



advice and support for older age
**Independent
Age**

Factsheet

Council Tax Support and Housing Benefit

This factsheet explains what may be available to help you pay your council tax and your rent.

Last reviewed: August 2016

Next review date: April 2017

Independent Age provides advice to help people claim benefits, access social care and stay independent at home. Our local volunteers provide friendship visits and calls for lonely older people. To find out how Independent Age can help you, call us FREE on **0800 319 6789** or visit **independentage.org**



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The information in this factsheet applies to England only. If you're in Wales, contact Age Cymru (0800 022 3444, agecymru.org.uk) for information and advice. In Scotland, contact Age Scotland (0800 470 8090, agescotland.org.uk). In Northern Ireland, contact Age NI (0808 808 7575, ageni.org).

Part one: Getting help with council tax

1. Introduction to Council Tax

Council Tax pays for local government services, such as rubbish collection, road repairs and libraries. The amount of Council Tax you pay depends on the value of your home. Every home is assigned to one of eight tax bands (A-H,) based on its market value. Council Tax applies to both rented and owner-occupied homes.

If you're responsible for paying Council Tax, you may be eligible for one of the discount schemes:

- Council Tax discounts (see chapter 3)
- The Disabled Band Reduction Scheme (Disability Reduction Scheme) (chapter 4)
- Your local council's Council Tax Support scheme (Council Tax Reduction) (chapter 5).

Good to know

It is possible to receive help from all of these schemes at the same time if you meet the relevant conditions for each one.

2. Exemption from Council Tax

Homes can be exempt from Council Tax. This is usually when they are unoccupied.

A home may also be exempt from Council Tax if everyone living in it is 'severely mentally impaired' (this could include people with dementia or a serious mental health condition). There would need to be a certificate from a GP confirming this, and the people in the property would need to be eligible for certain disability benefits.

To do....

If you now live in a hospital or a care home and no one is living in your home, check with your local council if your home is exempt. The council can also advise on other cases where exemption applies.

3. Council Tax discounts

If you live alone, you are entitled to a 25% discount on your Council Tax bill.

You may also be treated as living alone if you live with another adult who is:

- severely mentally impaired and receives a disability benefit
- a carer for you or someone else, and isn't the spouse, parent or partner of the person they are caring for
- full-time students.

Check with your local council if you're unsure who is responsible for paying Council Tax in your household.

An example

Roy and Betty live with their grandson John. Betty has late-stage dementia and has a certificate confirming she is severely mentally impaired, and John is a full-time university student. This leaves Roy as the only adult in the house for Council Tax purposes. He will get a 25% discount on his Council Tax bill, as he is treated as living alone.

Good to know

You'll usually have to apply to your council for any discounts. If you notify them of a change of circumstances, they may apply any relevant discounts at that stage.

There is no time limit to apply for a discount. You can ask for it to be backdated to when you were first eligible for it but backdating may be limited to six years. See chapter 7 for information about appealing decisions on Council Tax discounts.

4. Discounts for disabled people

You can get a discount through the Disabled Band Reduction Scheme (Disability Reduction Scheme) if you or another adult living with you is 'substantially and permanently' disabled. To qualify for this reduction, you must have:

- an extra bathroom, kitchen or other room which is needed by the disabled person because of their disability, or
- extra space in your home for the disabled person to use a wheelchair indoors.

There is no set test for who has a 'substantial and permanent' disability, or for deciding whether an extra room is needed by someone due to their disability. Councils must use their judgment on this.

What reduction do you get?

If you qualify for this scheme, your Council Tax bill will be reduced to the band below, or by one sixth if your home is already in the lowest band.

5. Council Tax Support (Council Tax Reduction)

If you need help to pay your Council Tax bill, you may qualify for Council Tax Support. This is also known as Council Tax Reduction.

Your local council is responsible for Council Tax Support. Each council sets its own rules, so schemes vary from council to council.

Who can apply for Council Tax Support?

Anyone who has no income or a low income may be eligible. If you (and your partner) have savings and investments over £16,000 you won't qualify for Council Tax Support unless you're receiving Guarantee Pension Credit.

How much will you get?

Council Tax Support is means-tested. The reduction you receive will depend on:

- your income, savings and investments – the less you have, the higher the reduction you might get
- whether you are over Pension Credit qualifying age (gov.uk/state-pension-age)
- how the scheme works in your area.

You may get your Council Tax paid in full or you may get a reduction.

If you get Guarantee Pension Credit, you will get the highest Council Tax reduction available in your area. You may get a lower reduction if you have another adult living with you who is not your partner and who cannot be disregarded, as they would be expected to pay towards the Council Tax bill.

To do....

Ask your local council for details of their scheme, look on their website or contact your local Citizens Advice (08444 111 444, citizensadvice.org.uk).

6. Second Adult Rebate

If you live with another adult who is on a low income or receives certain benefits, and isn't your partner, you may be able to apply for Second Adult Rebate.

The second adult can't be a joint owner or joint tenant of the property with you, or be someone who is ignored when the council works out what Council Tax you should pay (see chapter 3).

You can't receive both Second Adult Rebate and Council Tax Support. If you're not entitled to Council Tax Support because your income or savings and investments are too high, you may qualify for Second Adult Rebate from your council instead. In some circumstances, even if you're entitled to Council Tax Support, you may be better off getting Second Adult Rebate.

What rebate might you get?

The amount your Council Tax is reduced by will depend on the income of the second adult living with you, and what benefits they are receiving. There are three levels of rebate: 25%, 15% or 7.5%.

How to apply

Contact your Council. If you apply for Council Tax Support, your local council should automatically consider whether Second Adult Rebate would give you the bigger reduction, so you don't need to make a separate application.

If you're not applying for Council Tax Support because your savings and investments are too high for you to qualify, then apply for Second Adult Rebate. Ask your local council for more information.

7. Appealing decisions about help with Council Tax

You have the right to appeal decisions about whether you should be paying Council Tax, whether your property should be exempt, or whether you should be getting a discount of any kind or Council Tax Support.

Contact your local council to ask for the decision to be reviewed. You should explain why you think the decision was wrong. Do this as soon as possible after receiving the decision, although there is no deadline.

If you're not satisfied with the review decision, you can then appeal to the Valuation Tribunal for England (valuationtribunal.gov.uk). You must do this within two months of receiving the appeal decision from the council, or within four months of your original appeal if the council does not respond.

Part two: Getting help with paying rent

8. What is Housing Benefit?

Housing Benefit helps pay your rent if you're a tenant. There's no fixed amount – the amount you get will depend on your income and circumstances, so it could cover all or some of your rent.

As well as paying your rent, Housing Benefit can also cover certain service charges, including upkeep of lifts or a communal garden. It can't be claimed towards heating, hot water or other energy bills, unless they're for a communal area and you're obliged to pay them. If these charges are included in your rent, that part of your rent is not eligible for Housing Benefit. Your landlord should be able to tell you what charges are included in your rent. If separate charges aren't specified, a set amount will be deducted from your Housing Benefit.

An example

If you pay rent of £100 per week, which includes heating for your flat, the Housing Benefit department will deduct the flat rate standard amount of £28.80 a week for heating if there is no evidence of the actual amount. This means your eligible rent will be £71.20 and the maximum Housing Benefit you could receive is £71.20 a week.

If you live on a houseboat, in a caravan or in a mobile home, you can claim Housing Benefit to cover your mooring or site fees. People who pay for their board/lodgings or are living in a hostel may also be eligible to receive Housing Benefit for the accommodation part of their charges. You can't claim Housing Benefit to pay your mortgage.

9. Who can claim Housing Benefit?

You may be able to claim Housing Benefit if all the points below apply to you:

- you're a tenant, either council, private or housing association
- you're personally or jointly responsible for paying rent
- you're on a low income, or receive Guarantee Pension Credit or certain other working-age benefits
- you have less than £16,000 in savings and investments (unless you receive Guarantee Pension Credit).

If you receive Guarantee Pension Credit, you may get your rent paid in full by Housing Benefit.

If you live with your spouse, civil partner or partner, one of you must be the lead applicant for Housing Benefit. Whether or not you can get Housing Benefit will depend on your joint income savings and investment and if any other adults live with you.

Who can't claim?

You can't normally claim Housing Benefit if:

- you live in a care home
- you rent from a close relative who owns the property
- you have savings and investments of over £16,000 (this includes your partner's savings and investments)
- you don't normally live in the UK. You're also unlikely to get Housing Benefit if you're subject to immigration control.
- you're a homeowner and want to use it to pay your mortgage, service charges or ground rent. You may be

able to claim extra money through Pension Credit to help with housing costs instead. For more information, see our factsheet **Pension Credit** (0800 319 6789, independentage.org).

Good to know

Universal Credit is gradually replacing Housing Benefit for people of working age. This is a new benefit bringing together several existing benefits. If you're under Pension Credit qualifying age (gov.uk/state-pension-age), you may have to claim support towards your rent under Universal Credit. The amount awarded for housing costs will be included in your monthly Universal Credit payment. You cannot claim Housing Benefit if you are entitled to Universal Credit.

Check if Universal Credit applies in your area at gov.uk/apply-universal-credit or by calling the helpline on 0345 600 0723. It is usually six weeks before you receive your first Universal Credit payment after your claim.

10. How your Housing Benefit is calculated

There's no fixed amount of Housing Benefit. What you get will depend on your income, savings and investments, circumstances, and whether you're a private tenant or rent from the council or a housing association.

Your eligible rent will be calculated. This is the maximum amount you can receive from Housing Benefit. It may be less than your actual rent if, for example, your rent includes service charges like heating or Council Tax, which Housing Benefit won't cover.

If you're a council or housing association tenant

If you're already receiving Guarantee Pension Credit, your full rent will be used as the starting point for calculating your Housing Benefit. Deductions may be made from this if you live with another adult other than your partner. These deductions won't be made if you or your partner are registered blind, or receive Attendance Allowance, the care component of Disability Living Allowance, the daily living component of Personal Independence Payment, Armed Forces Independence Payment or Constant Attendance Allowance.

If you're not receiving Guarantee Pension Credit, your income, savings and investments will be looked at, including:

- earnings
- most welfare benefits – certain disability benefits are ignored
- income from anyone living with you, for example, tenants or lodgers
- occupational and private pensions
- maintenance payments (except child maintenance)
- savings and investments of £16,000 or above
- assumed income of £1 per £500 (or part of £500) for savings between £10,000 and £16,000. The assumed income figure is different for people of working age.

Good to know

The 'bedroom tax'

If you're of working age (under Pension Credit qualifying age) and rent from the council or a housing association, your Housing Benefit will be reduced for any 'spare' bedrooms you have. If you have more bedrooms than the government says your household needs, you could be affected. For example, an adult couple would normally be expected to share one bedroom, so a husband and wife in a two bedroom flat would be counted as having one spare bedroom. The reduction is 14% of your eligible rent for one spare room, or 25% for two or more spare rooms.

If this affects you, you may be able get help from the Discretionary Housing Payments scheme (see chapter 12). Contact your local council for more information.

If you're under Pension Credit qualifying age, you may also be affected by the benefit cap, which limits the total amount of weekly out-of-work and children's benefits you can receive. If your income from these benefits is above the cap, your Housing Benefit will be reduced. Universal Credit is also affected by the benefit cap and your monthly award may be reduced depending on your circumstances. Call the government helpline on 0845 605 7064 for more information.

If you're a private tenant – Local Housing Allowance

If you're a private tenant, how much help you can get with your rent depends on your council's Local Housing Allowance (LHA) rates. These are standard maximum rent figures set by your local council. How much Housing Benefit you get depends on:

- the maximum rent allowed for properties in your local authority area
- the number of bedrooms your household needs

Local Housing Allowance figures are set every April.

To do....

Find out what the Local Housing Allowance is in your area from your local council or the Valuation Office Agency (lha-direct.voa.gov.uk/search.aspx, 03000 501501).

Maximum LHA limits

There is a set maximum LHA depending on the area you live in and the size of your property. If your rent is more than the maximum, you will have to make up the difference, so you may have to consider looking for cheaper accommodation. Exact LHA rates vary from area to area. For example, in the London area you can't get more than:

£260.64 for one bedroom (either a whole property or in shared accommodation)

£302.33 for two bedrooms

£354.46 for three bedrooms

£417.02 for four bedrooms

The highest LHA rate is for a four bedroom property. Even if you live in a property with more than four bedrooms, the Housing Benefit you receive will be limited to the maximum LHA for a four bedroom property.

Good to know

If you're disabled and receive regular overnight care from a carer who doesn't live in the property, an extra bedroom for the carer to stay overnight is allowed.

An example

David is 72 and lives with his wife in a privately rented two bedroom house. They are struggling to pay the £250 per week rent. David currently cares for his wife who has some health problems and limited mobility.

When David claims Housing Benefit, the council says the couple only need a one bedroom property. The amount of LHA for a one bedroom property in their area is £175 a week. This means that David and his wife still need to pay £75 per week towards their rent after their maximum Housing Benefit award.

David may be able to get the LHA rate for a two bedroom property in the future if his wife's condition deteriorates and she needs a carer to stay overnight. As the carer will need to sleep in the house, they will be allowed an extra bedroom.

11. How to claim Housing Benefit

If you're claiming Pension Credit, you can claim Housing Benefit at the same time. Contact the Pension Service on 0800 99 1234. They will forward your claim to your local council. It's a good idea to check that your local council has received your form and is processing your claim.

If you're claiming Universal Credit, you can get help with housing costs as part of it.

If you're not claiming these benefits, apply through your local council (gov.uk/apply-housing-benefit-from-council).

You'll need to provide details of your income, savings and investments.

If you pay rent to a private landlord, the local council may need additional information, including proof of how much rent you pay to your landlord.

If you need help to make a claim

Some councils may have an advisory team who can visit you at home if you are housebound, to help you complete the forms and verify any documents required to support your application.

When will a decision be made?

The council should try to work out your Housing Benefit entitlement within 14 days of receiving all the information it needs. If you pay rent to a private landlord and the local council has not made a decision on your claim within 14 days, they must make an interim payment while your claim is being dealt with. The council should do this automatically – if they don't do this, contact them.

Your local council will write and tell you if you have been awarded Housing Benefit and if so how much you're entitled to.

How Housing Benefit is paid

Housing Benefit is paid in arrears.

If you're a council tenant, your Housing Benefit will be deducted from your rent.

If you pay rent to a private landlord or a housing association, the money will be paid directly to you. In some situations, it may be possible for it to be paid directly to your landlord instead. Check with your council.

Backdating Housing Benefit claims

It may be possible to get your Housing Benefit backdated. Check with your local council. If you have reached Pension Credit qualifying age and believe you should have been receiving Housing Benefit but did not claim, you can ask for your claim to be backdated by up to three months.

If you are below Pension Credit qualifying age, your claim can only be backdated for up to one month and you must be able to show you had a good reason for not claiming sooner.

12. If you're still struggling to pay your rent – Discretionary Housing Payments

If you qualify for Housing Benefit but your benefit doesn't cover all your eligible rent, you may be able to claim Discretionary Housing Payments (DHPs) from your local council if meeting the shortfall is causing you financial hardship.

Good to know

There are no set rules for who receives DHPs. Each council has a fixed budget for this and decides how to allocate it.

Who qualifies for Discretionary Housing Payments?

You can only get a DHP if you're eligible for Housing Benefit or the housing costs part of Universal Credit. DHPs can help pay your eligible rent if you don't receive enough Housing Benefit to cover it. For example, this might be the case if your LHA is lower than your rent, or you are below Pension Credit qualifying age and affected by the benefit cap. Sometimes, DHPs can be given for one-off costs relating to moving home, such as rent deposits or rent in advance.

Payments can't be awarded to cover service charges such as heating costs which aren't covered by Housing Benefit.

To do....

Ask your local council how to apply for a DHP. They may have an application form, or if they don't, you could write a letter to them instead.

The decision to award a DHP is based on your individual circumstances, so it's important to give as much information as possible when you apply. For example, you should give details of income and outgoings, any disabilities you have, debts, and

any other benefits you receive, explaining why it's so difficult for you to pay the shortfall in your rent.

Nobody has a right to a DHP, so you can't appeal against the decision if it is refused. Instead, you can ask the council to reconsider their decision and you could submit further information or evidence to support your request. It's a good idea to get help from a local advice service, such as Citizens Advice (citizensadvice.org.uk).

How much can I get?

There is no set amount for a DHP because it is a discretionary payment – your DHP and Housing Benefit combined cannot total more than your eligible rent.

DHPs may be paid in instalments or as a lump sum. It is also possible for the council to use its discretion to backdate an award.

13. If your circumstances change

It's important to tell your local council if your situation changes while you're receiving Housing Benefit. For example, contact your local council straight away if:

- someone new moves in with you
- someone moves out or their circumstances change
- your income or savings change
- there's any change to the benefits you're receiving
- your rent changes.

Your Housing Benefit will then be reassessed to take account of the changes, and may go up or down.

Good to know

If your rent increases, check whether you're now entitled to more Housing Benefit.

Overpayments

If you have been paid too much Housing Benefit because of an 'official error' – for example, if the Housing Benefit department incorrectly calculated how much you should be paid and you were unaware that you were being overpaid – you can challenge the Housing Benefit department if they ask you to pay the money back.

However, if you have been paid too much Housing Benefit because you failed to provide the council with the correct information about your situation, or you were aware that the council had wrongly assessed you, then you will have to pay the money back.

If you're away from home

If you're temporarily away from home within Great Britain and plan to return, your Housing Benefit may continue to be paid for up to 13 weeks. It could be paid for up to a year if, for example, you're receiving medical treatment in a hospital or staying in a care home for a trial period. If your home is being rented out while you're away, your Housing Benefit will no longer be paid.

If you're temporarily absent from Great Britain, you can keep getting Housing Benefit for up to four weeks, if at the start of the absence you don't plan to be away for more than four weeks.

This period can sometimes be extended up to eight weeks if the absence is caused by the death of your partner or child. Contact the Housing Benefit department for more advice if you think this could apply to you.

If you're temporarily absent from Great Britain for medical treatment, you may be able to keep getting Housing Benefit for up to 26 weeks. This could also apply if you're accompanying a partner or child who is being treated.

To do...

Contact the Housing Benefit department at your council before you travel.

If you're moving home

If you're thinking of moving home, you have a new property in mind and you will be privately renting, first check what the LHA will be for that area. This will not tell you how much Housing Benefit you may get for the new property so it may be useful to get a benefits check as well. This may help you decide whether or not the new property is affordable before you sign a tenancy agreement or move in. Contact the Independent Age Helpline for advice (0800 319 6789).

Good to know

In some situations, you may be able to receive Housing Benefit to help pay the rent for a property before you move in. If you're currently renting, this means that you may be able to receive Housing Benefit towards the rent on two properties. You can only do this for up to four weeks. You may be able to do this if:

- you're waiting for your new home to be adapted to meet your needs, or the needs of someone you live with who has a disability
- you can't move into your new home straight away because you are waiting to leave hospital or a care home
- you can't reasonably avoid paying rent on the old property after you have moved into the new property (because you had to move quickly, for example).

You must make a claim for this Housing Benefit straight away and not wait until after you have moved into the new property.

14. Appealing decisions about Housing Benefit

Finding out more

If you're unhappy with the council's decision about how much Housing Benefit you're entitled to, write to them and ask for a written explanation of how the decision was made.

You must do this within one month of the date on the decision letter. The council should respond to you within 14 working days.

You have the right to ask the council to review its decision on almost anything to do with Housing Benefit – including if you have been asked to repay an overpayment.

Reviewing the decision

The council must review its decision, taking into account any additional information or evidence you provide. The council will write to you to tell you their decision and give you their reasons.

Independent Appeal

If you're still dissatisfied with the council's decision, you can ask for your case to be heard by an independent appeal tribunal. You have one month from the date of the decision to appeal.

You can also decide to take your case straight to an independent appeal tribunal. You can start this process by writing to the local council, within one month of the date of the decision, stating that you wish to appeal. Get help with this from a local advice agency, such as your local Citizens Advice (citizensadvice.org.uk). Shelter has some useful information about this process too (england.shelter.org.uk/get_advice).

Challenging Local Housing Allowance

You can't challenge the Local Housing Allowance set by your council. If you can't meet the gap between the Housing Benefit you're getting and the cost of your rent, you may be able to get help through a Discretionary Housing Payment (see chapter 12).

19. Useful contacts

If you would like free, personal advice on Housing Benefit, help with Council Tax or any issue related to social care, benefits, loneliness or isolation, call the Independent Age Helpline on 0800 319 6789.

The government website has information on help with housing costs and Council Tax:

- Housing benefit: www.gov.uk/housing-benefit
- Council tax: www.gov.uk/council-tax

This factsheet has been put together by Independent Age's expert advisers. It is not a full explanation of the law and is aimed at people aged over 60.

If you need this information in an alternative format (such as large-print or audio cd), call us on 0800 319 6789 or email advice@independentage.org.

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