

Where to get more information

Please contact us if you want to know more about Local Housing Allowance reviews and appeals. Our contact details are on the back of this leaflet or you can visit www.direct.gov.uk.

You can also contact a free, independent debt advice agency such as a Citizens Advice Bureau (CAB). The phone numbers for our local offices are **01395 264645** for Exmouth and **01404 44213** for Honiton, Sidmouth and Axminster.

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.

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.

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



Local Housing Allowance: reviews and appeals

Housing and Council Tax Benefit



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 renting 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 such as a housing association property, Local Housing Allowance does 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

Contact us to find out more about working out your Local Housing Allowance (see back of this leaflet).

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 challenge it in a number of ways. You can:

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

We must get your request for a review within **one month** of the date of the decision notification 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 you want to live in.

How do I ask for an appeal?

You can 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 notification letter. We must get your request for an appeal within **one month** of the date of the decision notification letter. If we do not get it within one month, we 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. We must get your request for an appeal within **one month** of the date of the decision notification letter. If we do not get it within one month, we may not be able to look again at your claim.

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 (visit www.tribunals.gov.uk or write to: The Tribunals Service, Eastgate House, Newport Road, Cardiff CF24 0YP).

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.