

Housing Benefit Overpayments Code of Practice

This Code of Practice explains the Council's Housing Benefit Overpayment Policy and sets out what you can expect of us and what we expect of you.

If there is an overpayment, most of the cost of the overpayment falls upon the Council tax payers of Barnet, which means that we have a duty to recover overpayments where the law allows.

We expect you to tell us of any changes in your circumstances without delay so that overpayments are kept to a minimum.

We will

- On behalf of the tax payers of Barnet ask you to repay all recoverable overpayments of Housing Benefit.
- Treat you with courtesy and respect and keep any information you give us in confidence.
- Let you know that there has been an overpayment as soon as we can.
- Give you information regarding your rights to have the decision looked at again, appeal to an independent tribunal or ask for an explanation of the decision.
- Send you a bill if we cannot recover the overpayment from Housing Benefit owed to you.
- Write to you in plain language. If you have communication difficulties we can arrange for letters we send to you to be in large print, Braille or translated into another language. We can also be contacted with type-talk or by minicom.
- Meet with you. If you want to talk to us in person about the overpayment you can come to our offices or surgeries to speak to a Housing Benefits Advisor or make an appointment to meet an Overpayments Officer.
- If the rate of recovery set by the government is causing you hardship try to agree a reasonable rate of recovery.
- Enable you to pay the bill by cash, cheque, by standing order, credit card or debit card. If necessary we can arrange for the payments to be made by a short series of instalments over a reasonable period.
- Recover from the Housing Benefit of a third party tenant in a cheque payable to the landlord only after due warning to the landlord.
- Only consider court action to recover the debt if you do not pay the debt, fail to keep to an instalment agreement or we cannot agree an instalment programme.
- Where the overpayment has been due to fraud we will ask the tenant not the landlord to repay the debt provided the landlord was not involved in the fraud.

WARNING - If you do not pay the debt or fail to keep an instalment agreement, where appropriate, either obtain a court enforcement order **WITHOUT A HEARING** or seek a County Court Judgement against you.

We expect you

- To let us know immediately when your circumstances change. Changes include: - Income Support or Job Seekers Allowance ending, you or anyone in your household starting or leaving work, changes in your income and/or savings, moving out of the property, people joining or leaving your household, changes to your capital.
- To return application forms and any original evidence required quickly to enable us to work out what benefit you might have been entitled to and therefore reduce any overpayment.
- To repay overpayments within 28 days of us sending you a bill. If you cannot pay within 28 days then contact us within that period to arrange instalments.
- To keep to the instalments as agreed. If you cannot because there has been a further change in your circumstances, you must contact us at once.
- Not to ignore any overpayment bill as this could lead to court action, county court judgements against you, additional costs you have to pay and eventually recovery action including possibly bailiffs being instructed.

We expect landlords

- To pay bills in 28 days or to contact us if they need to pay by instalments.
- To let us know of any changes in the tenant's circumstances that might affect the Housing Benefit. This includes the tenant vacating the property.
- To treat any third party tenants as having paid their rent if we use their Housing Benefit to recover an overpayment.

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Contact Telephone number for Overpayments

020 8359 2250

**Do you know someone who is claiming who shouldn't be ?
Ring the fraud hotline on (020) 8359 2007**