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|  | **Cyngor Sir Ceredigion County Council**  **Application for Payments of Local Housing Allowance to your Landlord**  **Guidance notes** |

The Local Housing Allowance (LHA) is a scheme of Housing Benefit for people living in privately rented sector accommodation.

LHA is usually paid to the tenant. Under LHA a tenant cannot simply request that payment is made to a landlord to cover their rent.

There are circumstances where we must pay the Landlord and these include:

* The tenant is 8 full weeks or more in arrears with their rent
* The tenant is having deductions made from their Income Support or Job Seekers Allowance to pay for rent arrears

We can also make a decision to pay the LHA to the Landlord on behalf of the tenant where we consider the tenant is unlikely to pay their rent, they are unable to pay their rent because they are vulnerable, or have severe financial difficulties:

**What do we mean by unlikely to pay the rent?**

* A tenant has rent arrears and consistently fails to pay
* A tenant has previously absconded from a property leaving rent arrears

**What do we mean by financial difficulties?**

* Those with severe debt problems
* People who are bankrupt

**What do we mean by vulnerable?**

By vulnerable we mean someone who may have difficulty managing his or her money and this may include:

* People with medical conditions
* People with learning difficulties
* People with physical disabilities
* People with mental health problems
* Illiteracy or inability to speak English
* A person who lives alone with no support
* A person receiving assistance from a homeless charity
* A person with alcohol/substance/gambling addiction
* Homeless people
* A person receiving funding from the Supporting People Fund

The above list is not exhaustive and there may be other reasons why the tenant is considered to be vulnerable.

**What evidence is required?**

In all cases we must have written evidence and the evidence required will depend on the person’s circumstances. People who can give evidence include:

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| * Family and friends of the tenant * The landlord * Welfare groups * Care workers * Money and debt advisers * Social Services * General Practitioner | * Probation Officers * Job Centre Plus * The Pension Service * Support Workers * Community Nurses * Hospital * Court |

This list is not exhaustive and we will require permission from the tenant to contact third parties on their behalf.

Also from 01 April 2011 Local Authorities can make payment direct to the landlord where they consider that it will assist the tenant in securing or retaining a tenancy. For a tenancy to be secured or retained it is implicit that the rent should be affordable to the tenant.

**What is an Affordable Rent level?**

An affordable rent level would normally be the latest LHA rate or below.

In some exceptional cases the rent could be above the LHA rate, however, there would need to be clear indication that the rent had been reduced and that the tenant could afford the new rent.

**Making a decision**

Once we have collected evidence we will decide as quickly as possible whether payment of the LHA should be made to the landlord or the tenant. We may pay LHA to the landlord while we are making our decision. We will tell a tenant if they are considered vulnerable. We will write to the tenant or their representative to explain our decision.

Once direct payments are being made on the grounds of assisting or retaining a tenancy they will continue unless the rent becomes unaffordable. (Please see below).

**Reviewing the decision**

Where a decision is made to pay the landlord we will set an appropriate review date to see if the circumstances of the tenant have changed which means they may be able to receive direct payments of their LHA.

Where payments are made to the landlord on the grounds of assisting or retaining a tenancy, the Assessment Officer will immediately review the decision to pay direct where:

* There is an increase in the rent payable by the tenant; or
* There is a change in the household size that reduces the number of bedrooms needed which results in a shortfall in the rent

**Appeals**

The tenant or the person who has made the application or referral can ask the Council to review any decision made regarding direct payments of the LHA. They can:

* ask for an explanation of the decision
* ask the council to reconsider the decision
* appeal against the decision.

In all cases the person must contact the Council, in writing, with their reasons within one month from the date of the decision. We will then look at the decision again.

**Further information**

If you would like further information or an application form to apply for payments of your LHA to go direct to your landlord please contact:

**Telephone:** 01970 633252

**Email:** lha@ceredigion.gov.uk

**Visit:** Any Local District Office