

Housing Benefit

Local Housing Allowance- Information leaflet for private tenants

Torfaen County Borough Council administers the Housing Benefit and Council Tax Reduction Schemes on behalf of Monmouthshire County Council.

What is Local Housing Allowance (LHA)?

If you are renting a property or room from a private landlord, LHA is used to work out how much Housing Benefit (HB) you get.

It is usually based on:

- who lives with you;
- the area you live in;
- how much money you have coming in;
- the amount of savings you have;
- how much your rent is; and
- whether anyone living with you is expected to contribute to your rent.

Who will LHA apply to?

It will apply to claimants who rent from a private landlord.

It will not apply to you if

- you are a council or housing association tenant;
- you have a tenancy that started before 1989;
- you live in a caravan, mobile home, hostel or house boat; or
- the Rent Officer has decided that a substantial part of your rent is for board and attendance

LHA may not apply to you if you live in supported housing or specified accommodation. Please ask us for more information.

How LHA works?

A LHA rate is included in the claim based on the number of bedrooms allowed for your household size. However if the rent is less than the weekly LHA rate, the maximum HB you can receive is the same amount as their rent (you cannot get more money in HB than you pay in rent).

LHA rates are set for different types of accommodation in each Broad Rental Market area (BRMA) by the Rent Officer Service. In Torfaen and Monmouthshire there is one BRMA in each local authority area which covers the borough boundaries exactly. The rates range from a single room in a shared house up to properties with four bedrooms.

Please note

LHA rates are frozen for four years from April 2016. This means that the rates will remain at the April 2015 level rate or the 30th percentile of local market rents, whichever is the lowest value.

The Rental Market Areas and the LHA rates are set by the Rent Officer Service Wales (part of the Housing Division of the Welsh Government). This service is totally independent from the local authority, therefore we have no control over the LHA rates set.

How do you decide the number of rooms I am allowed?

The details of who lives with you (the number of people who share the accommodation with you such as partner, children etc.) are used to work out the number of bedrooms you are entitled to – the number of living rooms, bathrooms and kitchens are not included in the calculation.

One bedroom is allowed for each of the following:

- every adult couple (married or unmarried).
- any other adult aged 16 or over.
- any two children of the same gender aged under 16.
- any two children aged under 10.
- any other child, (other than a child whose main home is elsewhere)
- a carer or team of carers who provide the claimant, their partner, a disabled child or non-dependant adult with overnight care (providing they have a spare room for this purpose and as long as certain criteria are met. Please ask us for more information).
- A foster child/foster children (only one bedroom is allowed providing they have a spare room for this purpose. The foster-carers must be approved).
- Any non-dependant in the armed forces who is temporarily absent from their home (as long as they intend to return home) e.g. grown up son or daughter living with their parents who is away on operations.
- a couple or disabled child who is unable to share a bedroom because of their severe disabilities as long as certain criteria are met. Please ask us for more information.

Single people

Single people under the age of 35 will normally be entitled to the shared accommodation rate, whatever type of accommodation they live in unless they are covered by one of the exemptions. Please contact us if you need more information regarding the exemptions.

Childless couples

Childless couples will be entitled to the one bedroom rate of LHA if they rent a property of this size or any self contained accommodation. However if they live in a shared house e.g. if they are a joint-tenant they will normally be entitled to the shared accommodation rate.

Example

Miss A is a single parent with 2 children under 10.

Under the LHA rules she would be allowed the LHA rate for 2 bedrooms.

How can I find out about LHA rates?

The figures below show the Local Housing Rates will apply in Torfaen and Monmouthshire from 1 April 2018.

	Torfaen	Monmouthshire
Accommodation Type	Weekly	Weekly
Shared Accommodation	48.00	54.60
One Bed	75.14	90.90
Two Bed	97.81	115.07
Three Bed	110.41	136.93
Four Bed	131.64	172.60

If you want to find out the LHA rates for another local authority area you can access a room and [LHA calculator](#) on the government website www.gov.uk website under local housing allowance.

How will LHA be paid?

In **most** cases we will pay LHA directly to you. You **can not** choose to have your LHA paid direct to your landlord.

As a tenant you are responsible for paying your rent to your landlord. HB must be paid towards your rent, not for other purposes. If you do not pay your rent your landlord may apply to us to have your benefit paid to them or they may take other action to recover their money, including evicting you from your home.

The easiest way for you to receive LHA is to have it paid into a bank or building society account. You can then arrange for your bank or building society to pay your rent direct to your landlord (by standing order or direct debit). If you don't have an account you may want to open one. You can get ask us for a leaflet which tells you more about bank and building society accounts.

In what circumstances can LHA be paid to my landlord?

The Council will consider paying HB to the landlord in the following circumstances if:

- paying the landlord will assist you to secure or retain your tenancy;
- you are likely to have difficulty managing your financial affairs;
- It is improbable that you will pay their rent. For example, if we are aware that you have consistently failed to pay the rent on past occasions without good reason;
- you have not paid part or all of their rent and the Council considers feels that is it is in the best interests of efficient administration to pay the landlord; or
- you have left the accommodation with arrears owing to the landlord (in which case payment is limited to the level of the arrears).

Additionally the Council **must** pay the landlord if

- you have rent arrears of 8 weeks or more; or
- Part of your entitlement to Jobseekers Allowance, Employment and Support Allowance or Pension Credit is being paid direct to the Landlord or agent.

If you think you are incapable of managing your own affairs and/or are vulnerable and wish to have your LHA paid to your landlord please contact us in order to obtain an explanatory leaflet and application form requesting payment to your landlord.

We can also pay your landlord where they have reduced your rent, normally to the LHA level and this secures or retains your tenancy.

If we pay HB to the landlord it is your responsibility to pay the difference between the rent due and the HB we pay.

Please note -If we have your permission to discuss your claim with your landlord we will write to them to advise them your claim has been processed .We will also ask them to contact us if you do not pay your rent so that we may review the payment arrangements.

Introduction of Universal Credit (UC)

UC is a new simpler benefit that will replace Income Support, Income Based Job Seekers Allowance, Employment and Support Allowance (income-related), Housing Benefit, Child Tax Credit and Working Tax Credit. This means that only one claim will need to be made and only one payment will be made. The majority of claims will be made online rather than by telephone or face to face.

In most cases UC will be paid directly to the claimant monthly in arrears. This means that under UC housing costs will no longer be paid to the landlord and the tenant will be responsible for paying the rent to their landlord. Although there will be some exceptions for vulnerable people, it is essential that all tenants have a bank account so that can receive the benefit payment and make arrangements to pay their rent as soon as they receive their payment.

When will UC be introduced?

From July 2017 the full UC Service was introduced in Torfaen for all new claims for all case types. It will be introduced in Monmouthshire from June 2018.

This means that people who would previously have made a new claim to one of the benefits listed above will now have to claim UC instead from July 2017 in Torfaen (from June 2018 in Monmouthshire). Some claimants who have a change in their circumstances will also have to claim UC.

If you are already claiming one of the benefits listed above you will be told when you need to claim UC instead. This is not likely to be until July 2019 at the earliest. This process should be complete by 2022 so that everyone who should be will be on UC by then.

More information on UC and how to claim online can be found at [GOV.UK](https://www.gov.uk).

Our Contact details

If you need more help, please contact us.

TORFAEN RESIDENTS should contact TELEPHONE:01495 766430 or 01495 766570 E-MAIL: benefits@torfaen.gov.uk		MONMOUTHSHIRE RESIDENTS should contact TELEPHONE:01633 644644 E-MAIL: benefits@monmouthshire.gov.uk	
Minicom for those who are deaf or hard of hearing. The number is 01495 767871			
OUR ADDRESS- Shared Benefit Service Level 3, Civic Centre Pontypool Torfaen NP4 6YB			
IN PERSON at any of our One Stop shops, Community Hubs in Monmouthshire or Customer Centres in Torfaen.			
ABERGAVENNY Abergavenny market -Cross St, Abergavenny NP7 5HD	CHEPSTOW Chepstow Library- Manor Way, Chepstow, NP16 5HZ	CALDICOT Caldicot Library - Woodstock Way, Caldicot, NP26 5DB	
MONMOUTH Monmouth Library, Rolls Hall, Monmouth, NP25 3BY		USK Usk Library - 35 Maryport St, NP15 1AE	
PONTYPOOL Level One Civic Centre, Pontypool NP4 6YB	CWMBRAN Cwmbran Library, Gwent House, Gwent Square, Cwmbran, NP44 1XQ	BLAENAVON Blaenavon World Heritage Centre Church Road Blaenavon NP4 9AS	

WELSH TRANSLATION - If you require a copy of this document in Welsh please contact us on the telephone numbers above.