



Working out your Housing Benefit under the Local Housing Allowance arrangements

What is the Local Housing Allowance?

The Local Housing Allowance was introduced from 7 April 2008 and is used to work out claims for Housing Benefit for tenants renting accommodation from a private landlord. If you live in council accommodation or other social housing, the Local Housing Allowance does not affect you. If you have been getting Housing Benefit since before 7 April 2008, the Local Housing Allowance will only apply to you if you change address or have a break in your claim.

With the Local Housing Allowance, your Housing Benefit is worked out according to where you live and who lives with you. Local Housing Allowance rates are set for different types of property in each area ranging from a single room in a shared house up to properties with five bedrooms. The maximum Local Housing Allowance rate which can be used to calculate your Housing Benefit is the rate for five bedrooms.

Local Housing Allowance rates are published each month (see leaflet **HB(LHA)5**, which you can get from us at the address below or at www.carmarthenshire.gov.uk). You can check the rates in other local authority areas at the [Local Housing Allowance Direct](#) website.

This information will tell you how much help with your rent you might get before you find somewhere to live, making it easier for you to decide what type of property you can afford. The amount of benefit you get could be affected by your personal and financial circumstances (see below).

How is my Housing Benefit worked out?

Your Housing Benefit will be based on the Local Housing Allowance rate which applies to you. The Local Housing Allowance rate which applies to you will depend on the number of bedrooms you are allowed - see below - and the area where you live.

The amount of benefit you can get may be affected by:

- any money you have coming in, for example, earnings
- any savings you have
- if we expect anyone living with you to pay towards your rent if you share paying the rent with someone else who is not your partner.

For more information about this, please get in touch with us at the address below.

How many bedrooms am I allowed?

The number of people you live with is used to work out how many bedrooms you are allowed. We do not count other rooms such as a living room, kitchen or bathroom.

The number of bedrooms you are allowed is then used to work out which Local Housing Allowance rate usually applies to you. In some cases, there are some more rules – these are looked at below.

You can use the following information as a guide to work out how many bedrooms you are allowed.

You are allowed one bedroom for:

- every adult couple (married or unmarried)
- any other adult aged 16 or over
- any two children of the same sex aged under 16
- any two children aged under 10
- any other child

The maximum allowance is five bedrooms.

Examples:

Reena and Suki

Reena and Suki are a couple who have a child, Ben, who is nine years old. Reena's mother lives with them.

They are allowed one bedroom for themselves, one for Ben and one for Reena's mother. This means any benefit they are entitled to will be based on the Local Housing Allowance rate for three bedrooms.

Lisa and Matt

Lisa and Matt are a couple who have five children aged from six to seventeen years old- Shaun is seventeen, Graham and Laura are fourteen, Millie is nine and Jessica is six. Matt's mother also lives with them.

The maximum number of bedrooms Lisa and Matt are allowed is five. Any benefit they are entitled to will be based on the Local Housing Allowance rate for five bedrooms.

For more information about this, please get in touch with us at the address below.

What else might affect the Local Housing Allowance rate?

There are extra rules if you are:

- single and aged 25 or over or you are a couple and you do not have anyone else living with you

HB(LHA)1 – June 2010

- aged under 25, single and you live on your own
- a care leaver aged under 22
- severely disabled

These extra rules are covered below.

If you are a joint tenant this may affect the benefit you can get. For more information about joint tenants, please get in touch with us at the address below.

Non-dependants

If you (and your partner, if you have one) have friends, relatives or anyone else aged 18 or over living with you, we call these people non-dependants. If there are non-dependants living with you, your benefit may be reduced. This is because we may expect them to pay towards your rent.

For more information, please get in touch with us at the address below.

Working out your Housing Benefit under the Local Housing Allowance arrangements if you are single and aged 25 or over or you are a couple and you do not have anyone else living with you

If you are:

- single and aged 25 or over
- or you are a couple and do not live with any dependants

the one bedroom Local Housing Allowance rate will apply to you if you live in:

- a self-contained property
- a shared property but have two or more rooms (bedrooms or living rooms) that no-one else can use.

If you are single and aged 25 or over, or you are a couple and do not live with any dependants, the Local Housing Allowance shared room rate will apply to you if you live in shared accommodation unless you have two or more rooms (bedrooms or living rooms) that no-one else can use.

By a self-contained property we mean one where you have your own room plus your own:

- bathroom
- toilet, and
- kitchen (or facilities to cook with)

For example, this could be a one-bedroom house or flat.

By shared accommodation we mean a property where you do not have either:

- exclusive use of two or more rooms or
- exclusive use of one room, a bathroom and toilet and a kitchen or facilities for cooking

Examples

Bill

Bill is aged 26 and has his own room but shares a kitchen and bathroom with two other people.

As he shares facilities, any benefit he is entitled to will be based on the Local Housing Allowance shared room rate.

Gary and Susan

Gary and Susan are a couple. They live in a self-contained flat which has two bedrooms.

They are allowed one bedroom for themselves. This means any benefit they are entitled to will be based on the Local Housing Allowance rate for one bedroom.

Working out your Housing Benefit under the Local Housing Allowance arrangements if you are aged under 25

If you are aged under 25, are single and do not live with any dependants, you can only get the Local Housing Allowance shared room rate

Example

Marcus

Marcus is single. He is aged 23 he rents a one bedroom flat but because he is under 25, his benefit is based on Local Housing Allowance shared room rate.

Working out your Housing Benefit under the Local Housing Allowance arrangements if you are a care leaver under 22

If you are a care leaver under 22, or live with a care leaver under 22 who is your partner, and you have no dependent children the one bedroom Local Housing Allowance rate will apply to you.

By care leaver we mean someone who was in council care after the age of 15. For more information about what we mean by care leavers, please get in touch with us at the address below.

Once you reach age 22 and, if you are single, your Local Housing Allowance rate will change from the one bedroom rate to the shared room rate.

If you are part of a couple and do not live with any dependants and you are living in a self-contained property the one bedroom rate would apply to you.

For more information, please get in touch with us at the address below.

Working out your Housing Benefit under the Local Housing Allowance arrangements if you are severely disabled

If you are severely disabled, or live with a severely disabled partner, and have no dependent children, the one bedroom Local Housing Allowance rate will apply to you.

By severely disabled, we mean that you have no one else aged 18 or over living with you or with you and your partner, no one gets Carer's Allowance for looking after you and you get the middle or highest care component of Disability Living Allowance.

For more information, please get in touch with us at the address below.

What if my rent is not the same as the Local Housing Allowance rate that applies to me?

If the rent you pay is less than your Local Housing Allowance rate you can keep the difference as long as it is not more than £15. For example, if your rent is £90 and the Local Housing Allowance is £100, the maximum amount of benefit we could pay you would be £100.

If your rent is more than £15 below the Local Housing Allowance rate that applies to you, any benefit you might get will be based on the amount of your rent plus £15. For example, if your rent is £60 and the Local Housing Allowance rate is £100 the maximum amount of benefit we could pay you would be £75.

If the rent you pay is more than the Local Housing Allowance rate you will need to use other money you have coming in to make up the difference. For example if your rent is £110 and the Local Housing Allowance rate is £100 the maximum amount of benefit we could pay you would be £100 and you would have to pay the remaining £10 using other money.

Will the Local Housing Allowance rate which applies to me ever change?

Once a decision has been made on your claim the Local Housing Allowance rate which applies to you will normally stay the same for a year. Local Housing Allowance rates in your area will be reviewed every month and at the anniversary of your claim we will look at your claim again and apply the Local Housing Allowance rate which is current in that month. The new rate could be higher, lower or the same as the Local Housing Allowance rate which applied to you before.

If you have a change of circumstances before the anniversary of your claim, a new Local Housing Allowance rate could apply to you if for example:

- you have a change of address
- there is a change in the number of the people living with you
- the Local Housing Allowance rate which applies to you changes because of a change in your age, for example, you reach 25 years of age
- a member of your family or a relative who lives with you dies

How will I get my benefit if the Local Housing Allowance applies to me?

Usually you will have your benefit paid directly to you and it will be up to you to use it to pay your rent to your landlord.

We will pay your benefit into your bank or building society account, if you have one, or by cheque. 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, using a standing order.

You can get advice about opening and running a bank account from any bank or building society. You can also get advice from a welfare organisation such as Citizens Advice.

Can I have my benefit paid direct to my landlord?

Your benefit is paid to you unless you are likely to have difficulty paying your rent, or it must be paid to your landlord because, for example, you are in arrears with your rent. For more details about this, please see leaflet **HB(LHA)3** *Housing Benefit under the Local Housing Allowance Arrangements: tenants who are likely to have difficulty paying their rent*. You can get this from us at the address below.

If you are worried about managing your money, ask us if we can help. In some cases we may be able to pay your rent to your landlord.

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. Your landlord may also 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.

If you cannot pay your rent because of money problems you should ask for help. There are many organisations that can give you advice about debt and money problems. Leaflet **HB(LHA)8** *Housing Benefit under the Local Housing Allowance arrangements: money advice for tenants* has more information about managing your money. You can get a copy from www.carmarthenshire.gov.uk or contact us at the address below.

Changes of circumstance

If you are getting Housing Benefit and you move to a new address or other circumstances change, you should tell us straightaway.

Where to get more information

If you want to know more about the Local Housing Allowance and how it affects you:

- phone your Housing Benefit department on 01554 742100
- look on our website www.Carmarthenshire.gov.uk
- email us housing.benefit@Carmarthenshire.gov.uk
- visit your nearest customer service centre at:
 - 3 Spilman Street, Carmarthen
 - Ty Elwyn, Llanelli
 - Town Hall, Iscennen Road, Ammanford
- visit www.direct.gov.uk
- Write to us at Housing Benefit Section, 2nd Floor, Ty Elwyn, Llanelli, SA15 3AP

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, it is possible that there may be incorrect information or some ideas 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. Please contact us or visit our website for the most up-to-date information.