

Local Housing Allowance: rights and responsibilities

Housing and Council Tax Benefit



Do you need help with this leaflet?

Maybe English is not your first language, you have difficulty reading it because the print is too small, or you are not sure what it means.

Please phone **01395 517446**.

What is Local Housing Allowance?

Local Housing Allowance was introduced on 7 April 2008.

It is a new way of working out new claims for Housing Benefit for tenants who rent their accommodation from a private landlord.

It also affects tenants already getting Housing Benefit who move into accommodation rented from a private landlord.

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.

For more details about this, please ask us for a copy of our leaflet **HB(LHA)1 Local Housing Allowance: an introduction**. You can get this from us at the address shown on the back page.

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 our leaflet **HB(LHA)2 Working out your Local Housing Allowance**.

We can also tell you the rates for the area you want to live in or you can find them on our website www.eastdevon.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.

Here are three examples to show how Local Housing Allowance works.

The 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 is my benefit paid?

With Local Housing Allowance, we usually pay your benefit 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.

We pay your benefit 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 think about setting one up. That way you can arrange to pay the rent to your landlord automatically. This is called a standing order.

You can get advice about opening and running a bank account from any bank or building society or from a welfare organisation such as the Citizens Advice Bureau. You will find a list of our local CABs on the next page.

Please contact us if you want more information about when we may consider direct payments to the landlord, or when we must pay the landlord.

You can also ask us for a copy of our leaflet **HB(LHA)3 Local Housing Allowance: tenants who are likely to have difficulty paying their rent.**

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, please see our contact details on the back page of this booklet.

Money advice

You can get help managing your money from many advice and welfare organisations, including:

The Consumer Credit Counselling Service

A charity dedicated to providing confidential, free counselling and money management assistance. Call free on **0800 1381111** or go online at **www.cccs.co.uk**.

Community Legal Service Direct

A free, government-funded, confidential advice service. Call **0845 3454345** or go online at **www.clsdirect.org.uk**.

The Financial Services Authority

The UK's financial watchdog. It cuts out the jargon and provides useful guides to products such as bank accounts. You will also find tools such as budget and pension calculators at **www.moneymadeclear.fsa.gov.uk**.

Citizens Advice Bureaux (CABs)

Free, independent advice agencies. Our local branches, Citizens Advice Service East Devon (CASED) serves the whole of the East Devon area.

Exmouth: Town Hall, Exmouth. Open Monday to Friday from 10.00am to 12.30pm and 2.00pm to 4.00pm. Tel: **01395 264645**.

Honiton: Honiton Library, New Street. Open Monday, Tuesday, Thursday and Friday from 9.30am to 12.30pm. Tel: **01404 44213**.

Sidmouth: The Community Partnership Building, Mill Street. Open on Mondays from 9.30am to 12.30pm. Tel: **01404 44213**.

Axminster: Lea Combe House, Lyme Close. Open on Fridays from 10.00am to 1.00pm. Tel: **01404 44213**.

Please 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.

Contact us



Phone:

Our Benefits and Council Tax Helpline **01395 517446**.
Open Monday to Friday between 8.30am and 5.00pm.



Visit us at:

- **The Council Offices, Knowle, Sidmouth**
Open Monday to Friday from 8.30am to 5.00pm
- **Exmouth Town Hall** open Monday, Tuesday, Thursday and Friday from 9.00am to 1.00pm and 2.00pm to 4.30pm
- **One of our regular surgeries** in Axminster, Seaton or Honiton
(phone **01395 517446** for dates and times)



Write to us:

Housing Benefits
East Devon District Council
Knowle, Sidmouth EX10 8HL



Email us:

benefits@eastdevon.gov.uk

Visit our website:

www.eastdevon.gov.uk