

The Rent Service and Housing Benefit

What has Housing Benefit got to do with the rent officer?

Housing Benefit can help you pay a reasonable level of rent, but the amount you receive is also based on your personal circumstances and may not be the same as you have agreed to pay your landlord.

If the Housing Benefit department asks, the rent officer will make a series of valuations. These are called 'determinations'. These determinations give the council the reasonable rent figure that they use to work out your benefit.

What does the rent officer do?

The rent officer may look at the property before making the determinations, but it is not necessary for them to visit all properties. If a rent officer wants to visit you, they will make an appointment by phone or letter. If this appointment is not convenient, you can usually change it.

Housing Benefit does not cover the cost of certain things, which may be included in your rent, such as fuel, water charges, laundry or cleaning of your room. These items are called 'ineligible charges'. If these are included in your rent, the rent officer will take the value of these off the rent as Housing Benefit cannot pay for them.

The rent officer then makes the following valuations.

Claim-related rent This has three parts.

1 Reasonable rent

The rent officer will decide if the rent you pay is reasonable compared with other properties in the 'vicinity'. If it is too high, they will set a reasonable figure.

'Vicinity' means the immediate area around the property. If the property is in a town or city, this could mean just the street the property is in or a few adjoining streets. If the property is in the country, the 'vicinity' could be a small village.

2 Number of rooms

The rent officer will consider whether your home has more rooms than the Housing Benefit rules say you need. If it has too many rooms, the rent officer will decide what the rent would be for a similar property with the right number of rooms. The rules are strict and the rent officer is not able to alter them.

The number of rooms allowed is as follows.

One bedroom for each of the following, counting each person once only, in the first group they come into.

- ‡ A married couple or an unmarried couple who live together as husband and wife.
- ‡ Someone who is 16 or over.
- ‡ Two children of the same sex.
- ‡ Two children who are younger than 10.
- ‡ A child (a 'child' is someone under 16).

You are also allowed one living room if there are up to three people living in your home. You are allowed a second living room if four, five or six people live there. You are allowed a third living room if there are more than six people living in your home.

The rent officer only counts children as living in the home where they normally live. They are not counted in a home where they visit, however often.

The Housing Benefit department decides who counts as living at a property and the rent officer can only include these people in the decision.

3 Exceptionally high rent

After making these decisions, the rent officer decides if the lowest figure is still much higher than most rents for the right number of rooms in the neighbourhood. This might be because of the high quality of the property or because of the services or amenities provided. If it is much higher, the rent officer must fix a figure that is in keeping with the general level of rents.

'Services' are things that the landlord does or supplies beyond providing the basic accommodation, such as doing the laundry or cleaning the property. 'Amenities' are the physical things at the property, such as a swimming pool or tennis court.

Once the rent officer has made these three decisions, the lowest of them is the **claim-related rent**.

Local reference rent

The rent officer will also decide how much is generally paid for property with the right number of rooms in the same 'locality'. This is called the **local reference rent** and will apply if it is lower than the claim-related rent.

The local reference rent is the midpoint of the range of rents for all types of property with the right number of rooms in the same 'locality' as your home. The 'locality' is a broad area with a number of neighbourhoods. Within this broad area there will be a mix of property types and alternative places to live within a reasonable travelling distance of similar public amenities. The range of rents used will not include any rent that is unusually high or low.

Single room rent

If you are single and under 25, with no partner or children living with you, the rent officer will also decide how much is generally paid in the 'locality' for a single room with a shared living room, kitchen, bathroom and toilet, but without any food or fuel bills included. This is called the **single room rent** and will

apply if it is lower than the claim-related rent or local reference rent.

Rent officer decisions usually stay in force for 12 months, but the single room rent lasts for 12 months or until your 25th birthday, whichever is sooner.

Will my benefit be delayed?

The rent officer has fixed time limits to carry out the valuations. In most cases, the rent officer should be able to send a decision back to the council within a few days.

If the rent officer needs to visit, there may be a short delay especially if the appointment has to be changed. The council can usually pay some benefit on account if there is a delay.

How does the rent officer know what figures to set?

Rent officers continually monitor the local rental market. They collect details about properties available to rent and the rents that have been agreed for properties let recently. This information comes from different sources, including letting agents, landlords and tenants and a range of advertisements.

Can I ask the rent officer to explain these decisions?

Yes, you have a right to ask your Housing Benefit office or the rent officer to give you reasons for all or any of these decisions

What if I am unhappy about the rent officer's decision?

If you are unhappy about the rent officer's decision, you can ask the local authority for your case to be looked at again. You should give your reasons. The local authority will then ask for another rent officer (called a redetermination officer) to make a new decision. **At this stage you can make representations about the rent officer's decisions, and give them any information you think would help. You should make your representations in writing to your housing benefit office.**

What are redetermination officers?

Redetermination officers are **usually** experienced rent officers who review decisions. They work for an entirely independent unit of The Rent Service. The Redetermination officer who deals with your case will have no connection with the rent officer who made the original decisions.

What does the redetermination officer do?

The Redetermination officer will look at all the decisions the rent officer made and make new ones, based on market rents at the date the rent officer made the original decisions. The Redetermination officer will look at all the evidence available, even if the rent officer did not see it. They will also take into account any representations you have made.

Will the Redetermination officer visit my home?

The Redetermination officer may want to visit your home, but this is not always necessary. We will contact you by phone or letter if we need to visit your home.

How will I find out about the Redetermination officer's decisions?

The Redetermination officer will send the new decisions to you, to your Housing benefit office and to the rent officer. The new decisions could be higher than, the same as, or lower than the rent officer's valuations.

The Redetermination officer will always give you written reasons for the decisions. They will also answer any specific points you raised when you or your Housing Benefit office asked for the Redetermination.

What if I don't understand some of the information I have been given?

You have the right to ask the redetermining officer to explain fully anything you don't understand. Please let the redetermining officer or your Housing Benefit office know if you would like anything explained in more detail.

Can I find out how much I might get before I take a tenancy?

If you are thinking of renting a property, you can apply for a **pre-tenancy determination**. You can also do this if your existing agreement is coming to an end. You must apply with the landlord to the Housing Benefit department of the council but the rent officer will tell you and the landlord direct about the decision. This will usually take no more than five working days, or less time in many cases.

The pre-tenancy determination will show you the figure that the Housing Benefit department will use to work out your benefit. It does not guarantee that you will qualify for Housing Benefit or say how much your benefit will be.

You can find more details in the leaflet 'Pre-tenancy determinations' which you can get from any rent service office.

Do you want to know more?

For more information please contact The Rent Service at the address below.

Your local rent service office is at:



Housing Benefit

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