

Appendix A – Summary of 2017/2018 benefit subsidy arrangements

Basic rate of subsidy	ARRANGEMENTS FOR 2016/2017	ARRANGEMENTS FOR 2017/2018	REMARKS
	All Housing Benefit 100%	All Housing Benefit 100%	No change

Other rates of subsidy	ARRANGEMENTS FOR 2016/2017	ARRANGEMENTS FOR 2017/2018	REMARKS
1 Backdated awards	All Housing Benefit 100%	All Housing Benefit 100%	No change
2 Overpayments	All Housing Benefit 40%	All Housing Benefit 40%	No change
i) Eligible			
ii) LA error	All Housing Benefit 100% 40% or Nil	All Housing Benefit 100% 40% or Nil	No change
iii) Administrative delay	All Housing Benefit 100% 40% or Nil	All Housing Benefit 100% 40% or Nil	No change
iv) Technical	All Housing Benefit Nil	All Housing Benefit Nil	No change
vi) Indicative rent level	Rent allowance 100%	Rent allowance 100%	No change
vii) Recovered indicative rent level	Rent allowance Nil	Rent allowance Nil	No change
viii) Duplicate	Rent allowance 25%	Rent allowance 25%	No change
ix) Departmental error	All Housing Benefit 100%	All Housing Benefit 100%	No change
x) Recovered Departmental error	All Housing Benefit Nil	All Housing Benefit Nil	No change

Other rates of subsidy	ARRANGEMENTS FOR 2016/2017	ARRANGEMENTS FOR 2017/2018	REMARKS
3 Disproportionate increase in LA rents – HB attributable to increase in rents of HB Tenants which exceed those of non-HB tenants	Scotland Rent Rebate Nil Wales HRA rent rebate Nil	Scotland Rent Rebate Nil Wales HRA rent rebate Nil	No change
4 Unreasonable rents – deregulated private sector tenancies (cases not affected by the January 1996 changes only)	Rent Allowances (subsidy on HB attributable to rent above rent officer determination) 60% or Nil	Rent Allowances (subsidy on HB attributable to rent above rent officer determination) 60% or Nil	No change
5 Homeless people in board and lodging accommodation	Expenditure up to and including the appropriate LHA based cap 100% Expenditure above the appropriate LHA based cap Nil	Expenditure up to and including the appropriate LHA based cap 100% Expenditure above the appropriate LHA based cap Nil	No Change
6 Homeless people in accommodation held on license by LAs or RSLs	Expenditure up to and including the appropriate LHA based cap 100% Expenditure above the appropriate LHA based cap Nil	Expenditure up to and including the appropriate LHA based cap 100% Expenditure above the appropriate LHA based cap Nil	No Change
7 Accommodation held on a short term leased by the LA or a RSL	Expenditure up to and including the appropriate LHA based cap 100% Expenditure above the appropriate LHA based cap Nil	Expenditure up to and including the appropriate LHA based cap 100% Expenditure above the appropriate LHA based cap Nil	No Change

Other rates of subsidy	ARRANGEMENTS FOR 2016/2017	ARRANGEMENTS FOR 2017/2018	REMARKS
8 Modular Improvements Rule	HRA rent rebates in England and Wales Nil	HRA rent rebates in England and Wales Nil	No change
9 Extended payments	All HB	All HB	No change
10 Discretionary Local Schemes	0.2% addition to their annual benefit subsidy, capped at 75% of the total benefit cost of the local scheme to the LA	0.2% addition to their annual benefit subsidy, capped at 75% of the total benefit cost of the local scheme to the LA	No change

Appendix B – Effective dates of rent officers’ determination

Event	Effective date
1 New claims	The date entitlement starts or, when the 13 week rule applies, from the 14 th benefit week of entitlement
2 Change of circumstances	Effective date of change
3 Final determination higher than IRL	The same as in 1 above
4 Final determination lower than IRL	The same as in 1 above
5 Redetermination lower than original determination	Date of redetermination or following Monday*
6 Redetermination higher than determination	Date of original determination, ie whichever original date is appropriate under 1-3 above
At the 52 week review	
7 Determination is higher than existing determination	<p>Rent paid weekly or in multiples of weeks: The first day of the benefit week in which the day following the last day of the 52 week exclusion period (starting from the date of the previous application to the rent officer) occurs.</p> <p>Rent paid other than weekly or in multiples of weeks: The day following the last day of the 52 week exclusion period.</p>
8 Determination is lower than determination	The first day of the benefit week following existing the date the local authority receives the determination

*In the case of items 4 and 5, when a payment for the week of the final determination or redetermination has already been made when the rent officer’s decision is received, LAs may use, as the effective date for subsidy purposes, the

- date of the determination, or
- following Monday

Appendix C – Subsidy arrangements for hostel accommodation

A definition of hostel is contained at regulation 2(1) of the Housing Benefit Regulations 2006.

Hostel Type	Subsidy Control
A Hostel run by RSL RSL is landlord	Referral to the rent officer *
B Local Authority Hostels:	
i including social services hostels where Social Services Department is part of the same LA as the Housing Department	Outside HRA: DRI rule
ii as i but RSL is managing agent (LA is landlord)	Outside HRA: DRI rule
iii where Social Services Department is part of County Council	Mandatory referral to the rent officer
iv as iii but RSL is managing agent	Mandatory referral to the rent officer
C Health Authority Hostels	Mandatory referral to the rent officer
D Resettlement Units	Mandatory referral to the rent officer
E Private Sector Hostels:	
i private landlord is landlord	Mandatory referral to the rent officer
ii RSL is managing agent	Mandatory referral to the rent officer
F Salvation Army Hostels	Mandatory referral to the rent officer (unless registered as RSL – then per *)
referral as	
G YMCA Hostels	Mandatory referral to the rent officer (unless registered as RSL – then per *)
referral as	
H Youth Hostels	Mandatory referral to the rent officer (unless registered as RSL – then per *)
referral as	

- Key**
- DRI = Disproportionate rent increase
 - RSL = Registered Social Landlord
 - * Referral must be made if the authority considers the accommodation is over-large for the claimant's reasonable housing needs, or
 - ii rent for the accommodation is unreasonably high

Appendix D – Administration Subsidy distribution for 2017/18

LA name - England	2017/18 DWP HB administration subsidy allocation (£)
Adur	183,052
Allerdale	284,699
Amber Valley	348,425
Arun	484,436
Ashfield	448,288
Ashford	360,117
Aylesbury Vale	434,028
Babergh	211,012
Barking	1,128,250
Barnet	1,543,078
Barnsley	912,822
Barrow-in-Furness	241,171
Basildon	675,211
Basingstoke and Deane	451,397
Bassetlaw	361,861
Bath and N E Somerset	435,537
Bedford	515,878
Bexley	740,895
Birmingham	5,321,716
Blaby	175,109
Blackburn with Darwen	578,475
Blackpool	908,495
Bolsover	271,800
Bolton	1,163,254
Boston	242,884
Bournemouth	806,487
Bracknell Forest	319,090
Bradford	2,070,035
Braintree	419,403
Breckland	384,567
Brent	1,940,205
Brentwood	152,762
Brighton and Hove	1,253,649
Bristol	1,927,558
Broadland	237,829
Bromley	948,380
Bromsgrove	174,684
Broxbourne	305,207
Broxtowe	280,111
Burnley	391,416

Bury	639,664
Calderdale	735,702
Cambridge	369,175
Camden	1,584,288
Cannock Chase	320,049
Canterbury	438,831
Carlisle	338,795
Castle Point	230,472
Central Bedfordshire	617,690
Charnwood	371,049
Chelmsford	411,326
Cheltenham	326,142
Cherwell	356,255
Cheshire East	881,394
Cheshire West and Chester	956,008
Chesterfield	438,722
Chichester	321,566
Chiltern	182,034
Chorley	280,444
Christchurch	134,375
City of London	69,585
Colchester	537,377
Copeland	214,773
Corby	277,648
Cornwall	1,965,659
Cotswold	202,004
Coventry	1,361,251
Craven	103,841
Crawley	466,115
Croydon	1,549,918
Dacorum	467,960
Darlington	450,119
Dartford	284,162
Daventry	153,434
Derby	968,838
Derbyshire Dales	151,235
Doncaster	1,202,803
Dover	393,937
Dudley	1,093,550
Durham	2,266,933
Ealing	1,678,445
East Cambridgeshire	206,609
East Devon	333,723
East Dorset	179,014
East Hampshire	241,367
East Hertfordshire	321,110
East Lindsey	535,983
East Northamptonshire	207,345
East Riding of Yorkshire	914,618
East Staffordshire	321,044

Eastbourne	453,205
Eastleigh	268,791
Eden	105,248
Elmbridge	296,677
Enfield	1,683,868
Epping Forest	339,679
Epsom and Ewell	159,183
Erewash	326,488
Exeter	422,826
Fareham	205,906
Fenland	340,219
Forest Heath	177,025
Forest of Dean	236,730
Fylde	216,114
Gateshead	987,861
Gedling	323,684
Gloucester	458,710
Gosport	329,330
Gravesham	349,440
Great Yarmouth	414,360
Greenwich	1,638,101
Guildford	323,435
Hackney	2,417,257
Halton	509,610
Hambleton	181,230
Hammersmith and Fulham	1,069,126
Harborough	120,494
Haringey	1,806,859
Harlow	398,682
Harrogate	291,515
Harrow	906,897
Hart	127,083
Hartlepool	478,038
Hastings	460,841
Havant	364,921
Havering	734,934
Herefordshire	524,486
Hertsmere	319,157
High Peak	262,265
Hillingdon	1,094,575
Hinckley and Bosworth	208,490
Horsham	267,106
Hounslow	985,000
Huntingdonshire	424,871
Hyndburn	351,860
Ipswich	583,502
Isle of Wight	553,745
Isles of Scilly	2,061
Islington	1,791,185
Kensington and Chelsea	956,194

Kettering	290,326
Kings Lynn and West Norfolk	454,764
Kingston upon Hull	1,557,920
Kingston upon Thames	485,122
Kirklees	1,489,184
Knowsley	845,544
Lambeth	2,292,251
Lancaster	383,465
Leeds	3,265,273
Leicester	1,567,731
Lewes	297,635
Lewisham	2,141,087
Lichfield	210,641
Lincoln	436,617
Liverpool	2,955,996
Luton	798,207
Maidstone	428,248
Maldon	144,316
Malvern Hills	195,454
Manchester	2,999,968
Mansfield	420,341
Medway	965,592
Melton	98,719
Mendip	282,460
Merton	686,017
Mid Devon	209,224
Mid Suffolk	187,198
Mid Sussex	265,509
Middlesbrough	867,145
Milton Keynes	1,013,602
Mole Valley	188,368
New Forest	402,036
Newark and Sherwood	322,476
Newcastle upon Tyne	1,327,046
Newcastle-under-Lyme	364,448
Newham	1,845,795
North Devon	314,218
North Dorset	161,639
North East Derbyshire	296,695
North East Lincolnshire	716,695
North Hertfordshire	379,138
North Kesteven	240,162
North Lincolnshire	557,737
North Norfolk	310,558
North Somerset	637,623
North Tyneside	869,964
North Warwickshire	163,894
North West Leicestershire	231,346
Northampton	787,003
Northumberland	1,120,767

Norwich	768,845
Nottingham	1,705,593
Nuneaton and Bedworth	418,982
Oadby and Wigston	106,103
Oldham	891,101
Oxford	515,986
Pendle	355,431
Peterborough	825,521
Plymouth	1,125,588
Poole	432,607
Portsmouth	1,075,740
Preston	532,067
Purbeck	120,323
Reading	679,906
Redbridge	952,594
Redcar and Cleveland	635,713
Redditch	276,166
Reigate and Banstead	334,108
Ribble Valley	96,424
Richmond upon Thames	502,885
Richmondshire	88,532
Rochdale	973,942
Rochford	165,818
Rossendale	224,725
Rother	257,358
Rotherham	1,086,170
Rugby	237,361
Runnymede	198,572
Rushcliffe	193,138
Rushmoor	325,606
Rutland	65,399
Ryedale	117,623
Salford	1,313,528
Sandwell	1,553,141
Scarborough	456,508
Sedgemoor	314,830
Sefton	1,070,349
Selby	187,485
Sevenoaks	275,543
Sheffield	2,351,942
Shepway	427,649
Shropshire	789,499
Slough	603,325
Solihull	567,534
South Bucks	133,892
South Cambridgeshire	276,414
South Derbyshire	205,163
South Gloucestershire	688,100
South Hams	225,607
South Holland	234,447

South Kesteven	358,132
South Lakeland	205,574
South Norfolk	288,393
South Northamptonshire	135,820
South Oxfordshire	259,782
South Ribble	255,705
South Somerset	432,911
South Staffordshire	241,522
South Tyneside	876,348
Southampton	1,010,533
Southend on Sea	749,117
Southwark	1,933,461
Spelthorne	252,375
St Albans	292,654
St Edmundsbury	288,239
St Helens	771,930
Stafford	300,458
Staffordshire Moorlands	201,094
Stevenage	356,489
Stockport	854,772
Stockton on Tees	781,867
Stoke on Trent	1,177,846
Stratford-on-Avon	273,623
Stroud	271,294
Suffolk Coastal	290,804
Sunderland	1,469,551
Surrey Heath	165,872
Sutton	579,293
Swale	497,931
Swindon	597,054
Tameside	998,443
Tamworth	240,555
Tandridge	192,111
Taunton Deane	306,706
Teignbridge	376,939
Telford and Wrekin	722,949
Tendring	595,800
Test Valley	277,694
Tewkesbury	198,177
Thanet	685,583
Three Rivers	223,823
Thurrock	578,624
Tonbridge and Malling	312,746
Torbay	682,191
Torridge	204,434
Tower Hamlets	2,104,891
Trafford	633,497
Tunbridge Wells	302,063
Uttlesford	152,840
Vale of White Horse	250,589

Wakefield	1,412,565
Walsall	1,270,233
Waltham Forest	1,293,622
Wandsworth	1,561,971
Warrington	543,985
Warwick	321,632
Watford	328,217
Waveney	403,251
Waverley	268,485
Wealden	297,148
Wellingborough	267,568
Welwyn Hatfield	379,399
West Berkshire	371,742
West Devon	145,476
West Dorset	278,292
West Lancashire	323,999
West Lindsey	282,171
West Oxfordshire	228,743
West Somerset	118,106
Westminster	1,481,212
Weymouth and Portland	279,195
Wigan	1,192,803
Wiltshire	1,144,776
Winchester	263,445
Windsor and Maidenhead	320,433
Wirral	1,399,070
Woking	236,984
Wokingham	206,763
Wolverhampton	1,283,501
Worcester	336,763
Worthing	331,306
Wychavon	299,920
Wycombe	427,001
Wyre	359,824
Wyre Forest	356,830
York	462,054

Total **201,460,149**

LA name - Wales	2017/18 DWP HB administration subsidy allocation (£)
Blaenau Gwent	368,383
Bridgend	544,566
Caerphilly	719,863
Cardiff	1,449,558
Carmarthenshire	620,619
Ceredigion	221,435

Conwy	419,282
Denbighshire	384,017
Flintshire	417,166
Gwynedd	409,795
Isle of Anglesey	238,889
Merthyr Tydfil	272,777
Monmouthshire	239,482
Neath Port Talbot	630,420
Newport	643,521
Pembrokeshire	423,267
Powys	374,262
Rhondda Cynon Taff	949,904
Swansea	987,383
Torfaen	394,456
Vale of Glamorgan	407,546
Wrexham	514,128
Total	11,630,719

LA name - Scotland	2017/18 DWP HB administration subsidy allocation (£)
Aberdeen	701,506
Aberdeenshire	631,865
Angus	399,778
Argyll and Bute	347,981
Clackmannanshire	220,399
Comhairle nan Eilean Siar	112,718
Dumfries and Galloway	663,498
Dundee	907,284
East Ayrshire	594,856
East Dunbartonshire	239,324
East Lothian	297,150
East Renfrewshire	188,465
Edinburgh	1,915,678
Falkirk	624,280
Fife	1,457,161
Glasgow	4,257,715
Highland	727,427
Inverclyde	419,219
Midlothian	296,876
Moray	275,648
North Ayrshire	747,074
North Lanarkshire	1,612,667

Orkney Islands	66,366
Perth and Kinross	487,058
Renfrewshire	844,104
Scottish Borders	455,750
Shetland Islands	52,847
South Ayrshire	494,166
South Lanarkshire	1,246,148
Stirling	256,687
West Dunbartonshire	580,790
West Lothian	724,647
Total	22,847,132

Appendix E – Weekly limit rents for LAs in England 2017/18

Local Authority	Limit rent
Adur	£94.57
Arun	£91.39
Ashfield	£68.78
Ashford	£89.54
Babergh	£90.00
Barking	£98.74
Barnet	£108.99
Barnsley	£75.32
Barrow	£75.65
Basildon	£88.48
Bassetlaw	£73.03
Birmingham	£83.47
Blackpool	£71.79
Bolsover	£82.49
Bournemouth	£84.06
Brent	£117.02
Brentwood	£95.31
Brighton & Hove	£85.00
Bristol	£81.73
Broxtowe	£75.02
Bury	£77.26
Cambridge	£103.75
Camden	£122.33
Cannock Chase	£76.21
Canterbury	£89.02
Castle Point	£89.11
Central Bedfordshire	£102.73
Charnwood	£74.97
Cheltenham	£80.98
Cheshire West UA	£83.10
Chesterfield	£80.30
City of London	£107.14
City of York	£79.95
Colchester	£88.24
Corby	£79.46
Cornwall	£71.60
Crawley	£104.01
Croydon	£106.91
Dacorum	£109.31

Darlington	£71.41
Dartford	£90.72
Derby	£79.36
Doncaster	£73.82
Dover	£84.93
Dudley	£83.42
Ealing	£102.38
East Devon	£82.35
East Riding	£79.92
Eastbourne	£80.19
Enfield	£102.07
Epping Forest	£100.18
Exeter	£75.86
Fareham	£91.74
Gateshead	£77.05
Gosport	£84.48
Gravesham	£90.35
Great Yarmouth	£75.49
Greenwich	£104.07
Guildford	£111.58
Hackney	£101.74
Hammersmith	£116.96
Haringey	£107.17
Harlow	£92.92
Harrogate	£81.31
Harrow	£114.72
Hartlepool	£101.64
Havering	£97.30
High Peak	£73.79
Hillingdon	£110.12
Hinckley	£79.19
Hounslow	£103.52
Ipswich	£82.91
Islington	£121.51
Kensington	£129.15
Kettering	£82.14
Kingston upon Hull	£75.77
Kingston upon Thames	£113.11
Kirklees	£70.39
Lambeth	£109.89
Lancaster	£77.93
Leeds	£74.66
Leicester	£72.52
Lewes	£90.24

Lewisham	£97.23
Lincoln	£69.37
Luton	£87.41
Manchester	£74.29
Mansfield	£73.78
Medway Towns	£82.70
Melton	£77.88
Mid Devon	£79.31
Mid Suffolk	£83.14
Milton Keynes	£86.52
North East Derbyshire	£82.07
New Forest	£100.20
Newark	£78.78
Newcastle upon Tyne	£75.82
Newham	£98.07
North Kesteven	£77.37
North Tyneside	£77.32
North Warwick	£88.68
Northampton	£83.94
Northumberland	£68.96
Norwich	£80.04
Nottingham	£75.67
Nuneaton	£78.89
North West Leicester	£79.73
Oadby & Wigston	£80.01
Oldham	£76.32
Oxford City	£109.99
Poole	£85.94
Portsmouth	£85.81
Reading	£105.76
Redbridge	£103.67
Redditch	£78.80
Richmondshire	£78.39
Rotherham	£76.56
Rugby	£87.49
Runnymede	£111.32
Salford	£77.13
Sandwell	£82.13
Sedgemoor	£78.41
Selby	£79.04
Sheffield	£72.54
Shepway	£84.92
Shropshire	£82.31
Slough	£107.22

Solihull	£83.02
South Cambridge	£108.00
South Derby	£80.64
South Holland	£76.40
South Kesteven	£79.50
South Tyneside	£75.98
Southampton	£85.66
Southend-on-Sea	£87.15
Southwark	£108.95
St Albans	£114.77
Stevenage	£98.81
Stockport	£75.39
Stoke-on-Trent	£71.11
Stroud	£83.25
Sutton	£108.03
Swindon	£83.66
Tamworth	£81.10
Tandridge	£99.11
Taunton Deane	£83.09
Tendring	£84.70
Thanet	£81.68
Thurrock	£86.76
Tower Hamlets	£111.77
Uttlesford	£99.15
Waltham Forest	£102.92
Wandsworth	£126.00
Warwick	£94.70
Waveney	£80.82
Waverley	£115.62
Wealden	£85.11
Welwyn Hatfield	£109.01
West Lancashire	£76.90
Westminster	£126.13
Wigan	£77.71
Wiltshire	£88.96
Winchester	£102.19
Woking	£105.23
Wokingham	£116.34
Wolverhampton	£80.53

Appendix F – Amounts for rent rebate subsidy deduction calculation for LAs in Wales 2017/18

Local Authority	Specified amount 'O'	Guideline rent increase 'P'
Caerphilly	£82.00	£4.00
Cardiff	£92.14	£4.28
Carmarthenshire	£81.59	£3.97
Denbighshire	£79.33	£3.95
Flintshire	£82.46	£4.04
Isle of Anglesey	£78.18	£4.20
Pembrokeshire	£83.06	£3.77
Powys	£83.45	£3.97
Swansea	£80.32	£4.00
Vale of Glamorgan	£89.40	£4.20
Wrexham	£81.62	£4.00

Appendix G – Subsidy arrangements for Temporary Accommodation

Calculating subsidy

- 1 The weekly amount of subsidy payable in cases subject to Articles 17 – 17C is the **lowest** of the
 - weekly HB entitlement (the amount paid to the customer for the week or part week, as the case may be)
 - maximum weekly subsidy amount (described below), or
 - upper cap limit £375 or £500 (also detailed below)

- 2 A maximum weekly subsidy cap of £500 is applicable in respect of customers placed into temporary accommodation located in the following BRMAs, in London
 - Central London
 - Inner West
 - Inner North
 - Inner South West
 - Inner East
 - Inner South East
 - Outer South West

- 3 A maximum weekly subsidy cap of £375 is applicable for customers placed into temporary accommodation located in
 - all remaining BRMAs in London (not listed above), and
 - all other BRMAs outside of London

Notes for all cases

- By landlord we mean the claimant's immediate landlord, i.e. the person to whom the claimant is ultimately liable to pay their rent.
- From April 2011, the subsidy scheme only applies to 'homelessness accommodation'. This is accommodation made available to discharge any of the LAs statutory homelessness functions, or to prevent homelessness.
- The legislation now refers to all 'licensed' accommodation cases as, 'accommodation which the authority has a right to use under an agreement, other than a lease, with a third party'.
- All cases where the person's appropriate home is in supported housing that is 'exempt accommodation', will continue to be excluded from this scheme.

Item no.	Accommodation	Landlord	Treatment under HB	Maximum weekly subsidy amount	Cell no. on subsidy claim form
Cases subject to Articles 17 – 17C					
1	Great Britain Homelessness accommodation (excluding prevention cases): <ul style="list-style-type: none"> • Board and lodging (B&B). 	LA or RSL	Non HRA rent rebate or Rent Allowance	One bedroom LHA rate	012 & 013 – LA landlord or 104 & 105 – RSL
2	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Non self-contained, • Held on licence. 	LA or RSL	Non HRA rent rebate or Rent Allowance	One bedroom LHA rate	012 & 013 – LA landlord or 104 & 105 – RSL
3	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Non self-contained, • Leased to the LA, (Including hostels on a lease), • Period up to 10 years, • Outside HRA in England, • In or outside HRA in Wales and Scotland. 	LA	Non HRA rent rebate in England, Non HRA or HRA rent rebate in Wales / Scotland	90% one bedroom LHA rate	014 & 015 (non HRA in Wales and HRA in Scotland). 056 & 057 (HRA Wales)
4	Wales or Scotland only Homelessness accommodation: <ul style="list-style-type: none"> • Non self-contained • Leased to the LA (Including hostels on a lease) • Period 10 years or over, • In or outside HRA 	LA	Non HRA or HRA rent rebate in Wales / Scotland	90% one bedroom LHA rate	014 & 015 (non HRA in Wales and Scotland and HRA in Scotland). 056 & 057 (HRA Wales)
5	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Non self-contained, • Leased to or owned by RSL, (Including hostels) • Any period. 	RSL	Rent Allowance	90% one bedroom LHA rate	106 & 107
6	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Self contained, • Held on licence by LA or RSL. 	LA or RSL	Non HRA rent rebate or Rent Allowance	90% of appropriate LHA rate	014 & 015 – LA or 106 & 107 - RSL
7	England Homelessness accommodation: <ul style="list-style-type: none"> • Self-contained, • Leased to the LA • Period up to 10 years, • Outside HRA. 	LA	Non HRA rent rebate in England	90% of appropriate LHA rate	014 & 015

Item no.	Accommodation	Landlord	Treatment under HB	Maximum weekly subsidy amount	Cell no. on subsidy claim form
8	Wales and Scotland Homelessness accommodation: <ul style="list-style-type: none"> • Self-contained, • Leased to the LA, • Any period, • In or outside HRA. 	LA	Non HRA or HRA rent rebate in Wales / Scotland	90% of appropriate LHA rate	014 & 015 (non HRA in Wales and Scotland and HRA in Scotland). 056 & 057 in Wales
9	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Self contained, • Leased to RSL, • Owned by RSL*, • Any period. *Applies only to accommodation acquired by an RSL, the purpose of which is to be used as homelessness accommodation.	RSL	Rent Allowance	90% of appropriate LHA rate	106 & 107
10	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Leased to or owned by RSL, • Sub-leased to the LA. Treat as 3, 4, 7 or 8 - LA-leased.	LA	Non HRA rent rebate in England, Non HRA or HRA rent rebate in Wales / Scotland	90% of appropriate LHA rate (use one bed rate if non self-contained)	014 & 015 (non HRA in England, Wales and Scotland, HRA in Scotland). 056 & 057 (HRA in Wales)
Cases which are not subject to Articles 17 – 17C					
11	Great Britain Hostels, <ul style="list-style-type: none"> • Owned by LA, • Outside HRA in England, • In or outside HRA in Wales and Scotland. 	LA	HRA and/or Non HRA rent rebate	100% subsidy up to level of rent.	023 (non HRA in England & Wales and HRA in Scotland) or 060 (HRA in Wales)
12	Great Britain Supported exempt accommodation.	Housing Association, Non metropolitan county council in England etc.	Rent Allowance	TA subsidy rules do not apply. Treated separately for subsidy purposes.	096, 097 & 098

Referring rents to a Rent Officer

- 4 As this scheme relates only to HB subsidy, there remains some flexibility in these cases as to the level of rent that will be met by HB, i.e. the eligible rent. It is also a reason for having cells in the Subsidy Claim Form that record 'expenditure above the cap'. The existing HB regulations when the landlord is a registered housing association remain unchanged. These cases continue to be treated as 'excluded' rent allowance cases for HB purposes (see below). However, the Department did provide guidance in May 2010, *HB/CTB Circular S4/2010*, advising LAs to use the maximum subsidy amounts in this scheme as a benchmark for considering whether or not the rent is unreasonably high. That guidance is essentially repeated here, for ease of reference.
- 5 Under Schedule 2 paragraph 3 of the HB Regulations 2006, the relevant LA is not required to apply to a Rent Officer for a determination in relation to a registered housing association tenancy except in a situation where the LA considers that the
- claimant occupies a dwelling larger than is reasonably required by the claimant and any others who occupy that dwelling (including any non-dependants of the claimant and any person paying rent to the claimant), or
 - rent payable for that dwelling is unreasonably high
- See: <http://www.legislation.gov.uk/ukxi/2006/213/schedule/2/made>
- The Housing Benefit Regulations 2006 (SI 2006/213)*
- 6 This means that a tenancy with a registered housing association as the landlord is 'excluded' from mainstream LHA rules or, as was the case pre-LHA, mandatory Rent Officer referral. It also means that the rent does not have to be referred simply because it is high, or higher than for similar properties. It must be **unreasonably** high before a referral needs to be made.
- 7 A referral is also required if the authority considers that the accommodation is larger than is reasonably required by the claimant and any others who may occupy the dwelling. In such circumstances the authority should have regard to the circumstances and housing options available to the individual household.
- 8 In relation to a profit-making registered provider of social housing, the above provision exempting tenancies from Rent Officer referral only applies to the provider's social housing. All other housing would be subject to the local housing allowance.

What is reasonable?

- 9 As every authority is given discretion under the regulations, you should not have a blanket policy of either referral or non-referral of registered housing association cases. However, uniform procedures for assessment of each case should be put in place for staff to follow, backed up by training and written guidance in order to achieve consistency and fairness.
- 10 The DWP believes that the formulae for calculating maximum subsidy in cases subject to this scheme, along with the upper cap limits, provides sufficient resources to meet the reasonable costs of the leasing obligations to the landlord and any reasonable management costs. Therefore the LA should have regard to these figures when deciding whether or not a referral is required.
- 11 The LA should make an informed decision about whether the rent is appropriate given the circumstances of a particular case. It may be reasonable to agree a rent that is higher than will be recouped through subsidy. Conversely, when the actual costs of leasing and managing property are lower than the maximum subsidy amount, it would be reasonable to expect the rent level to reflect this lower amount.

Treatment of HB following referral to a Rent Officer

- 12 If a tenancy of a registered housing association is referred to the Rent Officer because the accommodation is too large or the rent unreasonably high, then the maximum rent rules apply to the determination of the eligible rent. HB is then payable up to the eligible rent.
- 13 For HB subsidy purposes, the amount payable in these cases continues to be the **lowest** of the
- weekly HB entitlement (the amount paid to the customer for the week or part week, as the case may be)
 - maximum weekly subsidy amount, or
 - upper cap limit of £375 or £500

The following examples use specific locations for illustrative purposes only

Subsidy Treatment - Example 1 - Rent Officer referral for HAL tenancy (Central London)

6 room property (4 bedrooms). Central London BRMA.

Leased by registered housing association as part of HAL scheme.

Rent is set at £1000 per week.

It is April 2011 and LA decides to refer rent to the Rent Officer.

Rent Officer Determination for the property is £700.

Maximum rent is therefore £700.

- Weekly HB entitlement (claimant on full HB) = £700
- Maximum weekly subsidy amount is 4 bed LHA (£1,150) – 10% (£115) = £1,035
- Upper cap limit = £500

Subsidy payable is the lowest of the three = £500 (Expenditure above the cap = £200)

Subsidy Treatment - Example 2 - Rent Officer referral for HAL tenancy (Aberdeen City).

4 room property (3 bedrooms). Aberdeen and Shire BRMA

Leased by registered housing association as part of HAL scheme.

Rent is set at £200 per week.

It is April 2011 and LA decides to refer rent to the Rent Officer.

Rent Officer Determination for the property is £160.

Maximum rent is therefore £160.

- Weekly HB entitlement (claimant on full HB) = £160
- Maximum weekly subsidy amount is 3 bed LHA (£173.08) – 10% (£17.31) = £155.77
- Upper cap limit = £375

Subsidy payable is lowest of the three = £155.77. (Expenditure is above the 2011 LHA level.)

Key definitions

Registered Housing Association

- 14 The definition of a registered housing association has been updated. The term 'registered housing association' has the same meaning as in regulation 2(1) of the Housing Benefit Regulations 2006. 'Registered housing association' means a
- private registered provider of social housing, as defined by the Housing and Regeneration Act 2008. These bodies (formerly known as Registered Social Landlords (RSLs)) are registered with the Tenant Services Authority, the regulator of social housing in England
 - housing association which is registered in a register maintained by Welsh Ministers under Chapter 1 of Part 1 of the Housing Act 1996, or
 - housing association which is registered by Scottish Ministers by virtue of section 57(3)(b) of the Housing (Scotland) Act 2001
- 15 In England, instead of having Registered Social Landlords (RSLs) there are now two types of Private Registered Providers (PRPs) of social housing: those that are non profit-making (effectively the same as previous RSLs); and those that are profit-making (this could be, for example, a private rented sector landlord that has some social housing stock and is registered with the regulator).
- 16 For ease, registered housing associations have also been referred to as RSLs in some sections of this guidance.

Exempt accommodation

- 17 Exempt supported accommodation cases dealt with under the pre-1996 rules (including those placed under homelessness legislation) are described as those where the accommodation is provided by a:
- housing association
 - registered charity
 - voluntary organisation, or
 - non-metropolitan county council in England,
- that is also
- the landlord, **and**
 - responsible for providing the care, support and supervision or for having it provided on their behalf, to meet their tenant's needs
- 18 These homes are exempt from both the maximum rent and LHA methods of working out the eligible rent. These rent allowance cases

rely on the pre-1996 system of rent restriction and its allied subsidy rules.

Board and lodging accommodation

- 19 'Board and lodging accommodation' means
- (a) accommodation provided for a charge which is inclusive of the provision of that accommodation and at least some cooked or prepared meals which are both cooked or prepared and consumed in that accommodation or associated premises, or
 - (b) accommodation provided in a hotel, guest house, lodging house or some similar establishment,

but it does not include accommodation in a residential care home or nursing home within the meaning of regulation 19(3) of the Income Support (General) Regulations 1987 nor in a hostel within the meaning of Regulation 14 of the Housing Benefit Regulations or, as the case may be, Regulation 14 of the Housing Benefit (State Pension Credit) Regulations.

Self-contained accommodation

- 20 Accommodation is self-contained if the claimant's household is **not** required to share one or more of the following with another household
- kitchen
 - bathroom, or
 - toilet

Licensed accommodation

- 21 Generally, accommodation will be held on licence (rather than a lease) in circumstances where the local housing authority has occupation rights in respect of homeless persons but does not have the right to exclusive occupation for a defined term on payment of rent. This is likely to be accommodation which the authority has agreement to use on a nightly, weekly or monthly basis to accommodate potentially homeless people.
- 22 From April 2011, for Housing Benefit subsidy purposes, 'licensed' accommodation is referred to in the legislation as: 'accommodation which the authority has a right to use under an agreement, other than a lease, with a third party'.