

**Important
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Changes to Housing Benefit from April 2011

Do they affect you?

About this booklet

This booklet tells you about the Government's changes to Housing Benefit from 1 April 2011. If you need any further information or are unclear about any of these changes, please contact us (see back page).



To request this information in an alternative format or language please call 01395 516551 or email csc@eastdevon.gov.uk

We consider requests on an individual basis

Changes to Local Housing Allowance (LHA)

From 1 April 2011 significant changes have taken place in the way that the LHA operates. The changes affect **new customers** immediately.

If you are an **existing customer** you will not normally be affected by the changes until your LHA anniversary date but they could apply sooner if someone moves in or out of your household, or if you move to a different address.

The main changes

The main changes that may apply to you are:

- The LHA rates have been reduced and are set at a level that means about three in ten properties for rent should be affordable to people on Housing Benefit (HB), rather than half of the properties as before. You can check the new LHA rates for comparison with the old ones on our website at www.eastdevon.gov.uk/benefits.

- The maximum LHA rate is now for a four bedroom property instead of a five bedroom property.

- If you are an existing customer and you see a reduction in your LHA rate you may get up to nine months **transitional protection** from the date that the changes apply to you. (Please see 'What is transitional protection?', page 8.)

Transitional protection will end sooner than nine months if you:

- change address
- become entitled to a larger category of property and the maximum rent (LHA) is equal to or higher than the transitionally protected eligible rent
- become entitled to a smaller category of property
- are entitled to bereavement protection (up to twelve months) following the death of someone in the household.

■ Some customers get up to an extra £15 per week in HB because the LHA rate is more than they actually have to pay in rent. This extra entitlement will stop from the LHA anniversary date. The extra benefit will not be included in the transitional protection arrangements. (Please see ‘What is transitional protection?’, page 8.)

■ Local Housing Allowance (LHA) is paid directly to customers except in very special circumstances. Those circumstances have been extended. This means that we can now pay HB directly to landlords if we consider that it will help customers to secure a new tenancy or to keep an existing tenancy.

■ From April 2012, single people under the age of 35 (previously under the age of 25) with no dependants will normally only be entitled to the shared room rate.

Other changes from April 2011

Non dependants

A 'non dependant' is anyone in your home over the age of 18 for whom you do not receive child benefit. The amount which any non dependant in a household is expected to contribute towards the rent and Council Tax is to increase. You can find the rates of increase on our website.

Baby premium

The baby element of Child Tax Credit (CTC) ended in April 2011. In line with this change, the increase in your applicable amount for a child under the age of 1 also ended in April 2011. This meant your benefit may have gone down.

Overnight carers

Extra help is now available for disabled customers, or their partners, who have a carer who stays overnight but who doesn't normally live with them. To get this help, there must already be an extra bedroom in your home available for the carer to use.

This change applies to all tenants who meet the qualifying conditions and live in privately rented accommodation, no matter how their HB is worked out. If you have an overnight carer, make sure that you let us know so that we can look at your benefit again.

Questions and answers

Q Will I be affected by the changes to LHA rates?

A If you are renting from a private landlord and you made your claim for HB at your current address on or after 7 April 2008 it is likely that you will be affected by these changes.

Q I have been getting HB since before April 2008. Could the changes affect me?

A Providing you continue to live in the same property and you don't have a break in your HB claim, the LHA changes will not apply to you. Depending on your circumstances, the other changes may affect you.

Q I am already getting HB.

When will I be affected by the changes?

A If you are already getting HB you will not normally be affected until your anniversary date. But if there is a change in your household, such as someone leaving or someone coming to live with you, or if you move, the changes could apply sooner.

Q When is my anniversary date?

A Your anniversary date is normally the date you first made your current claim. For example, if you claimed HB on 5 September 2008, your anniversary date would be 5 September, unless you subsequently moved house or your household changed. In this case, the changes the Government made from 1 April 2011 would affect you from 5 September 2011. But then you could be entitled to transitional protection for up to nine months.

Q Could I be affected earlier than the anniversary date?

A Yes. If you change address you will be assessed under the new rules straight away with no transitional protection.

If there is a change in your household which means that you become entitled to a smaller category of property the changes will apply straight away and there will be no transitional protection.

If there is a change in your household which means that you become entitled to a larger category of property you will be assessed under the new rules straight away but you could get transitional protection for up to nine months.

Q The rent I am paying now is likely to be more than the HB I will get when the changes come in. What should I do?

A You can talk to your landlord and ask if they will drop the rent. If that isn't possible you may need to start looking for cheaper accommodation. (Please see page 11 for further housing advice.)

Q My landlord won't reduce my rent and it is going to be difficult for me to move. Is there any other help available that I could get?

A We may be able to help with a Discretionary Housing Payment to meet the gap between your HB and the rent you pay.

Q What is a Discretionary Housing Payment (DHP)?

A These are extra payments to help pay rent, Council Tax or both. We may be able to give DHPs to benefit customers who need more help with their housing costs, if these are more than the amount of benefit they get. The Council has a cash limited budget for DHPs which we cannot exceed in any year.

Q I need a property with more than four bedrooms. Will I only get benefit at the four bedroom rate?

A Yes. The maximum HB you get will be based on the four bedroom rate. You can still look for properties with more than four bedrooms, or other rooms that can be used as bedrooms, with rents that are within the four bedroom rate.

Q Do I have to be getting HB under the LHA arrangements to get the allowance for another bedroom for an overnight carer?

A No. This change applies to all disabled customers or their partners who meet the qualifying conditions and live in privately rented accommodation no matter how their HB is worked out.

Q What is transitional protection?

A This is an amount of money that will make up the difference between your current LHA rate and your new reduced LHA rate.

Q How will transitional protection work?

A You can get transitional protection if all of the following apply:

- you were claiming under the LHA arrangements immediately before 1 April 2011
- you have a new LHA rate determined on or after 1 April 2011 because you have reached your anniversary date or become entitled to a larger category of property
- the new LHA rate is lower than the old LHA rate which applied immediately before 1 April 2011.

In these cases your LHA for the period of transitional protection will be based on the old LHA rate before April 2011 (excluding any £15 excess – please see page 4).

Q How long will transitional protection last?

A Transitional protection will normally last for nine months after which your HB will be based on the actual LHA rate that applies to you.

It could end sooner than nine months if:

- you become entitled to a larger category of property and the new LHA rate is equal to or higher than the transitionally protected LHA rate
- you become entitled to a smaller category of property
- you change address
- you are entitled to bereavement protection (up to twelve months) following the death of someone in your household.

An example of transitional protection

10 May 2010:
Customer claims HB

Customer pays weekly rent of £130. They are entitled to a two bedroom property and the LHA rate is £125.

10 May 2011:
Anniversary date of customer's HB claim

The customer's rent is still £130 and the new LHA rate is £115. The new LHA rate of £115 is lower than the old LHA rate of £125 so transitional protection of £10 applies for up to a maximum of nine months.

(If the customer moves house during this time, transitional protection of £10 ends immediately and the new LHA rate of £115 applies.)

10 February 2012:
Transitional protection ends after nine months

As transitional protection ends, the new LHA rate of £115 applies from this date.

TRANSITIONAL PROTECTION

For other information and advice

Valuation Office Agency (VOA) Information on LHA, fair rents, and other related topics	Tel: 0845 026 4696 www.voa.gov.uk
Shelter Offering confidential housing, welfare benefits, debt advice	Tel: 0808 800 4444 www.shelter.org.uk
Directgov Government information	www.direct.gov.uk
Citizens Advice Bureau Free, independent, and confidential advice	Exmouth: Tel: 01404 44213 Honiton, Sidmouth, Axminster: Tel: 01395 264645 www.citizensadvice.org.uk
Turn2us Help to access benefits	Tel: 0845 802 2000 www.turn2us.org.uk
Age UK Information and advice for the elderly	Tel: 0800 00 99 66 www.ageuk.org.uk

How to contact us



Phone:

01395 517446 (Monday–Friday, 8.30 am–5 pm)



Visit:

Council Offices, Knowle, Sidmouth

(Monday–Friday, 8.30 am–5 pm)

Exmouth Town Hall

(Monday, Tuesday, Thursday, Friday, 9 am–4.30 pm)

Come and see us at one of our regular surgeries in Honiton,

or by appointment in Axminster or Seaton (please call

01395 517446 for times of opening)



Write:

Housing Benefits, East Devon District Council,

Knowle, Sidmouth, EX10 8HL



Email:

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Online:

www.eastdevon.gov.uk

www.eastdevon.gov.uk



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