

LOCAL HOUSING ALLOWANCE

Find out how it affects you

This booklet is a good source of information about the Local Housing Allowance however **there have been a number of changes** to the way it is calculated and awarded since it was written.

Please look at the changes on the **Local Housing Allowance page** as well as reading the booklet.



LOCAL HOUSING ALLOWANCE

Find out how it affects you

All Information In This Booklet Was Correct At 31 March 2008


Lambeth



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Local Housing Allowance: an introduction

Local Housing Allowance is a new way of working out new claims for Housing Benefit for tenants renting accommodation from a private landlord. It also affects tenants already getting Housing Benefit who move into accommodation rented from a private landlord. Local Housing Allowance is being introduced on 7 April, 2008. If you live in council accommodation or other social housing, Local Housing allowance will not affect you.

With Local Housing Allowance, your benefit is not usually based on the property you live in. It is usually based on:

- who lives with you
- which area you live in
- how much money you have coming in
- what savings you have.

In some cases the amount of benefit you are entitled to will be affected by other things. These can include:

- how much your rent is
- whether anyone living with you is expected to contribute to your rent.



How will I get my benefit if Local Housing Allowance applies to me?

Usually your benefit will be paid to you. It can be paid directly into your bank or building society account, if you have one, or by cheque.

If you do not already have a bank or building society account, you may want to set one up. That way you can arrange to pay the rent to your landlord automatically, using a standing order.

You can get advice about opening and running a bank account from any bank or building society. You can also get advice from a welfare organisation such as Citizens Advice.

It is up to you to pay the rent to your landlord. If you don't pay your rent, you may be taken to court and evicted from the property.

Can I have my benefit paid direct to my landlord?

Your benefit is paid to you unless you are likely to have difficulty paying your rent, in which case it can be paid to your landlord. For more details about this, please see page 34 Local Housing Allowance: Support and money advice for tenants.

If you are worried about managing your money, ask us if we can help. In some cases we may be able to pay your rent to your landlord.

What will happen if I use my benefit for something else?

Your benefit is for you to pay your rent with. If you do not use your benefit to pay your rent, your landlord may take you to court or try to evict you and you may lose your home.

Changes of circumstance

If you are getting Housing Benefit and you move to a new address or other circumstances change, you should tell us straightaway.

Why is LHA being introduced?

Local Housing Allowance gives tenants more choice in where they live and it's fairer too. This is because with Local Housing Allowance:

- you will be entitled to the same amount of benefit as people in the same circumstances as you
- you can find out how much benefit you may get before you rent a property
- you can decide how much of your benefit you want to spend on renting a property
- you will usually get your benefit paid to you. It is up to you to pay the rent to your landlord
- you will find out about your benefit more quickly than before

Where to get more information

If you want to know more about the changes and how they affect you:

- phone the Housing Benefit call centre on 0845 300 0328. The lines are open Monday to Fridays 8.30am to 6pm and Saturdays 9am to 1pm.
- visit our Customer Centres (for addresses and contact details see the back page)
- look on our website www.lambeth.gov.uk/lha
- email us at benefits@lambeth.gov.uk
- visit www.dwp.gov.uk/housingbenefit/lha

Working out your Local Housing Allowance

To work out how much benefit you might get you need to find out what Local Housing Allowance rate your benefit will be based on.

Local Housing Allowance is based on where you live and how many bedrooms you and your family need. You are entitled to one bedroom for:

- a couple
- an adult aged 16 or over
- any two children of the same sex
- any two children regardless of sex under the age of 10
- any other child

Mark and Katrina

Mark and Katrina have three children living with them, Peter, Susan and Tina. Peter is eight years old, Tina is seven years old and Susan is three years old. They are entitled to three bedrooms. One for Mark and Katrina. One for two of the children. One for the third child.

Steven and Emma

Steven and Emma have two children living with them, James and Lucy. James is eleven years old and Lucy is six years old. They are entitled to three bedrooms. One for Steven and Emma. One for James. One for Lucy. If Steven's dad moved in with them, they would be entitled to four bedrooms.

The LHA rate for your area is based on the median* rent charged by landlords for each size of property within what is known as Broad Rental Market Areas (BRMA).

London Borough of Lambeth is covered by two BRMAs: Inner South West London and Inner South East London. The amount of LHA used in the assessment of your benefit will depend on where you live within Lambeth. You can check your postcode to see which area applies to you at www.lambeth.gov.uk/lha and follow the link to The Rent Service website, or phone 0845 300 0328.

*The median is worked out by taking the middle point in a range of rents charged.



Working out your Local Housing Allowance if you are a care leaver under 22

To work out how much benefit you might get you need to find out what Local Housing Allowance rate your benefit will be based on.

If you are a care leaver under 22, or live with a care leaver under 22 who is your partner, and do not live with anyone else, your benefit will be based on the one bedroom Local Housing Allowance rate.

By care leaver we mean someone who was in council care after the age of 15. For more information about what we mean by care leavers, please get in touch with us at the address on the back page.

You can find out what the Local Housing Allowance room rates are by checking our website at www.lambeth.gov.uk/lha.

You also need to find out if you can get the full amount of benefit. The amount of benefit you can get may be affected by:

- any money you have coming in
- any savings you have
- how much your rent is
- if you share paying the rent with someone else



Non-dependants

If you claim benefit you can only get it for yourself and your family. If you share a property with someone who is not part of your family, your benefit may be reduced. This is because we may expect them to pay towards your rent.

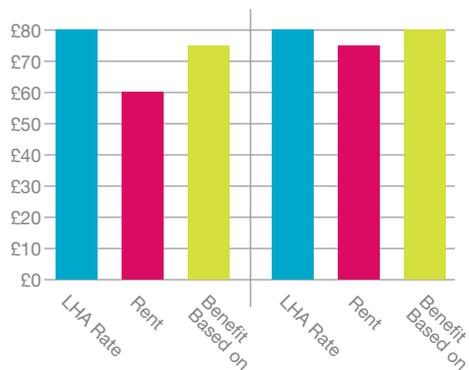
Joint tenants

If you are a joint tenant this might affect the benefit you can get. For more information about joint tenants, please get in touch with us at the address on the back page.

What if my rent is less than the Local Housing Allowance rate that applies to me?

We will base your benefit on whichever is lower of:

- the Local Housing Allowance rate that applies to you, or
- your rent plus £15



What if my rent is more than the Local Housing Allowance rate that applies to me?

Benefit will be based on your Local Housing Allowance rate rather than your rent.



Working out your Local Housing Allowance if you are a couple

To work out how much benefit you might get you need to find out what Local Housing Allowance rate your benefit will be based on.

If you are part of a couple and do not live with any one else, your benefit will be based on the one bedroom Local Housing Allowance rate if you live in:

- a self-contained property
- shared accommodation but have two or more rooms (bedrooms or living rooms) that no-one else can use

If you are part of a couple and do not live with any dependants, your benefit will be based on the Local Housing Allowance shared room rate if you live in shared accommodation.

By couple we mean a man and a woman who are married or are living together as if they are married, or two people of the same sex who are civil partners of each other, or are living together as civil partners, and are members of the same household.

By a self-contained property we mean one where you have your own room plus your own:

- bathroom
- toilet, and
- kitchen (or facilities to cook with)



For example, this could be a one-bedroom flat.

Bill and Jane

Bill and Jane are a couple who have no children. They live in a house where they share facilities.

They are entitled to one bedroom for themselves. As they share facilities, this means any benefit they are entitled to will be based on the Local Housing Allowance shared room rate.

Gary and Roger

Gary and Roger are a couple. They live in a self-contained flat.

They are entitled to one bedroom for themselves. This means any benefit they are entitled to will be based on the Local Housing Allowance rate for one bedroom.

You can find out what the Local Housing Allowance room rates are by checking our website at www.lambeth.gov.uk/lha.

You also need to find out if you can get the full amount of benefit. The amount of benefit you can get may be affected by:

- any money you have coming in
- any savings you have
- how much your rent is
- if we expect anyone living with you to pay towards your rent
- if you share paying the rent with someone else who is not your partner

Non-dependants

If you claim benefit you can only get it for yourself and your family. If you share a property with someone who is not part of your family, your benefit may be reduced. This is because we may expect them to pay towards your rent.

Joint tenants, care leavers or the severely disabled.

If you are a joint tenant, a care leaver or severely disabled this might affect the benefit you can get. For more information about joint tenants, please get in touch with us. Our contact details are on the back page. If you are a care leaver under 22, please see page 6. If you are severely disabled, please see page 14.

What if my rent is less than the Local Housing Allowance rate that applies to me?

We will base your benefit on whichever is lower of:

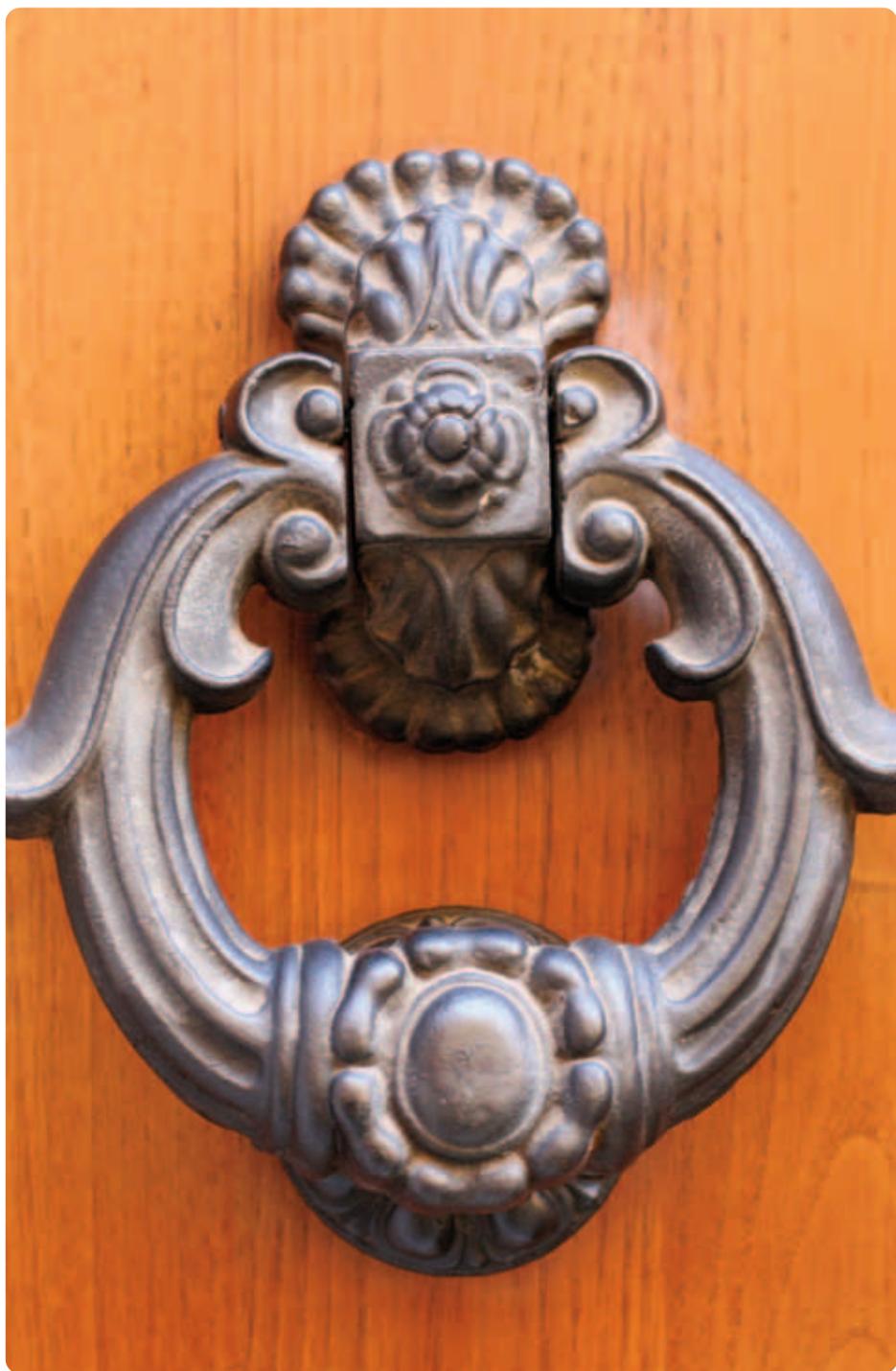
- the Local Housing Allowance rate that applies to you, or
- your rent plus £15

See the diagram on page 7.

What if my rent is more than the Local Housing Allowance rate that applies to me?

Benefit will be based on your Local Housing Allowance rate rather than your rent.

For details about this, please see page 26 Local Housing Allowance: rights and responsibilities





Working out your Local Housing Allowance if you are aged 25 or over

To work out how much benefit you might get you need to find out what Local Housing Allowance rate your benefit will be based on.

If you are 25 or over, single and do not live with any one else, your benefit will be based on the **one**

bedroom Local Housing Allowance rate if you live in:

- a self-contained property
- shared accommodation but have two or more rooms (bedrooms or living rooms) that no-one else can use

If you live in shared accommodation, you are 25 or over, single and do not live with any one else, your benefit will be based on the **Local Housing Allowance shared room rate** unless you have two or more rooms (bedrooms or living rooms) that no one else can use.

By a self-contained property we mean one where you have your own room plus your own:

- bathroom
- toilet, and
- kitchen (or facilities to cook with)

For example, this could be a one-bedroom flat.

You can find out what the Local Housing Allowance room rates are by checking our website at www.lambeth.gov.uk/lha.

You also need to find out if you can get the full amount of benefit. The amount of benefit you can get may be affected by:

- any money you have coming in
- any savings you have
- how much your rent is
- if you share paying the rent with someone else



What if my rent is less than the Local Housing Allowance rate that applies to me?

We will base your benefit on whichever is lower of

- the Local Housing Allowance rate that applies to you, or
- your rent plus £15

See the diagram on page 7.

What if my rent is more than the Local Housing Allowance rate that applies to me?

Benefit will be based on your Local Housing Allowance rate rather than your rent.

For details about this, please see page 26 Local Housing Allowance: rights and responsibilities.

Further information

If you want more information:

Get in touch with us - our contact details are on the back page.

There are extra rules if you are severely disabled. Please see page 14.

Joint tenants

If you are a joint tenant this might affect the benefit you can get. For more information about joint tenants, please get in touch with us. Our contact details are on the back page.



Working out your Local Housing Allowance if you are severely disabled

To work out how much benefit you might get you need to find out what Local Housing Allowance rate your benefit will be based on.

If you are severely disabled, or live with a severely disabled partner, and do not live with any one else, your benefit will be based on the one bedroom Local Housing Allowance rate.

For more information, please get in touch with us at the address on the back page.

You can find out what the Local Housing Allowance room rates are by checking our website at www.lambeth.gov.uk/lha.

You also need to find out if you can get the full amount of benefit. The amount of benefit you can get may be affected by:

- any money you have coming in
- any savings you have
- how much your rent is
- if you share paying the rent with someone else



Non-dependants

If you claim benefit you can only get it for yourself and your family. If you share a property with someone who is not part of your family, your benefit may be reduced. This is because we may expect them to pay towards your rent.

Joint tenants

If you are a joint tenant this might affect the benefit you can get. For more information about joint tenants, please get in touch with us. Our contact details are on the back page.

What if my rent is less than the Local Housing Allowance rate that applies to me?

We will base your benefit on whichever is lower of:

- the Local Housing Allowance rate that applies to you, or
- your rent plus £15

See the diagram on page 7.

What if my rent is more than the Local Housing Allowance rate that applies to me?

Benefit will be based on your Local Housing Allowance rate rather than your rent.

For details about this, please see page 26 Local Housing Allowance: rights and responsibilities.

Further information

If you want more information get in touch with us - our contact details are on the back page.



Working out your Local Housing Allowance if you are aged under 25

To work out how much benefit you might get you need to find out what Local Housing Allowance rate your benefit will be based on.

If you are aged under 25, single and do not live with any one else, you can only get the Local Housing Allowance shared room rate. You can find out what the Local Housing Allowance room rates are by checking our website at www.lambeth.gov.uk/lha.

You also need to find out if you can get the full amount of benefit. The amount of benefit you can get may be affected by

- any money you have coming in
- any savings you have
- how much your rent is
- if you share paying the rent with someone else

For more information about this, please get in touch with us - our contact details are on the back page.

Marcus

Marcus is single. He is aged 23.

He is entitled to one bedroom for himself. As he is under 25, he is entitled to the Local Housing Allowance shared room rate.

There are extra rules if you are:

- a care leaver aged under 22 (see page 6)
- severely disabled (see page 14)

Joint tenants

If you are a joint tenant this might affect the benefit you can get. For more information about joint tenants, please get in touch with us. Our contact details are on the back page.



What if my rent is less than the Local Housing Allowance rate that applies to me?

We will base your benefit on whichever is lower of:

- the Local Housing Allowance rate that applies to you, or
- your rent plus £15

See the diagram on page 7.

What if my rent is more than the Local Housing Allowance rate that applies to me?

Benefit will be based on your Local Housing Allowance rate rather than your rent.

For details about this, please see page 26: Local Housing Allowance: rights and responsibilities.

Further information

If you want more information:
Get in touch with us - our contact details are on the back page.





Local Housing Allowance: information for private landlords

What is Local Housing Allowance?

With Local Housing Allowance, benefit is not usually based on the property in which the tenant lives. It is based on:

- who lives with the tenant
- which area the property is in
- how much money the tenant has coming in
- what savings the tenant has.

In some cases the amount of benefit will be affected by other things.

These can include:

- how much the rent is
- whether anyone living with the tenant is expected to contribute to their rent.

There is no change to the entitlement rules for Housing Benefit – these will still be based on a person's income, savings and proof of rent and so on.

How do I find out what the Local Housing Allowance rates for my property will be?

We will publish the Local Housing Allowance rates every month. You can find out what the Local Housing Allowance room rates are by checking our website at www.lambeth.gov.uk/lha

How does Local Housing Allowance affect landlords?

The only change for most landlords is that payment of benefit worked out using the Local Housing Allowance rates will normally be made direct to the tenant. The tenant will be responsible for paying their rent to the landlord.



Which landlords does Local Housing Allowance affect?

Local Housing Allowance affects any landlord who enters into a deregulated private tenancy agreement with a person awarded Housing Benefit. By deregulated, we mean a tenancy that has been entered into since 1989 and is not covered by one of the exceptions listed in the next column.

Who is not affected by Local Housing Allowance?

Local Housing Allowance does not affect:

- local authority landlords who let to 'council tenants'
- tenancies with registered social landlords
- some supported housing
- tenancies which started before 15 January 1989 (2 January 1989 in Scotland)
- tenancies in caravans, houseboats or hostels
- tenancies where the Rent Officer has decided that a substantial part of the rent is for board and attendance.

Why is Local Housing Allowance being introduced?

Local Housing Allowance is being introduced to increase responsibility, place choice firmly in the hands of tenants and help develop the skills to make the transition into work. The objectives of introducing Local Housing Allowance are:

Fairness – to pay similar amounts to tenants with similar circumstances.

Choice – to allow tenants to choose between price and quality of accommodation.

Transparency – it is easier for tenants (before they commit themselves to a property) and landlords to find out how much rent could be covered by Housing Benefit.

Personal responsibility – making tenants take responsibility for budgeting for, and paying, their own rent.

Financial inclusion – to encourage tenants to have their housing payments paid into a bank account and set up a standing order to pay the rent to their landlord.

Improved administration and reduced barriers to work – a simpler system helps to speed up the administration of housing payments giving tenants more confidence when starting a job that any in-work benefit will be paid quickly.

Why are we stopping direct payment to landlords?

Tenants who get benefit calculated using the Local Housing Allowance rates should be able to take greater responsibility for managing their financial affairs and paying their rent to their landlords, in the same way as other tenants do. This is why any benefit will usually be paid to the tenant and not to the landlord.

In the past, there has never been a right for a landlord to receive Housing Benefit payments direct. However, there is a right for tenants to ask for this arrangement, and it is this right that is changing.

I already receive direct payment for some of my tenants. Will these payments stop?

No. Any tenant who is getting Housing Benefit on 7 April 2008 will continue to be paid the old way. If you are receiving Housing Benefit payments direct on behalf of your tenant(s), these will continue to be paid to you.

The Local Housing Allowance rules will only affect any tenants who make a new claim, move address to new private rented accommodation or have a break in their claim, on or after 7 April 2008.

If you are a landlord who owns or manages a number of properties, you may find that you have tenants who claim Housing Benefit under the two different schemes. This will mean that you may have tenants getting Housing Benefit that the local authority pays to you, and other tenants getting Housing Benefit calculated using the Local Housing Allowance rates who will pay you themselves.

What protection exists for landlords?

There are a range of safeguards to protect the interests of landlords. Some of these already exist. For example, a local authority must usually pay the benefit to the landlord if the tenant is eight weeks or more in arrears with their rent.

Payment may be made direct to the landlord where we decide that the tenant is:

- likely to have difficulty in managing their financial affairs,
- unlikely to pay their rent.

We can also decide to pay benefit to the landlord if, during the current claim for benefit, we have had to pay the landlord because the tenant was eight weeks or more in arrears with their rent.

We recommend that, if a tenant is starting to build up rent arrears, you should get in touch with us before it gets to eight weeks. This will allow us to investigate whether there is a problem that needs addressing.

For more details about this, please see page 34 - Local Housing Allowance: Support and money advice for tenants

Who decides if a tenant is likely to have difficulty in paying their rent?

The local authority will decide whether a tenant is likely to have difficulty in paying their rent. Evidence will be required to support a request, which can be made by the tenant or other interested party.

You, as a landlord, can approach us if you think it likely that your tenant will have difficulty in paying or you feel they cannot deal with their financial affairs. We will contact your tenant for further information regarding this.

It is up to us to decide whether a tenant is unlikely to pay their rent. We can only do this if we have evidence of past, or likely, failure to pay rent. We will take into account all knowledge and evidence available to us at the time, including any known past history when making our decision.

It will also be important for the landlord to keep proper and adequate records of rent payments received and details of any contact made with the tenant.

Can the tenant ask for their benefit to be paid to their landlord?

As part of the Housing Benefit reforms, tenants will no longer be able to simply ask for their benefit to be paid direct to their landlords. If a tenant feels that they may have difficulty in managing their financial affairs and may be entitled to direct payment to their landlord, we will consider any request they make.

For more details about this, please see page 34 Local Housing Allowance: Support and money advice for tenants.

Where direct payments are made to me, how long will they go on for?

Where a tenant is considered likely to have difficulty in paying their rent and there is little or no prospect of their situation changing, payment of benefit to the landlord is likely to be long-term.

In cases where the situation is likely to be temporary, or where rent arrears of more than eight weeks have been repaid, the situation will be reviewed. If the tenant is in a better position to have their benefit paid to themselves, and to pay their rent in full and on time, direct payments to the landlord will stop.

Won't tenants spend their Local Housing Allowance on other things?

Many tenants in the private rented sector get their Housing Benefit paid to them and regularly pay their rent on time. Where a tenant is moving to direct payment, we will make it clear to them what their responsibilities are and the consequences of not paying their rent.

There will be some tenants who can't manage their own rent payments, so the comprehensive package of safeguards will stop these customers falling into unmanageable difficulties.

The Local Housing Allowance scheme has been operating in 18 local authorities across England, Scotland and Wales since October 2003. In these areas, 84% of tenants whose benefit is calculated using the Local Housing Allowance rules are successfully managing their own rent payments. Of the remainder, only a third are having their Housing Benefit paid to the landlord because they have fallen into arrears of 8 weeks or more. The rest are having their benefit paid to the landlords because the local authority identified that they might not be able manage their rent payments.

Won't this discourage landlords from letting their properties to claimants?

We believe the Local Housing Allowance scheme has positives for both landlords and tenants.

The reforms are intended to help landlords, as well as tenants, by creating a more transparent system that is simpler to understand and administer. Overall, it will support and clarify the relationships between the local authority, tenants and landlords.

Landlords will still be able to approach the local authority for help with rent arrears for tenants getting benefit calculated using the Local Housing Allowance rules. They cannot do this where they have a tenant in rent arrears who is not getting benefit.

Because payments are going to tenants in most cases, this removes the possibility of landlords being asked to repay large amounts in overpaid benefit. Under the Local Housing Allowance scheme it is unlikely that the local authority would ask you to repay any money that your tenant has paid directly to you.

We believe that the safeguards that exist regarding direct payment to landlords strike the right balance in protecting the interests of both landlord and tenant.

Can I make direct payment a condition of the tenancy?

A local authority is not party to the tenancy agreement between a landlord and tenant, and is not bound by any conditions in a tenancy agreement. The local authority cannot pay benefit to a landlord directly at the tenant's request – the rules about when we can pay the landlord directly are outlined on page 22.. You cannot change this by making direct payment a condition of the tenancy.

What appeal rights do I have against a payment decision?

Appeal rights are not changing as a result of the new scheme. You will still have the right to appeal against a decision by the authority not to make direct payments.

Where to get more information

If you want to know more about the changes and how they affect you, get in touch with us- our contact details are on the back page.

Remember that this leaflet is a guide only. It is not meant to say exactly what your legal rights are. While we have tried to make sure that the information in this leaflet is correct at the date shown on the cover, it is possible that there may be incorrect information or some ideas may be oversimplified. Also, please remember that the information in this leaflet is likely to become less accurate over time because of changes to the law.



Local Housing Allowance: rights and responsibilities

Why is Local Housing Allowance better for me?

With Local Housing Allowance, you will know before you find somewhere to live, how much help with your rent you might get. By knowing how much you might get, it is easier for you to decide what type of property you can afford.

For details of how to work out how much Local Housing Allowance you may get, see page 4. To check the rates for the area you want to live in visit www.therentservice.gov.uk

You can choose how to spend your benefit in a similar way to tenants who are not getting benefits. Like other tenants you will be able to choose whether to rent a larger property, or spend less on housing and increase how much money you have for other things.

If you rent a cheaper property, the benefit that you can keep will not affect any other benefits that you get.

If you are looking for somewhere to rent you can choose to:

- rent a property where the rent is the same as the Local Housing Allowance rate you are entitled to
- pay more than the Local Housing Allowance rate you are entitled to and rent a more expensive property using other money you have coming in
- pay less than the Local Housing Allowance rate you are entitled to and rent a less expensive home. In this case your Local Housing Allowance rate can be up to £15 more than your rent



The following examples show how this works. **These examples are for tenants who are entitled to the maximum amount of benefit.**

Fred's Local Housing Allowance rate is £65 a week. His rent is £60 a week. Fred gets benefit of £65 a week and can keep £5 a week to spend on other things.

Helen's Local Housing Allowance rate is £80 a week. Her rent is £90 a week. Helen gets benefit of £80 a week and has to pay the extra £10 a week from other money she has coming in.

Tony's Local Housing Allowance rate is £100 a week. His rent is £80 a week. Tony gets benefit of £95 a week and can keep £15 a week to spend on other things

How do I get paid my benefit?

With Local Housing Allowance, benefit is usually paid to you and not to your landlord. You cannot choose to have your benefit paid direct to your landlord. But we can pay benefit to your landlord if we decide that you are likely to have difficulty paying your rent.

See page 34 Local Housing Allowance: Support and money advice for tenants for more details about this.

Usually you will have your benefit paid directly to you. It will be paid to you directly into your bank or building society account, if you have one, or by cheque.

If you do not already have a bank or building society account, you may want to set one up. That way you can arrange to pay the rent to your landlord automatically. This is called a standing order or direct debit.

You can get advice about opening and

running a bank account from any bank or building society. You can also get advice from your Local Area Office or a welfare organisation such as Citizens Advice. See pages 40-42 for details of money advice organisations

Paying your rent

As a tenant you are responsible for paying your rent to your landlord.

If you do not pay the rent your landlord may apply to the local authority to have it paid to them, or take other action to recover their money.

If you are in rent arrears your landlord may be able to go to the courts and ask that you be evicted from your home.

Eviction means that:

- you will lose your home
- your benefit may not be paid to you in the future
- you may have difficulty finding new accommodation, as your landlord is unlikely to give you a reference
- you will still have to pay the landlord the money you owe and possibly extra money to cover any court costs
- an application for re-housing could be affected as you may be considered to have made yourself intentionally homeless.

Further information

If you want to know more about the changes and how they affect you, get in touch with us - our contact details are on the back page.

Remember that this leaflet is a guide only. It is not meant to say exactly what your legal rights are. While we have tried to make sure that the information in this leaflet is correct at the date shown on the cover, it is possible that there may be incorrect information or some ideas may be oversimplified. Also, please remember that the information in this leaflet is likely to become less accurate over time because of changes to the law.



Local Housing Allowance: reviews and appeals

What can I do if I disagree with your decision?

If you disagree with a decision we have made in the assessment of your claim you can dispute our decision in a number of ways. You can:

- ask us to explain the decision
- ask us to look at the decision again – this is known as a review
- submit an appeal in writing giving the reasons you disagree with the decision.

How do I ask for a review?

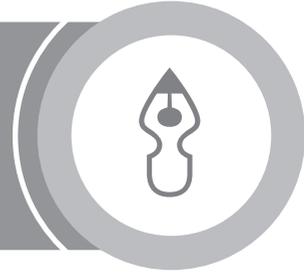
You can ask us to review our decision about your claim for Housing Benefit including the Local Housing Allowance rate we have applied to you. Your request for a review must be in writing. You must include details of why you think our decision is wrong. You can fill in a Housing Benefit and Council Tax Benefit Dispute form.

Find it online at www.lambeth.gov.uk/forms and select Housing and Housing Benefit forms. You can also pick one up from our offices- details are on the back page.

We must get your request for a review within one month of the date of the decision letter. If we do not get it within one month, we may not be able to look again at your claim.

You cannot ask for a review of the Local Housing Allowance rates for the area to which they apply.

Details of how to get in touch with us are on the back page.



How do I ask for an appeal?

You can fill in a Housing Benefit and Council Tax Benefit Disputes form to ask the Tribunals Service to look at our decision. Your request for an appeal must be in writing. Details of how to appeal will be included in your decision letter. The Tribunals Service must get your request for an appeal within one month of the date of the decision notification letter. If they do not get it within one month, they may not be able to look again at your claim.

If you have asked us to review our decision and have received a reply from us, you can ask the Tribunals Service to look at our review decision. The Tribunals Service must get your request for an appeal within one month of the date of the decision notification letter. If they do not get it within one month, they may not be able to look again at your claim. You cannot appeal to the Tribunal Service about the amount of the Local Housing Allowance or the area to which it applies.

The Tribunals Service may be able to consider an appeal outside this time limit if there are special circumstances. They cannot consider an appeal if it is made more than 13 months from the date of the original decision notification letter. To find out more about this, get in touch with the Tribunals Service (www.appeals-service.gov.uk).

Who can make an appeal?

Someone who is affected by the decision may appeal, including

- the person making the claim
- someone who is appointed by the courts to act on behalf of the person making the claim
- someone who the council agrees is appointed to act on behalf of the person making the claim
- a landlord – but only about who benefit may be paid to
- an agent – but only about who benefit may be paid to
- any person from whom an overpayment is to be recovered.

Further information

if you want further information get in touch with us- our contact details are on the back page.

You may find it helpful to talk to a welfare rights organisation, such as Citizens Advice. You can get their details on pages 40-42.

Alternatively visit the Tribunals Service website at www.appeals-service.gov.uk

Remember that this leaflet is a guide only. It is not meant to say exactly what your legal rights are. While we have tried to make sure that the information in this leaflet is correct at the date shown on the cover, it is possible that there may be incorrect information or some ideas may be oversimplified. Also, please remember that the information in this leaflet is likely to become less accurate over time because of changes to the law.





Local Housing Allowance: Support and money advice for tenants

With Local Housing Allowance, benefit is usually paid to the tenant. Tenants cannot choose to have their benefit paid to their landlord. But in some circumstances we can decide to pay benefit to the landlord.

When may a local authority make payments to the landlord?

The local authority must usually pay the benefit to the landlord if the tenant is eight weeks or more in arrears with their rent.

Payment may be made direct to the landlord where we decide that the tenant is:

- likely to have difficulty in managing their financial affairs, or
- unlikely to pay their rent

We can also decide to pay benefit to the landlord if, during the current claim for benefit, we have had to pay the landlord because the tenant was eight weeks or more in arrears with their rent.

Who can ask for the payments to be made to the landlord?

Tenants, landlords, tenants' families or persons acting on the tenants' behalf, may tell the local authority that they are having difficulty paying their rent, or are unlikely to. The local authority may also identify tenants who may have difficulty managing their money, for example, when carrying out home visits. Landlords can contact the local authority, especially if the tenant is getting into arrears with their rent.



Who may have difficulty paying their rent?

There are many reasons why someone may have difficulty paying their rent.

They might be someone who:

- has severe debt problems
- has a recent County Court judgement against them
- is an undischarged bankrupt
- is unable to open a bank or building society account
- has some of their Income Support or Jobseeker's Allowance paid direct to the gas, electricity or water company by the Department for Work and Pensions
- is getting Supporting People help
- is getting help from a homeless charity.

Or someone may have difficulty paying their rent if they:

- have learning difficulties
- have an illness that stops them managing on a day-to-day basis
- cannot read English
- cannot speak English
- are addicted to drugs, alcohol or gambling
- are fleeing domestic violence
- are a care leaver
- are leaving prison
- are homeless.

There may be other reasons why someone might have difficulties. Ask us for more information. Details about how to get in touch with us are on the back page.

Who decides if we may pay the landlord?

We decide if we may pay the landlord.

There may be times when Housing Benefit staff know someone has difficulty in managing their money and may take action based on this knowledge. We recommend that, if someone thinks a tenant may have difficulty managing their money, they encourage the tenant to contact us.

We must have evidence to show that they have difficulty managing their money and that it is in their interest that we pay the landlord directly. Evidence should usually be in writing.

People who can provide evidence include:

- the tenant
- friends and family of the tenant
- the landlord
- welfare groups (including money advisers)
- Social Services
- probation officers
- Jobcentre Plus
- The Pension Service
- homeless charities or organisations
- Supporting People teams
- local or council rent deposit scheme administrators, homelessness or housing advice officers.

We will work with the tenant in making our decision.

Making a decision

Once we have collected evidence we will decide as quickly as possible if direct payments to the landlord are appropriate. We will still pay benefit while we are making our decision.

We will write to the tenant and explain our decision. We will also write to the landlord.

Reviews and appeals

If the tenant or landlord disagrees with our decision they can ask us to look at the decision again. This is called a review. Or they can appeal against the decision, giving reasons why they think the decision is wrong.

If you want more information about reviews and appeals, please see page 30 Local Housing Allowance: reviews and appeals.

Money advice

Tenants can get help managing their money from Lambeth Savings & Credit Union, 244b Brixton hill, London SW2 1HF or by phone on 020 3256 0000.

Or they can visit a welfare organisation such as Citizens Advice. See page 40 for further information.

How will my benefit be paid?

With Local Housing Allowance you will usually have your benefit paid directly to you. You cannot choose to have your benefit paid direct to your landlord.

If you are likely to have difficulty paying your rent, you can ask us to pay your benefit to your landlord. Please see page 34 for more information about this.

What will happen if I don't use my benefit to pay my rent?

As a tenant you are responsible for paying your rent to your landlord. This is the same as for tenants who do not get benefit. If you do not pay your rent your landlord may apply to us to have your benefit paid to them. Or they may take other action to recover their money, including evicting you from your home.

Eviction means that:

- you will lose your home
- your benefit may not be paid to you in the future

- you may have difficulty finding new accommodation, as your landlord is unlikely to give you a reference
- you will still have to pay the landlord the money you owe and possibly extra money to cover any court costs
- an application for re-housing could be affected as you may be considered to have made yourself intentionally homeless.

How can I pay my rent?

The easiest way to pay your rent is if you have your benefit paid into a bank or building society account. That way you can arrange to pay the rent to your landlord automatically. This is called a standing order or direct debit. As long as you have enough money in your account, you won't have to worry about remembering to pay your rent and your landlord will know the rent will be paid automatically.

If you do not already have a bank or building society account, you may want to set one up.

Opening a bank or building society account

If you don't have a bank or building society account, now may be a good time to think about opening one. You should be able to open an account either at a bank, building society or at the Lambeth Savings & Credit Union.

You can get advice about opening and running a bank account from any bank or building society. There are many organisations that can give you advice about money, including if you have already tried to open an account and have not been able to.

Help with managing your money and debt

If you are concerned about managing your money or you have debts, try not to worry, but do not ignore your problem – it won't go away. If you cannot pay your rent because of money problems you may be evicted from your home. You must ask for help. There are many organisations that can give you advice about debt and money problems. They are listed on page 38.

Lambeth Savings & Credit Union,
244b Brixton Hill, London SW2 1HF
or check on the advice pages of our
website www.lambeth.gov.uk/lha

British Bankers' Association (BBA)

The BBA produce some useful leaflets on proving your identity and a range of banking services. For more information:

- visit www.bba.org.uk
- phone 020 7126 8800

Financial Services Authority (FSA)

The FSA provide a financial health check service. For more details visit <http://www.moneymadeclear.fsa.gov.uk/tools/financial-health-check.html>

This can help you work out your financial priorities and make decisions about your money. Pick up an FSA basic bank account booklet from one of our Customer Centres- details are on the back page.

The FSA also have a budget calculator to help you to think about your spending and to work out whether you have enough money coming in to cover your outgoings. For more details visit <http://www.moneymadeclear.fsa.gov.uk/budgetcalc>

Consumer Credit Counselling Service

The Consumer Credit Counselling Service (CCCS) provides free debt advice over the phone. Everything is free and confidential, from budgeting advice to practical Debt Management Plans. This service is available to everyone in the UK
For more details:

- look on their website www.cccs.co.uk
- email contactus@cccs.co.uk
- ring them on 0800 1381111
- or write to them at:

Consumer Credit Counselling Service
Wade House
Merrion Centre
Leeds
LS2 8NG

Lambeth Citizens Advice Bureau

Ilex House, 1 Barhill Road, London SW2 4RJ
Phone 020 8674 8993
Citizens Advice Bureau (CAB) offer advice on debt problems and a very wide range of other money and non-money topics.

National Debtline

This is a telephone-based service and is a national helpline for people with debt problems in England, Wales and Scotland. They will discuss debt problems with you and explain the options available to you.

For more details:

- look on their website
www.nationaldebtline.co.uk
- ring them on 0808 808 4000
- or write to them at:

National Debtline

Tricorn House
51-53 Hagley Road
Edgbaston
Birmingham
B16 8TP

Payplan

Payplan provide free debt advice and management.

For more details:

- look on their website
www.payplan.com
- email help@payplan.com
- ring them on 0800 917 7823
- or write to them at:

Payplan Ltd
Kempton House
Dysart Road
Grantham
NG31 7LE

Insolvencyhelpline.co.uk

This is a not-for-profit debt advisory service for debt advice and debt management.

For more details:

- look on their website
www.insolvencyhelpline.co.uk
- email info@insolvency.co.uk
- ring them on 0800 0746918

Age Concern

Age Concern provides information on income and benefits for older people.

For more details:

- look on their website
www.ace.org.uk
- email web@ace.org.uk
- ring them on 0800 00 99 66
- or write to Age Concern
Lambeth on:

Age Concern Lambeth
Third floor
336 Brixton Road
London
SW9 7AA

Age Concern Lambeth

Third Floor
336 Brixton Road
London
SW9 7AA

Clapham Community Project

St Anne's Hall
Venn Street
London
SW4 OBN
Phone: 020 7627 0240

Lambeth Law Centre

Unit 4
The Co-op Centre
11 Mowll Street
London
SW9 6BG
Phone: 020 7840 2001

Brixton Advice Centre

167 Railton Road Brixton
London
SE24 OLU
Phone: 020 7733 4674

Disability Advice Service Lambeth

336 Brixton Road
London
SW9 7A A
Phone: 020 7738 5656

Waterloo Action Centre

14 Bayliss Road
Waterloo
London
SE1 7A A
Phone: 020 7261 1404

Centre 70

46 Knights Hill
West Norwood
London
SE27 OJD
Phone: 020 8670 0070

Lambeth Citizens' Advice Bureau

Ilex House
1 Barrhill Road
London
SW2 4RJ
Phone: 020 8674 8993

If you are struggling to live on the money you have or are experiencing problems with debt, you may want to think about whether you are getting all the benefits or tax credits that you are entitled to.

For more information and advice you can visit the central government money advice section on the internet at www.directgov.co.uk. This also has a wide range of public service information and links to other organisations which you may find useful if you are looking for help or advice.

If you have any queries about Housing Benefit and how it is worked out using the Local Housing Allowance rates, get in touch with us - our contact details are on the back page.

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If you would like this information in large print, in Braille, on audio tape or in another language, please phone us on 0845 300 0328.

Spanish

Si desea esta información en otro idioma, rogamos nos llame al 0845 300 0328

Portuguese

Se desejar esta informação noutro idioma é favor telefonar para 0845 300 0328

French

Si vous souhaitez ces informations dans une autre langue veuillez nous contacter au 0845 300 0328

Bengali

এই তথ্য অন্য কোনো ভাষায় আপনার প্রয়োজন হলে অনুগ্রহ করে ফোন করুন 0845 300 0328

Twi

Se wope saa nkaeboy yi wo kasa foforo mu a fre 0845 300 0328

Yoruba

Tí ẹ ba ẹ imoràn yìí, ní èdè Òmíràn, ẹjọ́, ẹ kàn wà l'ágogo 0845 300 0328

Brixton Customer Centre

Olive Morris House
18 Brixton Hill
London SW2 1RL

The office is open at the following times.
Mondays, Wednesdays and Fridays:
8.30am to 5.30pm
Tuesdays: 8.30am to 3pm
Thursdays: 8.30am to 7pm
Saturdays: 10am to 2pm

Gracefield Gardens Customer Centre

8 Gracefield Gardens
Streatham
London SW16 2ST

The office is open at the following times.
Mondays, Thursdays and Fridays:
8.30am to 5.30pm
Tuesdays: 8.30am to 3pm
Wednesdays: 8.30am to 7pm
Saturdays: 10am to 2pm

Website: www.lambeth.gov.uk/benefits

