

# **Application for Payments of Local Housing Allowance to your Landlord**

## **Guidance Notes**

Local Housing Allowance is a scheme of Housing Benefit for people living in private rented accommodation.

Local Housing Allowance is usually paid to the claimant; a claimant cannot simply request that payment is made to their landlord to cover their rent.

There are circumstances where we must pay the landlord the Local Housing Allowance and these are:

- The claimant is 8 full weeks in arrears with their rent
- The claimant is having deductions made from their Income Support or Job Seekers' Allowance to pay for rent arrears

We can also make a decision to pay the Local Housing Allowance to the landlord on behalf of the claimant where we consider the claimant is unlikely or unable to pay their rent (this could be because they are vulnerable or have severe financial difficulties) or where the landlord has reduced the rent in order for a claimant to secure/retain their tenancy.

### **What do we mean by unlikely to pay the rent?**

- A claimant has rent arrears and has consistently failed to pay
- A claimant has previously absconded from a property leaving rent arrears

### **What do we mean by financial difficulties?**

- Claimants who are unable to open a bank or building society account
- Claimants with severe debt problems
- Claimants who are bankrupt

## **What do we mean by vulnerable?**

By vulnerable we mean someone who may difficulty managing his or her money. This may include:

- People with medical conditions
- People with learning difficulties
- People with physical disabilities
- People who are mentally ill
- Illiteracy or an inability to speak, read or write English
- A person with alcohol/substance/gambling addiction
- A person receiving assistance from a homeless charity
- A person who is housebound or lives alone with no support

The above list is not exhaustive and there may be other reasons why the claimant is to be considered vulnerable.

## **What do we mean by reducing the rent to secure/retain the tenancy?**

- That the rent you are charged is equal to or less than the relevant Local Housing Allowance rate due to the change in Local Housing Allowance Regulations from 1 April 2011
  - For new claims, this change would be applicable from 1 April 2011
  - For existing claims, this would be applicable when any transitional protection ended

## **What evidence is required?**

In all cases written evidence will be required and will depend upon the claimant's circumstances.

People who can provide evidence include:

Family and friends of the claimant  
The landlord  
Welfare groups  
Care workers  
Money and debt advisors  
Social Services  
GP  
Probation officers  
JobCentre Plus  
The Pension Service  
Support workers  
Community nurses  
Hospital staff  
Court staff

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This list is not exhaustive and we will require signed, written permission from the claimant to contact third parties on their behalf.

## **Making a Decision**

Once we have collected evidence we will decide as quickly as possible whether payment of Local Housing Allowance should be made to the landlord or the claimant.

We may pay Local Housing Allowance to the landlord while we are making our decision. We will advise the claimant if they are considered vulnerable. We will also write to the claimant or their representative and explain our decision.

## **Reviewing a Decision**

Where a decision is made to pay the landlord we will set an appropriate review date to see if the circumstances of the claimant have change which means they may be able to receive direct payment of their Local Housing Allowance.

In most cases, we will assist the claimant to help them manage their finances and receive direct payments of Local Housing Allowance.

This will include:

- Assisting the claimant to open a bank or building society account
- Guidance to the claimant to manage a basic bank account
- Guidance and advice for the claimant on day to day budgeting

## **Appeals**

If the claimant or landlord disagrees with our decision they can appeal against it. The rules for this are the same as for Housing Benefit. Ask for more information about this. Details about how to contact us are at the end of this leaflet.

## **Further Information**

If you would like more information or an application form to apply for payments of your Local Housing Allowance to be made to your landlord, please visit any Neighbourhood Office or contact the Benefit Service on 0121 464 7000.

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