

Local Housing Allowance: rights and responsibilities

What is Local Housing Allowance?

Local Housing Allowance is the way of working out new claims for Housing Benefit from 7 April 2008 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, 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 see our leaflet **SHBC(LHA)1** *Local Housing Allowance: an introduction*. You can get this from the Council Offices or from the Council's web-site on www.surreyheath.gov.uk.

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 leaflet **SHBC(LHA)2** *Working out your Local Housing Allowance*. To check the rates for the area you want to live in see leaflet **SHBC(LHA)5**. You can get these from the Council Offices or from the Council's web-site on www.surreyheath.gov.uk.

With your Local Housing Allowance you can now choose whether to put some of your own money towards the rent and rent a larger property, or spend less on housing and increase how much money you have for other things.

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

The following examples show how this works. **These 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 do I get paid my benefit?

With Local Housing Allowance, benefit is usually paid 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.

See our leaflet **SHBC(LHA)3** *Local Housing Allowance: tenants who are likely to have difficulty paying their rent* for more details about this.

Usually your benefit will be paid directly into your bank or building society account, if you have one. If you do not already have a bank or building society account, you may want to set one up. That way you can arrange to pay the rent to your landlord automatically. This is called a standing order. A leaflet 'Local Bank Information' is 'available from the Council Offices, together with leaflets from the Financial Services Authority 'Just the facts about basic bank accounts' and 'Just the facts about proving your identity'. These are also available on the Council's web-site.

You can get advice about opening and running a bank account from any bank or building society and you can also get advice from your local Citizens Advice Bureau.

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 do not pay your rent and 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.

Changes of circumstance

As a person claiming benefit, you are responsible for letting the Council's Housing Benefit department know of any changes that might affect your benefit entitlement. You must tell us straightaway if:

- anyone moves in or out of your home (including your partner, children, lodgers and subtenants); or
- your income or the income of anyone living with you changes, (this includes benefits); or your capital, savings or investments changes; or
- your rent changes or you move house; or
- you or someone living with you gets or leaves a job, goes into hospital, a nursing home or prison

If you do not tell us about a change and you are paid too much benefit as a result, you will be responsible for paying the money back to the Council.

• Further information

For more information about anything included in this leaflet, please get in touch with us as follows:

- phone the Housing Benefit department on 01276 707121
- visit the Housing Benefit department at:
Surrey Heath Borough Council
Surrey Heath House
Knoll Road, Camberley
Surrey GU15 3HD
- look on our website at www.surreyheath.gov.uk
- email us: benefits@surreyheath.gov.uk

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, we cannot cover all circumstances and some of the contents 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.