

Landlord Update December 08

Earlier this year I promised to keep you up to date with progress within the service and events that may affect you. To date 2008 has been a challenging year within Housing Benefits, following the introduction of Local Housing Allowance in April there have been various other key changes introduced by Central Government that have recently taken affect, as the government continues to reform the benefits welfare system.

Performance

Our target is to process all new claims within 20 days and changes in circumstance within 11 days on average. Average processing times for the last four months are detailed below.

	July	August	Sept	Oct	Nov
New Claims : end to end processing (days)	19.78	19.12	19.28	17.18	18.87
Changes in circumstances (days)	9.63	9.46	9.40	8.50	9.48

Christmas Arrangements

Benefit payments will be as follows: The next Landlord four weekly in arrears payment will be as normal on 12 January 2009 (no change). The Claimant two weekly in arrears payments that are due to be received on 29 December 2008, will be posted out on 23 December 2008. The two weekly in advance payments will be posted on 24 December 2008, so may be received earlier than the due date of 5 January 2009.

The Revenue and Benefits offices close at 4pm, Wednesday 24 December and will reopen 8.30am on Friday 2 January.

Local Housing Allowance (LHA)

There has been some fluctuation in the monthly LHA rates, since LHA was introduced in April 2008. The Rent Service set the LHA rates to be used across the Island for benefit assessments. The levels set for each category are based on a representation of the open market lettings evidence that the Rent Service have collated together - where tenants do not receive housing benefits.

It is important that Landlords provide the Rent Officer with open market lettings information because LHA rates are calculated from the median of private market rents received in any one month.

If you would like further information on how The Rent Service calculate LHA levels or you would like to provide details of lettings for consideration, you can do this by accessing the rent officer website:

<http://www.therentservice.gov.uk/lettings-research/index.asp>

December LHA Rates

Category	Room Need	LHA Rate Weekly £	LHA Rate Monthly £
A	Shared room rate	65.00	281.67
B	1 Bedroom	103.85	450.02
C	2 Bedroom	132.69	574.99
D	3 Bedroom	159.23	690.00
E	4 Bedroom	207.12	897.52
F	5 Bedroom	275.77	1195.00

Please note the household of any claimant determines the size of accommodation required rather than the number of rooms in the property. Please contact the Benefit Section if you need advice on the appropriate size of accommodation.

As a result of the introduction of Local Housing Allowance in April 2008 for any new claim or change of address, payment of entitlement must be made direct to your Tenant, unless there is evidence the tenant is deemed to be vulnerable, unlikely to pay or has arrears in excess of eight weeks.

The Council's Benefit Service continues to work very closely with their partners in Housing, Supporting People, and the Citizens Advice Bureau, as it is in all our interests to protect tenancies. As a Landlord you have an important role in assisting us to safeguard payments of benefits. If you are not receiving payments from your tenant and believe Housing Benefit may be in payment, it is important that you let us know as soon as possible. If there are rent arrears and Housing Benefit is in payment we will investigate the matter.

Benefit Fraud

All landlords in receipt of direct payments of Housing Benefit are reminded of their responsibility to inform the council when a tenant vacates or has a change in their circumstances.

We have recently had several cases where we have not been advised, which resulted in one landlord being interviewed under caution for benefit fraud and subsequently receiving a formal caution.

If Landlords continue to fail in their duty to inform the council of these changes they may find themselves deemed as not 'Fit and Proper Persons' for the purpose of Housing Benefit payments and direct payments will cease and all future payments will go to the tenant.

Other Changes

Some key changes have recently been introduced to benefits legislation:

Employment Support Allowance (ESA) – intended to replace both Incapacity Benefit and Income Support where it is paid on the grounds of incapacity for work for new claims. This came in to effect on 27.10.08. Further guidance on this new benefit is available at:

<http://www.direct.gov.uk/en/DisabledPeople/FinancialSupport/esa>

Backdating rule changes – Subject to continuous good cause being proven, the period a claim can be backdated for pensioners claiming Housing Benefit and Council Tax Benefit (HB/CTB) has been amended from 52 weeks to 3 months. Also amended is the period a claim can be backdated for working age customers, from 52 weeks to 6 months. Effective from 6.10.08

Pension Credit changes to claiming process – The Pension Service will now be responsible for taking claims for Housing and Council Tax Benefit when a Pensioner claims Pension Credit. Details of the claim will only be passed to the Local Authority once the claim for Pension Credits has been processed. Whilst the intention is to make the process as simple as possible, you may wish to advise any tenant of Pension age to contact the Local Authority Benefit Section direct to advise us a claim has been made. Any change of address needs to be reported directly to the Local Authority Benefit Service as well as the Department for Work and Pensions. Effective from 3.11.08

‘Credit Crunch’ Impact

The Revenue & Benefits Service are working very closely with partners to look at ways of assisting families and individuals on the Island to try to ease the financial pressures currently being faced by all.

The council has established an anti-poverty group comprising of representatives from Housing Services, Revenue and Benefit Services Division, (including Council Tax, Business Rates, and the Benefits teams) Supporting People, The Department of Work and Pensions, Citizen’s Advice Bureau, The Law Centre, Age Concern, Her Majesties Revenues & Customs, Job Centre Plus, Connexions and various Housing Associations.

The group is monitoring the economic situation by looking at things such as income maximisation, debt advice assistance and the level of repossessions on the Island to see if trends emerge. It will then investigate ways to assist those in financial difficulty.

If anyone has any concerns about personal debt, independent and free advice is available from the Citizens Advice Bureau (01983 826160) and The Law Centre (01983 524715).