximum eligible rent. This figure is used to base Housing Benefit on. For would-be tenants, they also provide a "pre-tenancy determination" (PTD) which will allow the prospective tenant to get a maximum rent figure, for benefit purposes, before taking on the tenancy. PTD request forms can be sent out by telephoning us or by collecting one from any of our local offices. A decision will be received within 5 working days.

The Rent Officer advises the Council of his decision based on average rents for the area, for the same type of property and the accommodation needs of the tenant(s). Your tenant would be responsible for making up the difference of any shortfall between the benefit payable and the rent charged.

The Rent Officer Service works independently. It is not part of the Council's Benefit administration.

Their address is ..

Rent Officer Service
5 Victoria Court
Kent Street
Nottingham
NG1 3LZ
Telephone: (0115) 8532120

What is the under 25 rule?

Young people under the age of 25, who live in privately rented accommodation, normally have their eligible rent for benefit purposes, restricted to the "single room rent". This is worked out by the Rent Officer and often means there is a shortfall that the tenant must pay. There are some exemptions to this, for example if they have dependant children.

How is benefit paid?

We can pay benefit by crossed cheque or BACS straight to a bank account. We aim to pay a new Housing Benefit claim within 40 days of the claim form being received and within 14 days of all the necessary proof being completed. If we are waiting for information, but have satisfactory details, we will make a payment on account within 14 days.

Payments can go straight to the landlord on behalf of the tenant provided the tenant has authorised us to do this. In some cases, we can pay the landlord without the tenant's authorisation, for example, if the landlord can prove that the tenant is more than 8 weeks in arrears.

The Council may also pay the tenant, even though they have requested payment to go to their landlord. This would be in exceptional cases.

All payments made direct to the landlord are made every four weeks in arrears. This is a Government ruling, not a local one.

If you would like your payments to be made direct to your bank account, please contact us on 01909 533 710 or 01777 713 855 for an application form.

How will I be notified?

Where direct payments are made to the landlord, the Council must send a notification letter to the landlord after every determination or change including notices of overpayments.

What if my tenant's benefit is overpaid?

Overpayments can occur when a tenant has a change of circumstances, moves out of the property or when benefit entitlement ends. The Council works out the amount and period of the overpayment and from whom it should be recovered.

Overpayments may be recovered from the person we paid the benefit to. However, we look at each case individually and if, for example, the claimant had committed fraud, we would not normally recover from the landlord.

The regulations now allow the Council to recover an overpayment in respect of one tenant from the benefit payment of another. In practice, we deduct it from the next available cheque to the landlord. The landlord will be sent a schedule to explain how much has been deducted. The important thing to remember is that the payment for the "blameless tenant" should still be credited to their rent card as if it had been made in full. This is because the benefit has been recovered from the landlord's total payment.

Landlords who are paid direct have the right to appeal against the recovery of an overpayment from them, but not about the cause of the overpayment itself.

