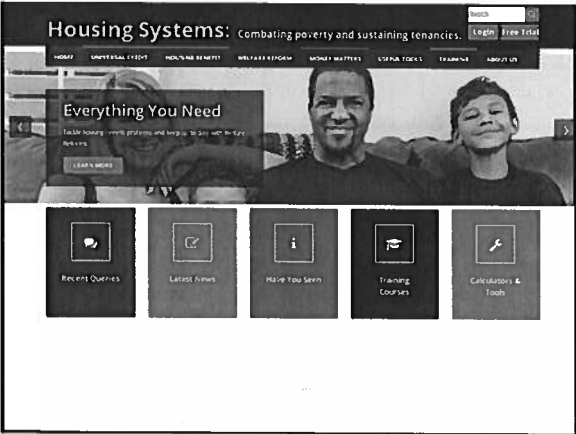
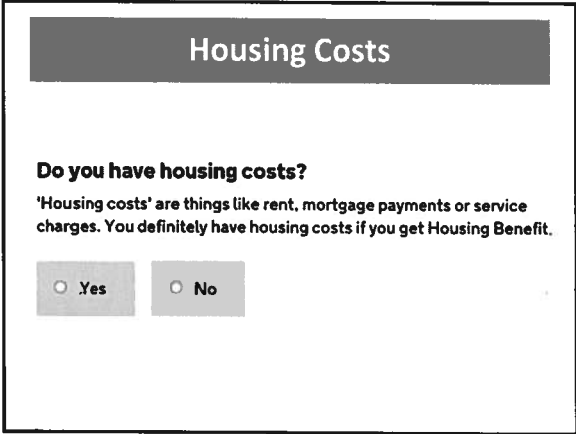


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Housing Costs

Where do you live now?

- I rent from a council or housing association
- I rent from a private landlord
- I live in a property I own (with or without a mortgage)
- I rent-buy through a shared ownership scheme
- I'm in temporary accommodation
- I'm in supported or sheltered accommodation
- I live with close relatives - for example, my parents or my partner's parents
- I'm in another type of housing

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No Housing Costs Element for...

- For those living in / moving to:
 - Temporary Accommodation
 - 'Specified Accommodation'
- UC for living costs
- Housing Benefit for help towards rent

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Specified Accommodation

- 'Specified accommodation'
- This is supported housing where
 - Landlord is a housing association / registered charity / voluntary organisation non-metropolitan county council
 - And where care, support or supervision (*to more than a minimal degree*) is provided
 - By the HA landlord (or on their behalf)
 - By other provider, where tenant moved in in order to receive the care, support or supervision, or
- DV refuge, or
- LA 'hostel - with shared kitchen/bathroom/toilet

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Specified Accommodation

- Local authority decide
- What if claimant lives in / has moved into sheltered housing?

I rent-buy through a shared ownership scheme

I'm in temporary accommodation

I'm in supported or sheltered accommodation



I live with close relatives - for example, my parents or my partner's parents

I'm in another type of housing

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Housing Costs

- A few months ago, Doris (60) and George (70) moved into Sunshine House – a Housing Association Extra Care Scheme - due to George's physical and mental health problems.
- Sadly, George died recently.
- Doris has no income....



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Housing Costs

- Doris will need to make a claim for Universal Credit.
- Does she need to claim HB too??
- Is she living in 'specified accommodation'??
- No!
- Although she still lives in the extra care scheme, if *she* does not receive care/support which is more than minimal – not in 'specified'
- HCE should be included in UC.

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Housing Costs Element



- **Must pass:**
- **Payment condition**
–Is it a payment of rent?
- **Liability condition**
–Are they liable / treated as liable?
- **Occupation condition**
–Are they living in property / temp absent?



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Payment condition


- Claudette is claiming UC.
- She's been living with her dad in his two bedroom social housing property.
- Sadly, he passed away last week.
- She has been allowed to stay living in the property as long as she pays a 'use and occupation' charge.



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Payment condition



- **Payment condition**
- **Covers**
 - Rent
 - License or 'permission to occupy'
 - Site rent for caravan / mooring charges



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Liability condition


- Joe is 22 and claiming UC.
- He's been living with his mum in her two bedroom rented property.
- His mum has just gone to prison for 3 years.



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Liability condition



- **Liability condition**
- Some people can be 'treated as liable':
- Partner of liable person, or
- Anyone living in property if:
 - Liable person not paying, &
 - Has to be paid to continue to live in property, &
 - Unreasonable to make other arrangements, &
 - Reasonable to treat claimant as liable.



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Untidy tenancies



- Davinder is off work due to health problems.
- He is getting SSP and has made a claim for UC to help him pay his rent.
- Although he lives on his own he has a joint tenancy, with his former partner, who moved away a few years ago.
- The UC dept have said that only 50% of the rent will be covered by UC as they expect the other joint tenant to be paying the other half.
- Wrong! Standard letter



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Occupation condition



- Julie was arrested two weeks ago for ABH. She has previous - so she is being held on remand.
- Before being arrested she was working and not claiming any benefits.
- Her court hearing is expected to take place in a few weeks time.



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Occupation condition


- Ahmed has been getting UC
- He has been admitted to hospital
- He has been sectioned under the mental health act and is likely to be in hospital for a few months....



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Occupation condition

- **Occupation condition**
- Must be living in property
- Temporary absences of up to 6 months allowed
- Unless
 - Going abroad (one month - extended in certain circs)
 - Fleeing violence (12 months if intend to return)
- If single and 'prisoner' ie on remand / prison – must have been getting UC with HCE prior



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Housing Costs Element

- Viola and Ray live in a three bedroom house with their two daughters age 7 and 11.
- They have just had their third child
- Their work coach has told them that they don't need to go through the hassle of reporting the birth - as they are 'caught' by the two child limit they won't receive any extra Universal Credit.



- What about size criteria?!

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How much?

Private rented sector

- Local Housing Allowance rules
- HCE = LHA rate / actual rent if lower
- Minus Housing Cost Contributions if applicable



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How much?

Private rented sector - LHA


- Shared accommodation rate or
- 1 / 2 / 3 / 4 bedroom rate
- Differences to HB:
- Single claimants - age 35+ – 1-bed rate even if living in shared accommodation
- Excluded from SAR if on PIP daily living / mid/high care DLA (for HB must have SDP)

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How much?

Social Housing

- **Max available will depend on:**
 - Eligible rent (ie rent + eligible service charges)
 - Rent free weeks
 - Bedroom Tax – under-occupancy
 - Non-dependants



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Housing Costs Element

- **Bedroom Tax under UC**
- **Similar to HB but.....**
- Lodgers - ignored - *still spare room, but income not counted*
- Non-couple joint tenants – excluded
- Couple non-deps treated as two single people
- Extra bedroom for carer – tenant/partner on benefit
- 13 week protection - none
- 'Protection on death' - not specific to bedroom tax but general rule might apply

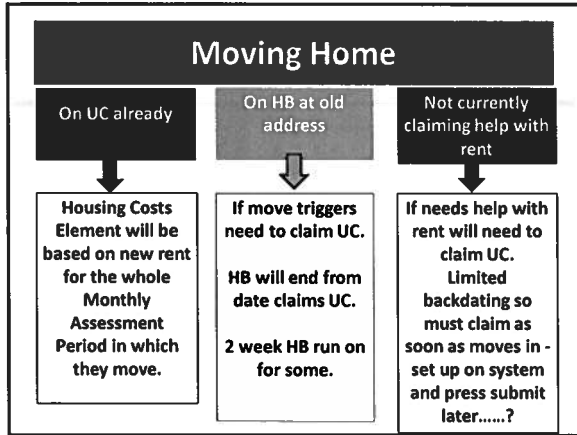
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Housing costs: Non-dependants

- **One flat rate monthly deduction (Housing Cost Contribution) - £73.89 pcm**
- Unless:
 - Non-dep under 21
 - Non-dep getting Pension Credit
 - Non-dep on DLA care- mid or high / PIP daily living
 - Non-dep on Carers Allowance
 - Non-dep responsible for child under 5
 - Tenant or partner on mid/high DLA care (not low), blind, Attendance Allowance, or daily living PIP
- Couple non-deps – treated individually



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Alternative Payment Arrangements

- Default – to pay all entitlement, monthly in arrears, into one account
- APAs:
 - More frequently – twice monthly
 - Split between a couple
 - Managed payment to landlord

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APA: Managed Payment

- Payment for rent can be paid to a Landlord where claimant is:
 - In two months' arrears, or
 - Claimant 'vulnerable' and it's in their best interests

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Alternative Payment Arrangement

- TIER ONE – more likely
- Drug or alcohol addiction
- Gambling addiction
- Learning difficulties
- Severe / multiple debt
- Temporary / Supported housing
- Domestic violence /abuse
- Mental health issues
- Threat of eviction / repossession
- 16 and 17 year olds
- Families with complex needs
- TIER TWO - possible
- No bank account
- Third party deductions
- Refugee
- History of rent arrears
- Previously homeless
- Other disability
- Just left prison
- Just left hospital
- Recently bereaved
- Language difficulties
- Ex service personnel
- NEETs

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APA: Managed Payment

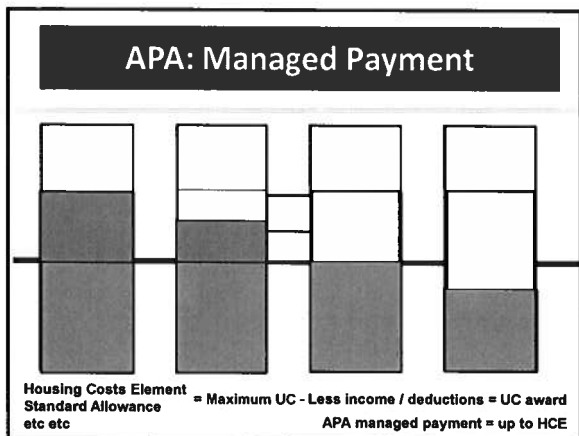
- Who can apply?
- Due to rent arrears –
- Landlord can apply – landlord portal / email
- Vulnerability
- Only social landlords with landlord portal (have trusted partner status)
- Claimant can request on journal / speak to work coach

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APA: Managed Payment

- How much will landlord receive?
- Amount equal to 'housing costs element'
- Which depends on:
 - LHA rate
 - or
 - ineligible service charges
 - Rent free weeks
 - Bedroom Tax
 - Non-dependants
- But if UC award is less than this amount in any month.....?

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- APA: Managed Payments**
- **Payments to private landlords**
 - By BACS, monthly 7 days after last day of MAP
 - **Payments to social landlords**
 - Paid as a monthly amount on a 4 weekly cycle
 - 'Missing' a payment once a year – when?
 - ie where two payment cycles occur within claimant's MAP

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- APA: Managed Payments**
- **Unpredictable!**
 - **Amount can vary**
 - **No APA managed payment when expected ??**
 - 'missing payment'?
 - Claim terminated?
 - DWP decided to switch back to default?
 - Claimant moved out of property?
 - Claimant trying to get a DHP due to Benefit Cap

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Discretionary Housing Payments

- **Must be on UC with a Housing Costs Element**
- **Any amount of UC in payment**
- **What if an APA is in place?**
- **Do they need "further financial assistance.... in order to meet their housing costs"??**
- Circular **A7/2018** states:
"DWP does not see any legal reason why DHPs cannot be paid to UC claimants who have an MPTL in place..... LAs have a duty to accept a claim for a DHP; however it is still the LAs choice as to whether or not they grant it."

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TPD to landlord

- **Third Party Deductions for rent arrears:**
- **Must be 2 months in rent arrears, and**
- **Not have had earnings above 'work allowance' in previous Monthly Assessment Period**

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TPD to landlord

- **Third Party Deductions for rent arrears:**
- **Min 10% of standard allowance (max 20%)**
- **Single under 25: £251.77 £25.18 £50.35**
- **Single 25+: £317.82 £31.78 £63.56**
- **Couple both under 25: £395.20 £39.52 £79.04**
- **Couple one 25+: £498.89 £49.89 £99.78**
- Paid as a monthly amount on a 4 weekly cycle
- Will be 'missing' a payment every so often
- ie where two payment cycles occur within claimant's MAP

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