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1 What is Housing Benefit and who gets it?

Housing Benefit is a means-tested national state benefit to help people on a low income pay their rent. (Means-tested means based on a person’s financial circumstances.)

Deposits cannot be paid through the Housing Benefit scheme.

A person claiming Housing Benefit may not be responsible for paying rent, and so will not be entitled to Housing Benefit, if:

- they are closely related to and live with their landlord;
- their landlord is also their employer;
- the tenancy was created solely to take advantage of the Housing Benefit scheme;
- the tenancy is not legally enforced; or
- the rent level is unrealistically low.

This list is not complete, so you must not assume that we will pay Housing Benefit automatically.

2 When should a tenant claim Housing Benefit?

It is important for a tenant to apply for Housing Benefit as soon as they need help. This is especially important when they have just moved into your property. They should make sure that we receive the claim in the first week that they have to pay rent.

Generally, if the tenant claims Housing Benefit some way into the tenancy, their entitlement will start from the Monday after we receive the claim form.

Tenants who are pensioners can have Housing Benefit paid from up to three months before we actually received their claim form. This is the same rule for claims for Pension Credit made at The Pension Service. They must be responsible for paying rent and
be eligible under the rules for Housing Benefit. We will need proof of their rent, income and savings for that period. By ‘pensioner’, we mean:
• a single person aged 60 or over; and
• in a couple, at least one member aged 60 years or over.

People of working age are more likely to need to ask us to backdate Housing Benefit (pay for it from an earlier date). There is a part in the claim form for this purpose. Some of the conditions are as follows.
• The time limit is six months from the date of the written request.
• They must be able to prove that they had a good reason for not claiming throughout the period they are asking us to consider.

### 3 How is a claim for Housing Benefit made?

**Making a claim**

To claim Housing Benefit, the tenant must:
• fill in all the relevant parts of the form;
• sign the form; and
• send us all the relevant and current documents and information we need.

The tenant must return the form:
• by post to Merton Benefits Service, PO Box 610, Civic Centre, Morden SM4 5ZT;
• by hand at Merton Link, Ground Floor, Civic Centre, London Road, Morden SM4 5DX; or
Change of address

For Housing Benefit purposes, a change in a room within the same building is a change of address, for example, a move from a first-floor room to a ground-floor room at 1 The Street, Morden. Your tenant must let us know immediately if this happens. They should ask for our change-of-address form. If you get direct payment, you must let us know immediately.

Supporting documents

We need to see current documentary evidence showing the full amount of rent the tenant pays. This includes:

• an up-to-date rent book;
• receipts showing the full rent paid;
• a bank statement showing the full rent paid;
• a recent letter from you or your agent confirming that the tenancy will continue and rent is due each week or month; or
• in the case of a tenant who has just moved into a property and is making an initial claim, the tenancy agreement.

If the person claiming (or their partner) is working, we need to see:

• five weekly wage slips in a row;
• three fortnightly wage slips in a row;
• two monthly salary slips in a row; or
• an employer’s certificate (available from our offices) for their employer to fill in and sign.

We will need to see evidence of all other income, benefits, tax credits, savings and investments.

Under section 19 of the Fraud Act 1997, people claiming benefit (and their partners in the case of couples) must:

• give us proof of their National Insurance number; and
• prove their identity to us.
The aim is to tackle identity fraud.

Registered social landlords (RSLs) checking original documents

Since April 2008, some RSLs have had a contract and service-level agreement with us to check original documents on our behalf. This should help speed up claims for Housing Benefit by reducing delays because supporting proof was not supplied in the first place. If you are a RSL:

- you must follow the ‘Security Against Fraud and Error’ guidance from the Department for Work and Pensions;
- your staff must be trained by us to check original documents; and

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<th>Original Documents for Identity Proof</th>
<th>Original Documents for National Insurance Number</th>
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<td>A letter or statement showing direct payments from the Department for Work and Pensions or The Pension Service</td>
<td>A letter or statement showing direct payment</td>
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<tr>
<td>A P60 or P45 from their employer</td>
<td>A P60 or P45</td>
</tr>
<tr>
<td>A driving licence</td>
<td>A letter from HM Revenue &amp; Customs</td>
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<td>A birth certificate</td>
<td>A National Insurance Card (RD3)</td>
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<td>A marriage certificate</td>
<td>A bank statement less than four weeks old showing tax credits or benefits from the Department for Work and Pensions</td>
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<td>A passport or identity card</td>
<td>A bank statement of the self-employed paying National Insurance contributions</td>
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<tr>
<td>A letter from HM Revenue &amp; Customs</td>
<td>A credit card</td>
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<td>A letter from HM Revenue &amp; Customs</td>
<td>Payslips</td>
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<td>A National Insurance Card</td>
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<td></td>
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<tr>
<td>A bank statement of the self-employed paying National Insurance contributions</td>
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• you must keep to a contract and service-level agreement. If you would like to be considered for this service, email elaine.jackson@merton.gov.uk.

How do I confirm my identity?
When you contact us, we will check your identity and may ask for details of your tenant so we can be sure that you are the landlord.

Please have the following information ready when you contact us.
• Your landlord reference number
• Your tenant’s Housing Benefit reference number
• The names and addresses of your tenants

Please also read our landlord disclosure policy at www.merton.gov.uk/living/benefits/hb-ctb/housingbenefit/benefitlandlords.htm

4 Eligible rent for tenants of social landlords or housing associations

The Housing Benefit rules for tenants of registered social landlords and housing associations are different from those for tenants of private landlords.

Tenants can use Housing Benefit to pay for shared services and fuel charges for shared hallways in a sheltered scheme. But tenants cannot use Housing Benefit to pay for:
• water rates and fuel charges for their own accommodation;
• care; • general counselling;
• support; • supervision; and
• alarm charges.

Normally, the services that you can pay for using Housing Benefit are listed. If the charges are realistic, the listed amounts are taken from the tenant’s rent. If the services are not listed, we will use the Government’s standard figures for deductions from your rent for Housing Benefit.
We would refer the tenant’s rent to the Valuation Office Agency if the:

• social landlord or housing association is not registered with the Housing Corporation;
• their rent is unreasonably high; or
• the person claiming is over accommodated (their home is too large for their needs).

We will treat claims for Housing Benefit as if a tenant of a private landlord made them. We would use valuations from the rent officer to work out the maximum eligible rent.

5 Maximum rent for claims for Local Housing Allowance

For a full explanation, please see ‘Local Housing Allowance: The complete guide’. See below.

The maximum rent a tenant will pay under Local Housing Allowance rules will be the lowest of:

• the rent plus £15 a week (£65 a month); or
• the rate of Local Housing Allowance that your tenant is entitled to.

The tenant can get up to £15 a week more than the rent you are charging them. This is their money to keep.

If the LHA rate restricts the maximum rent for Housing Benefit, your tenant must pay the difference.

We will publish the Local Housing Allowance standard rates for a shared room and up to five bedrooms every month. Landlords and tenants can find out what the LHA bedroom rates are by visiting www.lha-direct.voa.gov.uk or www.merton.gov.uk/benefits/hb-ctb/housingbenefit/local_housing_allowance.htm. You can also ask for our leaflet ‘Local Housing Allowance rates’. See Part 15 How to contact us at the end of this leaflet.

LHA can affect tenants already getting Housing Benefit who:
• moved into privately rented accommodation on or after 7 April 2008;
• made a new private-tenant claim on or after 7 April 2008; or
• have had a break in Housing Benefit of a week or more since 7 April 2008.

**LHA not included**
Tenants of registered social landlord or housing associations, or who live in almshouses, caravans, hostels or mobile homes or in board and lodgings, cannot get LHA.

### 6 Maximum rent for claims made before the LHA rules were introduced

There are claims for Housing Benefit made by private tenants which are not affected by the LHA rules. In general the levels of Housing Benefit tend to be less generous than LHA.

New-scheme private tenants who made claims for Housing Benefit on or after 2 January 2006 are not affected by LHA rules. The tenant must have moved in on or after 15 January 1989. They must pay a maximum rent (based on the lowest of the rent officer’s valuations) known as the:

• local reference rent;
• claim-related rent; or
• single-room rent (this applies to people under 25).

Old-scheme private tenants are people who made claims for Housing Benefit before 2 January 2006. These are rare, because a move or break in claim would mean any new claim had to keep to the new scheme rules above. Maximum rents and local reference rents do not apply to these claims. We use the rent officer’s valuations for our subsidy claim, but we decide the eligible rent for Housing Benefit. The rules allow for some vulnerable tenants not to have their rent restricted. This includes claimants, with anyone living in their home, who is:

• a pensioner; • a child; or • unable to work.
7 How is benefit worked out?

We can pay the maximum Housing Benefit for tenants who receive Income Support, income-based Jobseeker’s Allowance, income-related Employment and Support Allowance or the guaranteed part of Pension Credit (in line with the rules referred to already in sections 1 to 6).

For tenants who do not receive Income Support, income-based Jobseeker’s Allowance or the guaranteed part of Pension Credit, Housing Benefit depends on the tenant’s income and savings. In the case of couples, we add the partner’s income and savings to the tenant’s. Tenants get less benefit the higher their income is. Where they are working age, for every £250 they have in savings over £6,000, we will add £1 a week to their other income when working out their benefit. For pensioners, we add £1 a week for every £500 above £6,000. The savings limit is £16,000.

8 When does Housing Benefit start and stop?

Start dates for people of working age

Benefit usually starts on the Monday after we receive the claim form, or on the Monday after the date Income Support or income-based Jobseeker’s Allowance starts. There are other rules that affect the start date, depending on whether the person claiming is receiving Income Support, income-based Jobseeker’s Allowance or income-related Employment and Support Allowance and when they first become liable for rent. It is important for your tenant to send us their claim form as soon as they want their Housing Benefit to start. Unnecessary rent arrears can be avoided this way. There is a backdating part in the claim form. Your tenant must have a good reason for not claiming earlier and provide proof of their income and savings for the period being considered. The limit on backdating is six months before the date we get the request.

£10,000 from 2 November 2009
Start dates for pensioners
Pensioners have a shorter period to claim, without having to ask us to backdate benefits. In line with Pension Credit rules, we will treat their claim for Housing Benefit as if they made it up to three months earlier than the date we receive it. They must be:
• liable throughout the period for rent;
• eligible under the rules of Housing Benefit; and
• pensioners throughout the period.

End dates
Housing Benefits ends if the person claiming:
• is no longer entitled to Housing Benefit;
• moves out of Merton; or
• dies.

Suspending and cancelling Housing Benefit
We will tell you when we have to suspend Housing Benefit due to a change in your tenant’s circumstances. This will result in us either revising or ending Housing Benefit.

9 Reviewing Housing Benefit and data matching

Reviews
The Department for Work and Pensions (DWP) puts tenants’ cases in priority order for us to review. The DWP also identifies any likely cause of error. We have to review a specific number of cases decided by the DWP. We then use different methods to carry out a review, for example by:
• phone;  
• reviewing form by post; or
• visiting the tenant.

Data matching
The DWP compares our database of records with other national databases to check tenants’:
• identity and National Insurance numbers;
• benefits;  
• allowances;
• tax credits; • employment records; and
• family circumstances.

If there are any differences, we will reassess the Housing Benefit or refer the matter to the Benefits Investigations Team.

10 How is Housing Benefit paid?

Housing Benefit is paid by direct credit to a bank account or building society account. Please make sure that you give us the correct account details, so we can avoid any benefit being rejected or lost.

We can pay benefit by cheque, but we do not recommend this as it has disadvantages such as postal delays, possible cheque fraud and cheque clearance times.

We normally pay Housing Benefit to the person claiming if they are not affected by the new Local Housing Allowance rules. Our protections policy helps protect tenants who are likely to have difficulty paying their rent. It is important that this type of tenant, or a person who they know or who supports them, asks for direct payments to be made to their landlord. If you or someone who knows you thinks you will have difficulties paying your rent or managing your Housing Benefit, tell us on the:
• claim form in ‘Part 17 Direct payments to landlords’; or
• the change of address form in ‘Part 6 Direct payments to Landlords’.

11 What can landlords dispute?

You can appeal to an independent Tribunal Service about decisions that affect you. For more detailed information about disputing decisions, contact us and ask for the leaflet called ‘What to do if you disagree with your Housing Benefit or Council Tax benefit decision’.

You can write to us to ask us to reconsider certain decisions, for example:
• the decision about who we pay Housing Benefit to;
• whether we can recover an overpayment from you; and
• the amount, period and reason for the overpayment.

12 What can landlords not dispute?
Decisions which you cannot dispute are:
• the start date of the claim;
• the level of the award of Housing Benefit;
• decisions made by the Rent Officer;
• the rate of Local Housing Allowance;
• the discretion that we have to recover an overpayment (but see section 10 above);
• the ‘applicable amount’ we use to work out the tenant’s benefit.

The DWP provide us with a set of allowances and premiums which depend on the tenant’s individual or family circumstances (for example, if they are single, in a couple, how many children they have and whether they receive any disability benefits).

Time limits
It is important that we receive your written request for a revision or appeal within **one calendar month**, which starts from the day after we post the decision to you.

Statement of reasons
You may ask us for a statement of reasons for our decision. It is important that you tell us whether you are happy about the decision.

13 Compliments and complaints

Compliments
• e-mail to cscomplaints@merton.gov.uk; or
• in writing to The Customer Services Officer, Corporate Services Department, 2nd Floor Annexe, Civic Centre, London Road, Morden SM4 5DX.
Complaints

If you want to complain about the service, you can:
• phone us on 020 8545 3573;
• use the minicom 020 8545 3959;
• e-mail cscomplaints@merton.gov.uk; or
• write to The Customer Services Officer, Corporate Services Department, 2nd Floor Annexe, Civic Centre, London Road, Morden SM4 5DX; or
• do it online at www.merton.gov.uk/complaints.

14 What’s on the website?

We want landlords and agents to use it as much as possible. It contains a great deal of information that you will find useful, such as:
• forms;
• leaflets;
• newsletters to download and print; and
• information on rules about Housing Benefit.

You can access the benefits page:
• by typing www.merton.gov.uk/benefits in your internet browser; or
• from the home page of www.merton.gov.uk. Then click on the link called ‘Living’. Scroll down to the subheading ‘Benefits’ and click on the ‘Housing Benefit and Council Tax Benefit’ link.

Landlords and agents

Landlords and agents have their own page. From this page you can view the latest or previous editions of Benefits News for landlords. Visit www.merton.gov.uk/living/benefits/hb-ctb/housing benefit/benefitslandlords.htm
Local Housing Allowance (LHA)
You can get information and leaflets about LHA (which started on 7 April 2008) from www.merton.gov.uk/living/benefits/hb-ctb/housingbenefit/local_housing_allowance.htm.

15 ‘Mytaxandbenefits’ online facility
You can register for the mytaxandbenefits online facility at www.merton.gov.uk/mytaxandbenefits.
• Click on the link ‘Registration forms’.
• Choose the radio button ‘Housing Benefit (landlord) only’.
• Then click on the ‘Next’ button.
We will send you a username by email and then a password by post.

16 How to contact us
If you have a question about your tenant’s Housing Benefit, you can contact us in any of the following ways.
• By phoning us on 020 8274 4903 between 9am and 5pm.
• By textphone (for deaf and hard-of-hearing people only) on 020 8545 3961.
• By visiting us in person at Merton Link on the ground floor of Merton Civic Centre between 9am and 5pm.
• By writing to Merton Benefits Service, PO Box 610, Merton Civic Centre, London Road, Morden SM4 5ZT.
• By fax on 020 8545 3960.
• By e-mail to housing.benefits@merton.gov.uk.

It will help us deal with your enquiry more quickly if you quote your landlord reference or your tenant’s benefit reference number.
Request for document translation

Merton Benefits Service – A Landlord’s Guide to Housing Benefit

If you need any part of this document explained in your language, please tick box and contact us either by writing or by phone using our contact details below.

☐ Albanian

Nëse ju nevojitet ndonjë pjesë e këtij dokumenti e shpjeguar në ghuhen amtare ju lutemi shenojeni kutinë dhe na kontaktoni duke na shkruar ose telefononi duke përdorur detajet e mëposhtme.

☐ Bengali

এই তথ্যের কোনো অংশ আপনার বিভিন্ন ভাষায় বুঝানো যাবে না, তবে কর্তা হাজার্টিকে (এসে) টিক করিন নি এবং টিচ লিখে বা করেন কর্তা আমাদের সাথে যোগাযোগ কর্রণ। নিচে যোগাযোগের বিভাগ কেন্দ্রে হওয়ায় হবে।

☐ French

Si vous avez besoin que l’on vous explique une partie de ce document dans votre langue, cochez la case et contactez-nous par courrier ou par téléphone à nos cordonnées figurant ci-dessous.

☐ Korean

만일 본 서류의 어떤 부분이라도 귀하의 모국어로 설명되어있지 않으시다면, 상자에 표시를하고 우리에게 전화나 서신으로 연락하십시오.

☐ Polish

Aby otrzymać część tego dokumentu w polskiej wersji językowej proszę zaznaczyć kwadrat i skontaktować się z nami drogą pisemną lub telefoniczną pod poniżej podanym adresem lub numerem telefonu.

☐ Portuguese

Caso você necessite qualquer parte deste documento explicada em seu idioma, favor assinalar a quadricula respectiva e contatar-nos por escrito ou por telefone usando as informações para contato aqui fornecidas.

☐ Somali

Haddii aad u baahan tahay in qayb dukumeentigan ka mid ah laguugu sharxo luqaddaada, fadlan sax ku calaamadee sanduuga oo nagula soo xiril warqad ama telefoon adigoo isticmaalaya macluumaadka halkan hoose ku yaalla.

☐ Spanish

Si desea que alguna parte de este documento se traduzca en su idioma, le rogamos marque la casilla correspondiente y que nos contacte bien por escrito o telefónicamente utilizando nuestra información de contacto que encontrará más abajo.

☐ Tamil

நீங்கள் என்னுடைய கொண்டாடையாளரே என்று தமிழில் குறிப்பிட்டு கேள்வி தற்போது செய்ய விளக்கம் கூறக்கூடிய குறியீட்டை விளக்கக்கூடிய குறியீட்டை விளக்கரிட்டு கையடையாளரே

☐ Urdu

آگے آتے ہیں، سچھ کہ سچھ کہ تجربہ کے ذریعے ہیں جن میں سے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے کچھ معاوضہ کے لئے कkehr

☐ Large print ☐ Braille ☐ Audiotape

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