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# *A7 Single homeless people and hostel dwellers*

## *About this chapter*

- 7.00 This chapter
- gives guidance and advice on
    - how to set up procedures to help single homeless people obtain accommodation
    - dealing with claims from people entering or in hostel accommodation, see *Hostel dwellers* later in this chapter
  - does not provide guidance on dealing with people in approved probation and bail hostels, for more information, see *A3 Liability to make payments and occupying the home* earlier in this part
- 7.01 In putting forward this guidance and advice, the Department for Work and Pensions (DWP) wishes to stress that
- it is intended only as a code of good practice, not as instructions which **must** be considered
  - it is accepted that some Local Authorities (LAs) will already have devised their own systems or provisions which best suit their local needs. However these authorities may wish to note in particular the contents of the section *Helping to find accommodation*, later in this chapter
- 7.02 To secure accommodation, single homeless people will generally need to convince hoteliers/landlords that arrangements are in place for prompt and reliable direct payments of rent. This chapter suggests a claims procedure which aims to achieve this. A number of proposed forms, which could be adopted as part of a system, are included at Annexes A to F at the end of this chapter.
- 7.03 It is important for LAs to note that
- the advice is not intended to apply to claims from those in 'priority need' categories, for whom authorities have a statutory responsibility regarding accommodation  
*Part VII Housing Act 1996*
  - unless the claimant is more than eight weeks in arrears of rent, regulations only allow direct payment in certain circumstances. In the situations covered by this chapter, direct payment will be considered on the basis that the claimant has
    - consented to such an arrangement, or
    - it is in their interests for such an arrangement to be implemented*HB Reg 95, 96 & (SPC) 77, 93*

7.30-7.59

## *Helping to find accommodation*

- 7.30 LAs will need to contact local hoteliers/landlords to compile a list of those who are willing to accommodate single homeless people in return for the guarantee of the direct payment of Housing Benefit (HB).
- 7.31 Having made such contacts, it is essential to maintain good working relationships. This will be achieved primarily by the prompt processing of claims, and this might best be achieved by allocating responsibility for homelessness claims to specific staff.

## *List of potential accommodation*

- 7.32 LAs should provide prospective claimants with a list of potential accommodation in the area, and ask them to find a suitable address. The list should be annotated that inclusion of an address does **not**
- constitute a recommendation of any accommodation to which it refers, and
  - represent an undertaking that the authority is satisfied, for the purposes of the Housing Act 1985, that the accommodation is fit for occupation
- 7.33 **This annotation is particularly important** following a court case involving an LA who issued lists of available accommodation. The LA was successfully sued by a claimant who was injured when trying to escape from a fire in a property included on their list. The Judge was critical of the fact that no consideration had been given to the suitability of establishments on the list.
- 7.34 The disclaimer will **not** protect LAs from failing to carry out Housing Act responsibilities, and care should be taken when deciding which premises should be included on the list. The disclaimer should show that the purpose of the list
- concerns payment of HB to landlords, and
  - does not concern issues about the condition or suitability of the property

## *Claimant secures accommodation*

- 7.35 When the claimant has secured accommodation, the landlord should provide the claimant with
- written confirmation of the
    - address
    - amount or rent payable
    - claimant's liability to pay that amount each day/week/month
  - details of any amounts included for amenities, services and water rates

7.36-7.59

## *Dealing with claims*

### *Claimant required to 'register as unemployed'*

- 7.60 If the claimant is required to 'register as unemployed', they must attend the appropriate Jobcentre Plus office with the landlord's letter. On production of the letter, the claimant will be given a form JSA1.
- 7.61 The completed form JSA1 must then be taken to the appropriate Jobcentre Plus office, to make a claim for Jobseeker's Allowance (JSA). If the Jobcentre Plus office refuse to issue form JSA1 because the claimant is not available for work, for example they are ill, the office may still accept a claim for IS by issuing the claimant with form A1. They will then issue the claimant with a letter confirming that an IS claim has been made. A copy is shown at *Annex A* at the end of this chapter. Normal HCTB1 procedures must also be completed. If the claimant is moving into a hostel, a shortened claim form may be used, see *Hostel dwellers* later in this chapter.
- 7.62 Negotiations with Jobcentre Plus offices will be necessary to gain agreement on this procedure as they are not obliged to issue such a letter, and they will have to produce it locally. Jobcentre Plus offices have been informed of this initiative and asked to co-operate in achieving its aims.

### *Claimant not required to 'register as unemployed'*

- 7.63 If the claimant is not required to 'register as unemployed', after they have secured accommodation,
- if they are working age, they should
    - go directly to their local Jobcentre Plus office with the landlord's letter
    - obtain and complete form A1
    - receive the confirmatory letter shown at *Annex A* at the end of this chapter
    - take the Jobcentre Plus letter and the landlord's letter back to the LA, and make a claim for HB
  - if they are a pensioner, they should
    - contact The Pension Service to apply for Pension Credit
    - ask for a letter similar to that shown at *Annex A*
    - claim HB
- 7.64 Ask the claimant to complete a signed statement that HB can be paid direct to the landlord. This statement is shown at *Annex B* at the end of this chapter.

7.65-7.99

- 7.65 It will still be essential to undertake various checks, such as details of previous social security claims, final earnings etc, before deciding whether the HB claim should be treated as standard or an IS/Pension Credit (guarantee credit or guarantee credit and savings credit) claim, and before making any payments. If receipt of IS/Pension Credit (guarantee credit or guarantee credit and savings credit) cannot be confirmed, treat the claim as standard.
- 7.66 As the majority of this accommodation will be privately owned, it will be necessary, when completing the HB claim form, to obtain sufficient detail for submission to the Rent Officer.
- 7.67 Once HB entitlement has been determined, a letter should be issued to the landlord confirming the arrangement and giving details, if known, of the amount the claimant has to pay, such as water charges, fuel, meals, ineligible service charges, etc. A copy of this letter is shown at *Annex C* at the end of this chapter.
- 7.68 The landlord should also be issued with a form to sign, which includes an outline of their duties. This is shown at *Annex D* at the end of this chapter.
- 7.69 Depending on the location of the accommodation, and the local Jobcentre Plus office, it is possible to complete all the above stages within one working day, provided the claim is made early in the day. Late arrivals could be directed to night shelters in the area.

### ***Homeless person already receives IS/Pension Credit (guarantee credit or guarantee credit and savings credit)***

- 7.70 If a homeless person already receives IS/Pension Credit (guarantee credit or guarantee credit and savings credit) but asks for help to find accommodation, the same procedures can be followed but, under change of address procedures, The Pension Service/Jobcentre Plus offices may not require a new claim form.
- 7.71 In such cases the claimant must still contact The Pension Service/Jobcentre Plus office to report the change of circumstances and obtain a further letter as in *Annex A* at the end of this chapter. It will be necessary to liaise with The Pension service/Jobcentre Plus office to confirm whether they require a new A1/JSA1/PC1. Normal HCTB1A procedures must be completed.

7.72-7.99

## *Post payment action*

- 7.100 Following payment of HB, it will be necessary to make sure that the claim for IS/JSA(IB)/income-related Employment and Support Allowance (ESA(IR))/Pension Credit (guarantee credit or guarantee credit and savings credit) has been successful. It is therefore recommended that these cases are checked approximately three weeks later to confirm receipt of form NHB(IS)/NHB(PC).
- 7.101 If you have not received form NHB(IS)/NHS(PC), call the claimant into the office for interview and give them a form to take to the local Jobcentre Plus office for completion. If the claimant is claimant Pension Credit they should be given a form and told to contact The Pension Service.
- 7.102 Suggested forms for the purpose of checks are shown at *Annex E* and *F* at the end of this chapter, although some LAs may find that form NHB5 can be used in place of *Annex F*. If available, LAs may also be able to check if a claim for IS/JSA(IB)/ESA(IR)/Pension Credit (guarantee credit or guarantee credit and savings credit) has been successful via the Customer Information System (CIS).
- 7.103 If the claimant fails to attend the interview, close the claim pending further contact.
- 7.104-7.129

## *Hostel dwellers*

- 7.130 When making a claim for HB, see *A2 Claims* earlier in this part, people living in hostels are exempt from the requirement to provide either a National Insurance Number (NINO) or enough evidence for one to be traced.
- 7.131 This exemption only applies to those people living in hostels as defined in the HB Regulations, see *Definition of a hostel* below.
- 7.132 Although the guidance on verification does not apply to hostel dwellers for the first 13 weeks of a claim, a NINO may not be insisted on as proof of identity for claims continuing beyond that period.

7.133-7.135

### ***Definition of a hostel***

- 7.133 A hostel is a building that
- provides
    - domestic accommodation which is not in separate and self-contained premises, and
    - board or facilities for preparing food adequate to the needs of those people, or both board and facilities, and
  - is
    - managed or owned by a registered housing association, or
    - funded wholly or in part by a government department or agency or local authority and operated other than on a commercial basis, or
    - managed by a voluntary organisation or charity and provides care, support or supervision with a view to helping the residents become rehabilitated or resettled within the community, and
  - is not a care home, an independent hospital or an Abbeyfield Home
- 7.134 The legal definition of a hostel is in regulation 2(1) of the HB Regs 2006.

### ***Using a 'shortened' claim form for a claimant entering a hostel***

- 7.135 A 'shortened' claim form may be used for people who were sleeping rough and are then entering a hostel. The shortened claim form seeks the minimum information needed to process a claim. For example it asks how long a person has lived in the United Kingdom so the authority can make further checks if necessary. See *Annex G, Short Housing Benefit claim form for a hostel dweller*, and *Annex H, Extra information from a new hostel resident who has no proof of income or does not receive income*.

- 7.136 You may consider using a shortened claim form if all the following are satisfied
- the claimant is newly arrived at the hostel
  - a hostel key-worker judges that the claimant would have difficulty completing a full HB claim. Each hostel must provide you with an up-to-date list of hostel workers who are likely to help claimants complete forms
  - the hostel is known to you and has a good record of record keeping
  - it is a genuine hostel (it falls within the hostel definition, see *Definition of a hostel* earlier in this chapter)
  - benefit payments are made direct to the hostel
  - use of the form is restricted to an initial period of not more than 13 weeks. A full form must be completed if the claim is to continue beyond this point
- 7.137 Do not use a shortened claim form for people entering accommodation described as a 'hostel' if it does not satisfy the definition of a hostel, see *Definition of a hostel* earlier in this chapter.
- 7.138 When you receive the shortened claim form, check that
- all the relevant questions have been answered
  - the form has been
    - signed by the claimant, and
    - countersigned by a hostel worker
  - is accompanied by
    - proof of identity or confirmation from the hostel that the claimant has no proof of identity (this could be part of the claim form)
    - written confirmation of the rent liability (again, this could be part of the form)
  - proof of income, or a completed 'no proof of income' form
- 7.139 If the form has not been completed correctly, return the form to the hostel.

7.140-7.999



***Proforma from DWP office  
concerning claim to IS/JSA(IB)/  
ESA(IR)***

Dear Sir/Madam

RE: MR/MRS/MS .....

DATE OF BIRTH .....

ADDRESS.....

This is to confirm that the above named has today submitted a claim form at this office for Income Support/JSA(IB)/ESA(IR)

\*A payment will be made/posted on .....

\*A payment was sent on .....

\*The Decision Maker who decides whether a person is entitled to benefit or not, will consider the claim and issue a decision as soon as possible.

Yours faithfully

pp Manager

\*delete as appropriate

## *Tenant's declaration*

### TENANT'S DECLARATION

Tenant's name: .....

Address: .....

I agree that any Housing Benefit due to me should be paid straight to my landlord, and understand that

- I must still tell the Housing Benefit Office of any changes in my circumstances that affect Housing Benefit.
- I must still pay any amounts not covered by Housing Benefit.

Signature ..... Date .....

***Confirmation by authority to landlord  
that claim to HB made***

Dear Sir/Madam

RE:

We have received a claim from the above person(s) for Housing Benefit.

Any payment to which .....is entitled to will be made direct to you (the landlord), in the form of a fortnightly cheque, or if we have the details, direct into your bank account.

If there are any problems arising from this method of payment, please contact us on

**Please note, you should let us know immediately if the above person(s) move(s) out, or change(s) room(s).**

Yours faithfully

## *Landlord's declaration accepting responsibility for HB payments*

### LANDLORD DECLARATION

Tenant's Name .....

Address .....

I agree to accept any Housing Benefit due to the tenant, directly from

(name of Local Authority) and understand that

- I must tell the Housing Benefit Office of any changes in the Housing costs.
- I must tell the Housing Benefit Office if the tenant moves out, or changes rooms.

**I must repay any Housing Benefit which is overpaid to me, that the tenant is not entitled to.**

Landlord's Signature ..... Date: .....

Landlord's Name .....

Address .....

Housing Benefit is usually paid fortnightly in arrears by cheque and sent in the post.

However, we can also pay directly into your bank account every fortnight. If you would prefer this, please fill in your bank details below.

Name of Account .....

Name of Bank.....

Branch Address.....

Account Number .....

Bank Sort Code .....

***Request for more information regarding  
claim for HB/CTB***

Dear

**Housing Benefit / Council Tax Benefit**

I need some more details about your income, so that I can work out your claim for Housing Benefit/Council Tax Benefit.

Please read and sign the letter below (in Section A) and take it to the Jobcentre where you sign on. They will fill out the details in Section B and give it back to you. If you are claiming Pension Credit, you should contact The Pension Service.

You must then send the completed form back to us

Please use the envelope provided.

Yours sincerely

**SECTION A**

To: (name of Jobcentre/Pension Centre)

Please give the (name of Local Authority) details of the benefits I get, so that they can work out my Housing Benefit/Council Tax Benefit Claim(s).

Signature .....

Annex E

**SECTION B**

Please fill in the details below, and give the form back to the claimant.

<b>Benefit</b>	<b>Weekly Amount</b>	<b>Dating from</b>
<b>Jobseeker's Allowance (Cont)</b>	.....	.....
<b>Jobseeker's Allowance (IB)</b>	.....	.....
<b>Income Support</b>	.....	.....
<b>Pension Credit</b>	.....	.....
<b>Name of any other benefit(s)</b>		
.....	.....	.....
.....	.....	.....
.....	.....	.....
Officer's Signature .....		
Official Stamp		

***Request to DWP office for outcome details of claim to IS/JSA(IB)/ESA(IR)/Pension Credit***

To (name of DWP office) Date.....  
 Your reference.....  
 Our reference.....  
 Enquiries to.....  
 Claimant's Name: ..... LA Ref .....  
 Address:..... DWP Ref.....

This person has claimed HB/CTB and says s/he is getting Income Support/JSA(IB)/ESA(IR)/Pension Credit. Please let me know the outcome of their claim by completing and returning the slip below.

To: (name of Local Authority) From: DWP office (office stamp)

Claimant's Name: ..... LA Ref .....  
 Address:..... DWP Ref .....

- Date of receipt of IS/JSA(IB)/ESA(IR)/Pension Credit claim .....
- IS/JSA(IB)/ESA(IR)/Pension Credit is awarded from.....
- IS/JSA(IB)/ESA(IR)/Pension Credit not awarded
- No claim received.....
- Other details.....

DWP Officer's signature .....Date .....

## *Short Housing Benefit claim form for a hostel dweller*

Only a hostel resident making a new claim should use this claim form.

**Section 1: The person who is making the claim for housing benefit should complete this section.**

I wish to claim housing benefit (Tick the box if you want to claim)

Last name and title			
First name			
Date of birth		Date you moved in	
National Insurance number			
How long have you lived in the UK?			

What is your income?	
----------------------	--

Please provide proof of your income. If proof is unavailable or you have no income, please complete a **No Proof of Income Form**.

Do you have savings of £3000 or over?  
If **Yes** please provide proof.

YES  NO

Are you a full time student?

YES  NO

Do you want housing benefit paid to your landlord?

YES  NO

I declare that the information given on this form is true and complete. I will tell the Council at once about any changes to the information I have given on this form.

Applicant's signature:

Date:

Please give the name and address of any person who helped you complete this form:



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### Annex G

**Section 2: The landlord should complete this section.**

Resident's name	
-----------------	--

Address and room number

How much is the rent?		
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List any services included in the rent:

I declare that the information given on this form is true and complete to the best of my knowledge. I understand that the person making this claim must complete a full housing benefit claim form once the initial award has expired.	
Hostel worker's signature:	Date:
Print name:	Job title:

Completed forms should be sent to:

Enter name and address of relevant Housing Benefit section.

## ***Extra information from a new hostel resident who has no proof of income or does not receive income***

Only residents who are unable to provide proof of income or do not receive an income should complete this form

Name:	
Address:	
NI No. (if available)	

1) Do you receive an income?

YES  NO

Please note you can still claim housing benefit if you have no income.

2) What is your income?

*(write "none" if no income)*

3) How is your income paid?

*(write "n/a" if no income)*

4) Are you awaiting the outcome of a claim?

YES  NO

5) Has your claim been turned down?

YES  NO

If you are waiting for the outcome of a claim or your claim has been refused, give details:	
Name of benefit claimed:	
Date of claim:	
Office dealing with the claim:	
Reason benefit refused: (if applicable)	

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Annex H

6) Please give details of your current or most recent income:

State benefit	
Name of benefit:	
Date paid to:	
Address when paid:	
Office dealing with your benefit:	
Reason benefit ended:	

Earning	
Name of your employer:	
Date you stopped work:	

Any other income	
Give details:	

7) Please use the space below if there is any other information you need to tell us about:

--

### DECLARATION

I declare that the information I have given is correct and complete to the best of my knowledge. I authorise the Council to make any necessary enquiries to verify the information I have given:

Applicant's signature:

Print name:

Date:

Hostel Worker's name