

### Who can claim housing benefit?

You can normally claim housing benefit if you are the person - or one of the people - who pays the rent and you are claiming benefits or you have a low income. However, you may not be eligible if:

- you have more than £16,000 in savings
- you are a full time student (except in certain circumstances)
- you can claim if you are 16 or 17 years old, unless you have been in the care of Social Services in the past
- you pay rent to a friend or relative that you live with (except in certain circumstances)
- you are only allowed to live in the UK on condition that you have 'no recourse to public funds'

If you are an asylum seeker or come from abroad and are not sure about your immigration status it is important to get advice before claiming housing benefit. Claiming if you are not eligible could affect your right to stay in the country.

### Where can I get an application form?

To apply for housing benefit you need to fill in a form, which you can get from:

- Housing Benefits, Keltan House, 89 – 115 Mare St, Hackney  
Tel 020 8356 3399 (Minicom: 020 8356 3725)
- Housing Needs and Advice, Christopher Addison House, 72 Wilton Way, Hackney  
Opening Times: MON, TUES, THUR, FRI: 9am - 4pm.
- Neighbourhood Housing Offices
- On the Council website at:  
<http://www.hackney.gov.uk/index/information-centre/council-forms-online.htm>
- If you are on income support or income-based jobseeker's allowance you can get a form from the Benefits Agency.

You should fill in the form and return it to the Council as quickly as possible. If possible you should hand in your completed form in person and get a receipt in case there are problems later. Take photocopies of everything in case your application gets lost.

### **What information will I have to provide?**

As well as the form you will need to provide:

- your tenancy agreement or a letter from your landlord confirming your tenancy
- proof of your identity (for example, birth certificate)
- proof of your income (for example, benefit book, wage slips)

If you do not provide this information your claim could be stopped or delayed. If you are having problems providing this information, get advice. See Leaflet 1 to find local advice agencies.

### **HOW YOUR HOUSING BENEFIT WILL BE CALCULATED**

Housing benefit is paid by the council to people on benefits or low incomes to help pay their rent. The rules about housing benefit are complicated. This section explains the circumstances that affect how much housing benefit you will get. It also explains how to find out how much housing benefit you are likely to get before you take on a private tenancy.

If you are having problems with your housing benefit claim get advice from a housing aid centre, citizens advice bureau or other local advice centre. Use Advice Services to find agencies in your area.

The council looks at a number of things when it assesses how much housing benefit you should get:

- Your income and capital (including savings)
- Whether you are single and under 25
- How much rent you pay for your accommodation
- The size of your accommodation
- Who lives with you
- You can find out how much you will get before you move in


### **Your income and capital**

The amount of income and capital (such as savings) you have affects the amount of housing benefit you get. The more money you have the less housing benefit you will be entitled to.

### **Capital**

If you have capital over £16,000 you won't get any housing benefit at all. If you have capital between £3,000 and £16,000 your housing benefit will be reduced. This is because the council will assume that you obtain a weekly income from it (called a 'tariff income'). Capital of £3,000 or less is ignored. The following counts as capital:

- cash
- savings
- shares
- redundancy payments
- any property you own that you are not living in



Capital belonging to your partner also counts as your capital. Certain types of capital are not taken into account such as life insurance policies and the business assets of self-employed people.

### **Income**

The more income you have the less housing benefit you get. The government sets the amount of money each year that it considers to be the minimum amount that you need to live on. This amount varies depending on:

- the size of your household
- your age
- any health problems you may have

The amount of money that a person in your circumstances is entitled to is known as your applicable amount. If you earn more than your applicable amount, it will reduce the amount of housing benefit you get.

If you are on income support or jobseeker's allowance your housing benefit will not be reduced because of your income. This is because the amount of benefit you get is the same as your applicable amount. However if you are receiving other types of benefits your housing benefit could be reduced if you get more than your applicable amount.

If your total income is more than your applicable amount your housing benefit will be reduced by 65% of any income that is over your applicable amount. The more you earn above your applicable amount the less housing benefit you will receive.

If you live with your partner your income and capital will be assessed together to work out how much housing benefit you will get. This doesn't apply if you are in a lesbian or gay relationship.

### **Whether you are single and under 25**


If you are a single person under 25 you can only get housing benefit up to the average rent for a single room in your area. You are not affected if:

- you are under 22 and have been helped by the council's social services department in the past
- you are severely disabled
- you are living with someone over 18 who could be expected to pay part of the rent, even if s/he doesn't pay anything (see below)

Get advice if your rent is being restricted because you are under 25 and you think you might fall into one of the above categories.

### **How much rent you pay for your accommodation**

Housing benefit may not pay all your rent if the council considers that your rent is too high. This decision is made by the Rent Officer on the basis of average local rent levels. The council will only pay the rent level that it considers reasonable for your property.



## The size of your accommodation

The council can reduce your housing benefit if it considers that your accommodation is larger than your household needs. This decision is made by the rent officer. It depends on how many rooms there are in your property and the number of people who live there. One bedroom is allowed for:

- a married or unmarried couple
- a person aged over 16
- two children aged under 16 of the same sex
- two children aged under 10
- one child (if s/he is an only child)

Additional rooms 'suitable for living in' (for example a lounge or dining room) are allowed on the following basis:

- one for less than four people
- two for four to six people
- three for seven or more people

If your accommodation is considered to be too large for your needs the council will only pay the rent that is reasonable for accommodation of the appropriate size for your household.

## Who lives with you

Your housing benefit is likely to be reduced if there is someone else living with you who is:

- over 18
- not responsible for paying the rent, but
- could be expected to pay part of the rent

These people are known as non dependants. Adult children, relatives or friends who live with you are normally classed as non dependants. Where a joint tenancy exists but you have no personal relationship with the other people (e.g. if you are sharing a flat) they don't count as non dependants. Where there are two non dependants who are a heterosexual couple they are only counted as one non dependant.

When there is a non dependant living in a household the council assumes that the non dependant is paying part of the rent. An amount is deducted from the housing benefit that is paid. This is known as a non dependant deduction.

The amount that is deducted varies depending on the income of the non dependant. The council will make the non dependant deduction whether or not you actually receive money from the person to help pay the rent.

## You can find out how much you will get before you move in

You can check how much housing benefit you are likely to get before moving into your accommodation by getting a pre-tenancy determination. You will need to get a form for this from the council. A pre-tenancy determination will tell you if your housing benefit will be restricted because your rent is too expensive or if your accommodation will be considered to be too large for you.

Much of this information was taken from Shelternet, the Shelter website.  
It has more information on Housing Benefit (and other Housing related subjects), and is regularly updated. It can be visited at:  
<http://www.shelternet.org.uk>

Please also see the list of Advice Agencies in Leaflet 1. Many of these will be able to advise you of your rights to Housing Benefit

