

Local Housing Allowance – Information for Private Tenants

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

LHA rates are set for different types of accommodation in each local authority area. The rates range from a single room in a shared house up to properties with four bedrooms.

These rates are set every April by the Rent Officer Service Wales (part of the Housing Division of the Welsh Assembly Government). This service is totally independent from the local authority; therefore we have no control over the LHA rates set.

Who will LHA apply to?

It will apply to claimants who rent from a private landlord. However, it will not apply if you:

- 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 do you decide which LHA rate to include in my claim?

The LHA is based on the number of bedrooms allowed for your household size. **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 who provides the claimant, their partner, a disabled child or non-dependant adult with overnight care (providing they have a spare bedroom for this purpose).
- a foster child/foster children (only one bedroom is allowed providing they have a spare bedroom for this purpose. The foster-carers must be approved).
- any non-dependant in the armed forces who is temporarily absent from their home (they must intend to return home) e.g. grown up son/daughter living with parents 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 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.

Will I get the full amount of Local Housing Allowance?

If your rent is less than the weekly LHA rate, the maximum figure we can include in your claim is the same as your rent as you cannot get more money in Housing Benefit than you pay in rent. You may not get the full amount of LHA or rent, this will depend on the level of your income and savings and whether there are any other adults living in the property.

Changes in your circumstances

If you have a rent increase or decrease, if someone moves in or out of your home or you change address you should advise us immediately as it may affect the rent/LHA rate included in your claim.

How will my Housing Benefit be paid?

In **most** cases we will pay your HB directly into your bank account. 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.

In what circumstances can my Landlord receive the Housing Benefit payment?

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 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 HB paid to your landlord please contact us in order to obtain an explanatory leaflet and application form requesting payment to your landlord.

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.

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