

# Housing and Council Tax Benefit

## More Frequently Asked Questions

Our website contains the answers to the questions we are asked most often. Here are some more answers to questions you may have.

When will my claim start?	Page 2
How do service charges affect Housing Benefit ?	Page 2
Who are the Rent Service and what do they do?	Page 3
What can I do if I disagree with the decision made by the Rent Service?	Page 3
I'm thinking of moving. What is a pre-tenancy determination and how can I get one?	Page 3
Are my child care costs taken into consideration?	Page 4
How long will my benefit be paid for?	Page 4
What is an extended payment and how can I get one?	Page 4
What is a 'discretionary housing payment' and how can I get one?	Page 5
What proofs do I need to give you?	Page 6
What proofs do I need to give you? (for people getting Pension Credit)	Page 12
What if I don't have all the proof you need?	Page 13
What happens if Housing Benefit or Council Tax Benefit is overpaid?	Page 14

Disclaimer: This information in this document was accurate at the time of publication but it is only intended as a guide. It should not be taken as an authoritative statement of the law or your responsibilities.

## When will my claim start?

You should never delay making a claim for Housing Benefit and Council Tax Benefit. If you do so you may lose money.

If you qualify, your benefit payments will normally start from the Monday after we receive your claim. In some circumstances, we can pay from an earlier date than this. For example:

- If you want us to pay benefit from a date before you made your claim you should ask us in writing to **backdate** your claim. You will need to tell us why you were unable to claim earlier and the date you want us to pay from.

We will only be able to backdate your claim if you can show us that you have a good reason for not claiming earlier and that you claimed as soon as you were able.

The earliest we can backdate your claim to is the date 52 weeks before you make a backdating request.

- If you or your partner are aged 60 or over there are special rules that automatically allow us to pay you benefit from a date up to 12 months earlier. In some cases this could result in a large arrears payment.

## How do service charges affect Housing Benefit ?

Housing Benefit can be paid for some services that are included in your rent but not others. For example, we can pay towards:

- Furniture
- Communal cleaning
- Fuel for communal areas (e.g. heating in corridors between flats)

But we cannot pay towards:

- Water charges
- Gas and Electricity for non communal areas
- Meals
- Emergency Alarm systems
- Personal Care

## Who are the Rent Service and what do they do?

The Rent Service is part of the Department for Work and Pensions. Their main role is to carry out rental valuations for Housing Benefit purposes. If you live in privately rented accommodation we will ask the Rent Service to tell us whether your rent is more than your landlord might reasonably be expected to get in open market conditions.

We will normally only pay Housing Benefit based on the figures the Rent Service provides.

If you are a single person aged under 25 the Housing Benefit we pay you will normally be restricted to the average rent of a single room with shared facilities in your area.

## What can I do if I disagree with the decision made by the Rent Service?

If you disagree with the Rent Service's valuation of your property you can ask for it to be looked at again. This is called a re-determination. You must do this in writing within 6 weeks of the date that the Rent Service's decision was applied.

The Rent Service arranges for the decision to be looked at again by someone else. They then provide us with their findings. If the new decision is higher than the old one your Housing Benefit will increase and we will pay any arrears of Benefit that we owe you. But in some cases the new decision could be lower than the old one. If this happens your benefit will reduce from the date that the new decision was made.

## I'm thinking of moving. What is a pre-tenancy determination and how can I get one?

A pre-tenancy determination is when you ask us to work out what is the most Housing Benefit you **could** get in a property **before** you move in. It is a way of finding out if the property is the right size for you and if you will be able to afford the rent.

If you want a pre-tenancy determination you need to complete a '**Pre tenancy application form**', have it signed by the landlord of the property and then return it to us. The Rent Service will value the property and send you their decision. If you choose to move in, your Housing Benefit will be based on this decision.

You can get a 'Pre tenancy application form' from any of our offices. The addresses are on our website.

Or you can download the form from our website at [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits).

A pre-tenancy determination notice will show the most Housing Benefit you **could** get if you took up the tenancy. It **will not** tell you how much benefit you will receive, as this depends on your income and circumstances.

### **Are my child care costs taken into consideration?**

If you are working and you have one or more children with a registered childminder or nursery you could be entitled to an increase in your benefit.

To get this extra help your child or children must be with a Council registered childminder or nursery or a scheme held on school premises.

You need to tell us in writing:

- the name of the child or children that are looked after
- how much you pay
- the registration number of the childminder or nursery

We will also ask you to provide proof of the payments you make

### **How long will my benefit be paid for?**

We will continue to pay you benefit for as long as you qualify. Sometimes we will ask you to complete a form to check that you are still entitled. When you get one of these forms you must send it back to us as soon as you can. If you don't return the form to us your benefit will end.

### **What is an extended payment and how can I get one?**

If you stop getting:

- Income Support
- Jobseeker's Allowance
- Severe Disablement Allowance, or
- Incapacity Benefit

because you have started work, your Housing and Council Tax Benefit would normally go down from the Monday after you start work. However, you may be able to delay this decrease by four weeks. This delay is called an 'Extended Payment'.

You can get an extended payment if **all** of the following apply:

- You have been getting Income Support, Jobseeker's Allowance, Incapacity Benefit or Severe Disablement Allowance continuously for at least 26 weeks
- That benefit has ended because you have started work, or increased your hours or earnings
- The job or increase is expected to last for 5 weeks or more.

To get an extended payment you must tell us or the Department for Work and Pensions that you want the payment within four weeks of starting work.

If you want to continue getting Housing Benefit or Council Tax Benefit after your extended payment has ended you will have to make another claim. Do not delay making this claim or you could lose money.

### **What is a 'discretionary housing payment' and how can I get one?**

A 'discretionary housing payment' is an extra sum of money paid on top of your normal benefit to help towards your rent or Council Tax. We make these payments to people in the most financial need but we treat each application on its own merit.

A 'discretionary housing payment' can only be made if you are already getting Housing or Council Tax Benefit.

It can only be paid if your benefit does not cover your full rent or council tax. The most we can pay is the difference between your benefit entitlement and the actual amount of rent or Council Tax you pay.

For example, if your Housing Benefit is £80 per week and your rent is £100 per week, you may be able to get a 'discretionary housing payment' of £20 per week.

Discretionary housing payments cannot be made for 'ineligible' service charges that are not covered by Housing Benefit.

To apply for a 'discretionary housing payment' please ask for a form. You can find details of how to contact us on our website.

Alternatively, you can download a form from our website at [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits).

You will need to print the form, complete it and send or bring it back to us.

## What proofs do I need to give you?

If you or your partner get Pension Credit this section does not apply to you. Please go to the next main section on page 12 to see the evidence and proofs we need to see. Everyone else should carry on reading.

When you claim Housing Benefit or Council Tax Benefit we will ask you to prove your identity and that what you have told us is correct. You will also need to provide proof if you or the people who live with you have a change in circumstances.

Any proofs or evidence that you give us must be originals. **We cannot accept photocopied documents.** Original documents will be returned to you straight away.

If we need to see valuable documents (for example, benefit order books or savings books) please do not send these to us. Bring them to your nearest office (the addresses are on our website). We will copy them and give them back to you right away.

These are the things we need to see proof of:

- Identity
- Rent (Housing Benefit only)
- Income Support or Jobseeker's Allowance (income based)
- Other State Benefits, Pensions and Tax Credits
- Earnings
- Self-employed earnings
- Other income
- Savings and investments
- Non dependants

## Identity

When you first claim Housing Benefit or Council Tax Benefit we need to see proof of your identity. If you have a partner we must see proof of their identity too.

Here are some examples of what we need to see (choose one or more from the list):

- passport
- birth certificate
- home office document
- driving licence
- benefit order book

We also need to see proof of your National Insurance Number and that of your partner if you have one. For example:

- benefit order book
- National Insurance Number card
- wage slips
- letter from the Inland Revenue
- letter from the Department for Work and Pensions
- pension advice slip

If you or your partner do not have a National Insurance Number, or you cannot remember it or supply any proof, you should claim anyway. We will arrange for a National Insurance Number to be traced or allocated.

## Rent (Housing Benefit only)

If you rent your home from the council you **do not** need to give us proof of your rent.

If you rent your home from a Housing Association or private landlord you need to give us proof of your rent. You will need to give us proof again if your rent changes.

Here are some examples of what we need to see:

- rent book
- tenancy agreement
- letter from your landlord or their managing agent

If the proof you give us does not include everything in the list below please ask your landlord to confirm the information we need in writing:

- The full name and business address of the landlord or managing agent
- The date the agreement started
- The amount payable and the payment period (for example, weekly or monthly)
- What is included in the rent (for example, any household bills or services)

### **Income Support or Jobseeker's Allowance (income based)**

If you are getting Income Support or Jobseeker's Allowance (income based) we need to see proof.

Here are some examples of what we need to see:

- letter from the Jobcentre or Department for Work and Pensions
- bank statement showing the benefit being paid into your account
- benefit order book

We **do not** accept signing-on cards or giro cheques as proof.

We do not need to see proof of any other income or savings that you or your partner have. But if you get Attendance Allowance or Disability Living Allowance (care component) please do give us proof of this if you have any non-dependants living with you. Please visit our website at [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits) if you need to know more about non-dependants.

## Other State Benefits, Pensions and Tax Credits

If you are getting any other benefits, pensions or tax credits we need to see proof:

Here are some examples of what we need to see:

- letter from the Department for Work and Pensions
- letter from Inland Revenue
- benefit order books
- bank or building society statements that show the payments received
- latest private pension advice slip or a letter from the company that pays it

We need to see proof for every benefit, pension or tax credit that you get.

## Earnings

If you or your partner are working for an employer we need to see proof of your earnings.

Here are some examples of what we need to see **for each job** that you and your partner do:

- the last 5 consecutive weekly wage slips (or the last 4 if you or your partner are aged 60 or over)
- the last 2 consecutive monthly wage slips
- the last 3 consecutive fortnightly wage slips
- a 'Haringey Pay Form' completed by your employer (only if wage slips are unavailable or if your wage slips are hand-written).

To get a 'Haringey Pay Form' please contact us or download it from our website at [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits)

You will need to print it out, give it to your employer to fill in and then return it to us.

## **Self-employed earnings**

If you or your partner are self employed we need to see your most recent profit and loss accounts.

If you do not have any profit and loss accounts you will need to fill in a 'Self Employed Supplement' form. To get this form please contact us or download it from our website at [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits)

You will need to print it out, fill it in and then return it to us.

You also need to give us as many of the following as you have available to do with your business:

- Bank or Building Society statements or Cheque Books
- latest Income Tax Assessment
- invoices and receipts or other records

## **Other income**

If you or your partner have any other income we need to see proof:

Here are some examples of what we need to see for all your other income(s):

- recent payment slips
- recent Bank or Building Society statements which show the amounts being paid and the where they come from
- award letters (for example, a court order notice or Student Grant notification)
- written confirmation from the person or organisation that makes the payments
- letter from an absent parent confirming maintenance payments made

The proof you give us must tell us how much is paid and for what period.

## **Savings and investments**

If you or your partner have any savings or investments we need to see proof:

Here are some examples of what we need to see:

- Current bank or building society statements or savings books. These need to show the current balance and any transactions over at least the last 2 months.
- A letter from the organisation that holds the investment (for example, a bank, building society or insurance company) which shows the type of accounts held, the account numbers and the balance.
- Original documents showing proof of ownership (for example, dividend statements or share certificates)

## **Non Dependants**

If you have any non-dependants living with you we need to see proof of their income or circumstances. If you do not know what a non-dependant is please visit our website at [www.haringey.gov.uk/benefits](http://www.haringey.gov.uk/benefits).

Here are some examples of what we need to see for every non-dependant in your home:

- a letter from their college (if they are a full-time student)
- proof that they receive Income Support, Jobseeker's Allowance or other state benefits (see above for examples of the proof we need to see)
- payslips for the last 5 weeks, 2 months or 3 fortnights (if they are working)

## What proofs do I need to give you? (for people getting Pension Credit)

If you or your partner get Pension Credit most of the things we need to know will be given to us by The Pension Service. However, there are still some proofs that you need to give us.

Any proofs or evidence that you give us must be originals. **We cannot accept photocopied documents.** Original documents will be returned to you straight away.

If you need to give us valuable documents (for example, benefit order books or savings books) please do not send these to us. Bring them to your nearest office (the addresses are on our website). We will copy them and give them back to you right away.

These are the things we need to see proof of:

- Rent
- Non-dependants
- Savings and Investments\_

### Rent (Housing Benefit only)

If you rent your home from the council you **do not** need to give us proof of your rent.

If you rent your home from a Housing Association or private landlord you need to give us with proof of your rent. You will need to give us proof again if your rent changes.

Here are some examples of what we need to see:

- rent book
- tenancy agreement
- letter from your landlord or their managing agent

If the proof you give us does not include everything in the list below please ask your landlord to confirm the information we need in writing:

- The full name and business address of the landlord or managing agent
- The date the agreement started
- The amount payable and the payment period (for example, weekly or monthly)

- What is included in the rent (for example, any household bills or services)

## Non Dependants

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Here are some examples of what we need to see for every non-dependant in your home:

- a letter from their college (if they are a full-time student)
- proof that they receive Income Support, Jobseeker's Allowance or other state benefits (see above for examples of the proof we need to see)
- payslips for the last 5 weeks, 2 months or 3 fortnights (if they are working)

## Savings and investments

You do not normally need to give us proof of your savings and investments. This is because we will use the details given to us by [The Pension Service](#).

However, if you get the Savings Credit but **not** the Guarantee Credit, **and** the total value of your savings and investments reaches £16,000 or more, you must tell us straight away. This is because your Housing Benefit and Council Tax Benefit will have to end.

## What if I don't have all the proof you need?

If you can't provide all the proofs we need right now you should fill in the claim form anyway and **send or bring it to us straight away**. If you delay making your claim you may lose benefit. Housing Benefit and Council Tax Benefit are normally only paid from the Monday after we receive your claim.

If you or anyone who lives with you have a change in circumstances you need to tell us straight away or you may lose benefit. You should not wait for proof of the change before you tell us.

If you make a claim or tell us about a change without giving us all the proof we need you must remember to give it to us as soon as you can. If there is going to be a delay of more than 4 weeks before you will be able to give us proof please tell us.

## What happens if Housing Benefit or Council Tax Benefit is overpaid?

If we pay too much benefit we will normally expect it to be paid back to us.

If you have fraudulently received money to which you are not entitled we may take criminal proceedings against you.

If we pay you too much Council Tax Benefit we will normally recover this money by transferring the debt to your Council Tax Account.

If we pay you too much Housing Benefit we will ask for it to be paid back by either the person claiming the benefit or the person to whom it was paid (e.g. a landlord or managing agent).

If you have been overpaid Housing Benefit but you are still getting payments from us we will normally recover the money you owe by making deductions from your ongoing payments. These deductions will end when the sum owed has been fully recovered.

If you have been overpaid Housing Benefit but are not receiving any more payments from us we will normally send you an invoice for the overpaid sum. You may find it more convenient to pay your invoice online by clicking on the link below:

<http://www.haringey.gov.uk/services/epaymentintro.htm>

The only time that overpaid benefit is not owed back to the Council is when:

- the overpayment was caused by “official error” (e.g. a mistake by the Council),
- and**
- neither the claimant nor any person to whom it was paid could have been expected to know at the time they received the payment (or notification of it) that they were not entitled to that money.

Both of these things need to apply – otherwise the money is owed back.

If you disagree with a decision we make about an overpayment you may have the right of appeal.