

## Appendix A – Summary of 2016/2017 benefit subsidy arrangements

Basic rate of subsidy	ARRANGEMENTS FOR 2015/2016	ARRANGEMENTS FOR 2016/2017	REMARKS
	All Housing Benefit 100%	All Housing Benefit 100%	No change

Other rates of subsidy	ARRANGEMENTS FOR 2015/2016	ARRANGEMENTS FOR 2016/2017	REMARKS
<b>1 Backdated awards</b>	All Housing Benefit 100%	All Housing Benefit 100%	No change
<b>2 Overpayments</b>	All Housing Benefit 40%	All Housing Benefit 40%	No change
<b>i) Eligible</b>			
<b>ii) LA error</b>	All Housing Benefit 100% 40% or Nil	All Housing Benefit 100% 40% or Nil	No change
<b>iii) Administrative delay</b>	All Housing Benefit 100% 40% or Nil	All Housing Benefit 100% 40% or Nil	No change
<b>iv) Technical</b>	All Housing Benefit Nil	All Housing Benefit Nil	No change
<b>vi) Indicative rent level</b>	Rent allowance 100%	Rent allowance 100%	No change
<b>vii) Recovered indicative rent level</b>	Rent allowance Nil	Rent allowance Nil	No change
<b>viii) Duplicate</b>	Rent allowance 25%	Rent allowance 25%	No change
<b>ix) Departmental error</b>	All Housing Benefit 100%	All Housing Benefit 100%	No change
<b>x) Recovered Departmental error</b>	All Housing Benefit Nil	All Housing Benefit Nil	No change

Other rates of subsidy	ARRANGEMENTS FOR 2015/2016	ARRANGEMENTS FOR 2016/2017	REMARKS
<b>3 Disproportionate increase in LA rents – HB attributable to increase in rents of HB Tenants which exceed those of non-HB tenants</b>	Scotland Rent Rebate Nil Wales HRA rent rebate Nil	Scotland Rent Rebate Nil Wales HRA rent rebate Nil	No change
<b>4 Unreasonable rents – deregulated private sector tenancies (cases not affected by the January 1996 changes only)</b>	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
<b>5 Homeless people in board and lodging accommodation</b>	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
<b>6 Homeless people in accommodation held on license by LAs or RSLs</b>	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
<b>7 Accommodation held on a short term leased by the LA or a RSL</b>	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

<b>Other rates of subsidy</b>	<b>ARRANGEMENTS FOR 2015/2016</b>	<b>ARRANGEMENTS FOR 2016/2017</b>	<b>REMARKS</b>
<b>8 Modular Improvements Rule</b>	HRA rent rebates in England and Wales Nil	HRA rent rebates in England and Wales Nil	No change
<b>9 Extended payments</b>	All HB	All HB	No change
<b>10 Discretionary Local Schemes</b>	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 <sup>th</sup> 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
<b>At the 52 week review</b>		
7	Determination is higher than existing determination	<p><b>Rent paid weekly or in multiples of weeks:</b> 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><b>Rent paid other than weekly or in multiples of weeks:</b> 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.

<b>Hostel Type</b>	<b>Subsidy Control</b>
<b>A Hostel run by RSL</b> RSL is landlord	Referral to the rent officer *
<b>B Local Authority Hostels:</b>	
<b>i</b> including social services hostels where Social Services Department is part of the same LA as the Housing Department	Outside HRA: DRI rule
<b>ii</b> as <b>i</b> but RSL is managing agent (LA is landlord)	Outside HRA: DRI rule
<b>iii</b> where Social Services Department is part of County Council	Mandatory referral to the rent officer
<b>iv</b> as <b>iii</b> but RSL is managing agent	Mandatory referral to the rent officer
<b>C Health Authority Hostels</b>	Mandatory referral to the rent officer
<b>D Resettlement Units</b>	Mandatory referral to the rent officer
<b>E Private Sector Hostels:</b>	
<b>i</b> private landlord is landlord	Mandatory referral to the rent officer
<b>ii</b> RSL is managing agent	Mandatory referral to the rent officer
<b>F Salvation Army Hostels</b>	Mandatory referral to the rent officer (unless registered as RSL – then per *)
referral as	
<b>G YMCA Hostels</b>	Mandatory referral to the rent officer (unless registered as RSL – then per *)
referral as	
<b>H Youth Hostels</b>	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
    - I** 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 2016/17**

<b>LA name England</b>	<b>2016/17 DWP HB allocation (£)</b>
Adur	199,207
Allerdale	346,990
Amber Valley	377,253
Arun	523,896
Ashfield	487,567
Ashford	392,692
Aylesbury Vale	471,368
Babergh	228,978
Barking	1,254,515
Barnet	1,723,927
Barnsley	1,051,280
Barrow-in-Furness	266,575
Basildon	749,673
Basingstoke and Deane	490,274
Bassetlaw	399,369
Bath and N E Somerset	550,294
Bedford	605,608
Bexley	806,175
Birmingham	5,923,264
Blaby	190,623
Blackburn with Darwen	641,242
Blackpool	1,007,456
Bolsover	296,562
Bolton	1,281,229
Boston	271,324
Bournemouth	896,068
Bracknell Forest	346,453
Bradford	2,257,961
Braintree	464,012
Breckland	418,807
Brent	2,116,718
Brentwood	169,074
Brighton and Hove	1,397,289
Bristol	2,101,958
Broadland	257,520
Bromley	1,028,802
Bromsgrove	190,150
Broxbourne	335,522
Broxtowe	306,880

LA name England	2016/17 DWP HB allocation (£)
Burnley	459,977
Bury	701,399
Calderdale	858,288
Cambridge	401,832
Camden	1,710,499
Cannock Chase	347,274
Canterbury	476,223
Carlisle	373,927
Castle Point	250,634
Central Bedfordshire	675,545
Charnwood	403,224
Chelmsford	445,866
Cheltenham	359,300
Cherwell	394,819
Cheshire East	982,863
Cheshire West and Chester	1,081,268
Chesterfield	486,445
Chichester	347,488
Chiltern	197,489
Chorley	308,725
Christchurch	147,945
City of London	75,868
Colchester	587,046
Copeland	263,326
Corby	329,031
Cornwall	2,153,037
Cotswold	221,581
Coventry	1,481,119
Craven	124,086
Crawley	504,925
Croydon	1,980,335
Dacorum	505,785
Darlington	490,967
Dartford	308,433
Daventry	186,198
Derby	1,053,284
Derbyshire Dales	163,880
Doncaster	1,336,761
Dover	458,684
Dudley	1,251,205
Durham	2,482,469
Ealing	1,871,869
East Cambridgeshire	223,835

LA name England	2016/17 DWP HB allocation (£)
East Devon	362,676
East Dorset	195,939
East Hampshire	260,832
East Hertfordshire	350,038
East Lindsey	583,049
East Northamptonshire	224,661
East Riding of Yorkshire	989,084
East Staffordshire	349,485
Eastbourne	504,577
Eastleigh	312,580
Eden	115,294
Elmbridge	321,522
Enfield	1,890,603
Epping Forest	370,706
Epsom and Ewell	172,985
Erewash	385,871
Exeter	460,806
Fareham	222,013
Fenland	367,923
Forest Heath	192,378
Forest of Dean	261,562
Fylde	237,350
Gateshead	1,091,828
Gedling	351,274
Gloucester	501,193
Gosport	355,011
Gravesham	382,645
Great Yarmouth	537,650
Greenwich	1,770,998
Guildford	350,418
Hackney	2,609,063
Halton	641,728
Hambleton	215,209
Hammersmith and Fulham	1,285,253
Harborough	145,821
Haringey	1,958,536
Harlow	456,356
Harrogate	364,406
Harrow	982,354
Hart	137,829
Hartlepool	586,185
Hastings	568,874
Havant	392,551



LA name England	2016/17 DWP HB allocation (£)
Havering	801,085
Herefordshire	581,379
Hertsmere	347,273
High Peak	284,425
Hillingdon	1,189,820
Hinckley and Bosworth	244,492
Horsham	289,322
Hounslow	1,247,857
Huntingdonshire	459,907
Hyndburn	386,958
Ipswich	635,918
Isle of Wight	600,525
Isles of Scilly	2,288
Islington	1,942,549
Kensington and Chelsea	1,095,528
Kettering	315,167
Kings Lynn and West Norfolk	491,160
Kingston upon Hull	1,695,690
Kingston upon Thames	527,683
Kirklees	1,651,339
Knowsley	929,229
Lambeth	2,513,614
Lancaster	491,432
Leeds	3,558,437
Leicester	1,709,051
Lewes	323,154
Lewisham	2,327,250
Lichfield	232,510
Lincoln	477,297
Liverpool	3,240,298
Luton	871,128
Maidstone	466,734
Maldon	156,222
Malvern Hills	211,013
Manchester	3,358,581
Mansfield	455,237
Medway	1,050,732
Melton	119,630
Mendip	356,036
Merton	751,169
Mid Devon	227,261
Mid Suffolk	203,464
Mid Sussex	287,922

LA name England	2016/17 DWP HB allocation (£)
Middlesbrough	946,298
Milton Keynes	1,100,530
Mole Valley	203,831
New Forest	440,280
Newark and Sherwood	349,276
Newcastle upon Tyne	1,612,188
Newcastle-under-Lyme	395,991
Newham	2,010,750
North Devon	341,416
North Dorset	182,792
North East Derbyshire	322,877
North East Lincolnshire	788,133
North Hertfordshire	410,574
North Kesteven	260,434
North Lincolnshire	617,742
North Norfolk	335,451
North Somerset	730,237
North Tyneside	949,005
North Warwickshire	177,859
North West Leicestershire	251,796
Northampton	857,348
Northumberland	1,216,691
Norwich	834,949
Nottingham	1,860,362
Nuneaton and Bedworth	466,486
Oadby and Wigston	115,333
Oldham	1,056,470
Oxford	576,861
Pendle	387,854
Peterborough	898,596
Plymouth	1,254,722
Poole	481,209
Portsmouth	1,163,602
Preston	584,505
Purbeck	133,210
Reading	746,560
Redbridge	1,048,030
Redcar and Cleveland	687,283
Redditch	309,919
Reigate and Banstead	362,710
Ribble Valley	105,017
Richmond upon Thames	546,249
Richmondshire	109,512

LA name England	2016/17 DWP HB allocation (£)
Rochdale	1,072,607
Rochford	180,636
Rossendale	245,977
Rother	300,011
Rotherham	1,182,655
Rugby	299,050
Runnymede	214,936
Rushcliffe	209,635
Rushmoor	352,664
Rutland	72,501
Ryedale	143,706
Salford	1,440,538
Sandwell	1,697,147
Scarborough	497,512
Sedgemoor	404,914
Sefton	1,205,458
Selby	204,874
Sevenoaks	297,576
Sheffield	2,551,064
Shepway	466,114
Shropshire	860,316
Slough	657,340
Solihull	652,788
South Bucks	144,876
South Cambridgeshire	299,586
South Derbyshire	221,952
South Gloucestershire	743,070
South Hams	245,778
South Holland	254,480
South Kesteven	398,666
South Lakeland	225,022
South Norfolk	313,622
South Northamptonshire	147,793
South Oxfordshire	287,400
South Ribble	279,294
South Somerset	514,986
South Staffordshire	263,013
South Tyneside	956,502
Southampton	1,231,758
Southend on Sea	864,849
Southwark	2,341,349
Spelthorne	274,109
St Albans	324,443

LA name England	2016/17 DWP HB allocation (£)
St Edmundsbury	320,763
St Helens	844,378
Stafford	324,255
Staffordshire Moorlands	218,244
Stevenage	387,445
Stockport	941,397
Stockton on Tees	849,929
Stoke on Trent	1,284,340
Stratford-on-Avon	318,266
Stroud	300,162
Suffolk Coastal	315,373
Sunderland	1,597,345
Surrey Heath	179,474
Sutton	733,500
Swale	550,521
Swindon	735,128
Tameside	1,096,378
Tamworth	266,686
Tandridge	208,476
Taunton Deane	381,136
Teignbridge	409,576
Telford and Wrekin	784,789
Tendring	648,591
Test Valley	303,977
Tewkesbury	216,233
Thanet	788,262
Three Rivers	245,570
Thurrock	644,758
Tonbridge and Malling	338,703
Torbay	740,116
Torrige	222,621
Tower Hamlets	2,446,339
Trafford	729,339
Tunbridge Wells	326,438
Uttlesford	168,765
Vale of White Horse	278,637
Wakefield	1,533,614
Walsall	1,379,332
Waltham Forest	1,442,143
Wandsworth	1,696,523
Warrington	661,788
Warwick	347,496
Watford	362,301

LA name England	2016/17 DWP HB allocation (£)
Waveney	499,314
Waverley	290,443
Wealden	326,526
Wellingborough	289,546
Welwyn Hatfield	415,430
West Berkshire	407,628
West Devon	159,680
West Dorset	307,275
West Lancashire	358,264
West Lindsey	306,763
West Oxfordshire	251,802
West Somerset	144,451
Westminster	1,609,239
Weymouth and Portland	306,837
Wigan	1,305,320
Wiltshire	1,321,434
Winchester	285,898
Windsor and Maidenhead	347,390
Wirral	1,564,087
Woking	257,198
Wokingham	225,237
Wolverhampton	1,415,354
Worcester	364,827
Worthing	358,650
Wychavon	324,348
Wycombe	463,222
Wyre	394,314
Wyre Forest	385,587
York	532,558
<b>Total</b>	<b>223,775,425</b>

LA name Wales	2016/17 DWP HB allocation (£)
Blaenau Gwent	398,765
Bridgend	594,889
Caerphilly	784,620
Cardiff	1,591,519
Carmarthenshire	672,515
Ceredigion	240,413
Conwy	458,902

<b>LA name Wales</b>	<b>2016/17 DWP HB allocation (£)</b>
Denbighshire	423,431
Flintshire	489,104
Gwynedd	441,866
Isle of Anglesey	259,007
Merthyr Tydfil	296,538
Monmouthshire	259,936
Neath Port Talbot	704,759
Newport	713,710
Pembrokeshire	460,572
Powys	404,024
Rhondda Cynon Taff	1,028,969
Swansea	1,096,597
Torfaen	455,019
Vale of Glamorgan	443,843
Wrexham	572,977
<b>Total</b>	<b>12,791,975</b>

<b>Local Authority name Scotland</b>	<b>2016/17 DWP HB allocation (£)</b>
Aberdeen	761,903
Aberdeenshire	682,213
Angus	440,873
Argyll & Bute	374,423
Clackmannanshire	257,681
Comhairle nan Eilean Siar	121,041
Dumfries & Galloway	721,037
Dundee	1,005,412
East Ayrshire	663,389
East Dunbartonshire	274,217
East Lothian	378,219
East Renfrewshire	204,613
Edinburgh	2,087,703
Falkirk	680,352
Fife	1,606,677
Glasgow	4,619,799
Highland	859,542
Inverclyde	509,631
Midlothian	354,296
Moray	298,751
North Ayrshire	828,602
North Lanarkshire	1,753,605
Orkney Islands	71,581

<b>Local Authority name Scotland</b>	<b>2016/17 DWP HB allocation (£)</b>
Perth & Kinross	526,083
Renfrewshire	915,673
Scottish Borders	494,429
Shetland Islands	57,202
South Ayrshire	536,001
South Lanarkshire	1,382,757
Stirling	296,149
West Dunbartonshire	632,026
West Lothian	791,851
<b>Total</b>	<b>25,187,731</b>

**Appendix E – Weekly limit rents for LAs in England 2016/2017**

<b>Local Authority</b>	<b>Limit Rent</b>
Adur	£95.05
Arun	£92.39
Ashfield	£69.55
Ashford	£90.66
Babergh	£90.78
Barking	£99.58
Barnet	£109.13
Barnsley	£76.19
Barrow	£76.39
Basildon	£88.60
Bassetlaw	£73.68
Birmingham	£84.26
Blackpool	£72.86
Bolsover	£83.34
Bournemouth	£83.85
Brent	£118.16
Brentwood	£95.78
Brighton & Hove	£85.89
Bristol	£82.60
Broxtowe	£75.86
Bury	£78.07
Cambridge	£104.82
Camden	£123.43
Cannock Chase	£76.79
Canterbury	£89.85
Castle Point	£90.04
Central Bedfordshire	£103.86
Charnwood	£75.75
Cheltenham	£81.83
Cheshire West and Chester	£83.96
Chesterfield	£81.14
City of London	£110.18
City of York	£80.77
Colchester	£89.06
Corby	£80.28
Cornwall	£72.19
Crawley	£104.81
Croydon	£108.02
Dacorum	£110.54
Darlington	£72.38
Dartford	£91.40



Derby	£80.21
Doncaster	£74.53
Dover	£85.81
Dudley	£84.30
Ealing	£103.37
East Devon	£82.96
East riding	£80.78
Eastbourne	£81.00
Enfield	£103.32
Epping Forest	£101.12
Exeter	£76.67
Fareham	£92.75
Gateshead	£77.99
Gosport	£85.62
Gravesham	£91.29
Great Yarmouth	£76.33
Greenwich	£105.03
Guildford	£112.82
Hackney	£102.47
Hammersmith	£118.12
Haringey	£108.28
Harlow	£94.17
Harrogate	£82.14
Harrow	£115.97
Havering	£98.34
High Peak	£74.50
Hillingdon	£110.60
Hinckley	£79.89
Hounslow	£104.74
Ipswich	£83.71
Islington	£122.15
Kensington	£130.53
Kettering	£82.99
Kingston upon Hull	£76.54
Kingston upon Thames	£114.74
Kirklees	£71.18
Lambeth	£110.21
Lancaster	£78.69
Leeds	£75.29
Leicester City	£73.33
Lewes	£91.07
Lewisham	£98.19
Lincoln	£70.07
Luton	£88.37

Manchester	£74.57
Mansfield	£74.45
Medway Towns	£83.38
Melton	£78.68
Mid Devon	£80.00
Mid Suffolk	£83.78
Milton Keynes	£87.41
New Forest	£101.17
Newark	£79.75
Newcastle upon Tyne	£76.70
Newham	£98.69
NE Derbyshire	£82.85
North Kesteven	£77.98
North Tyneside	£77.97
North Warwick	£89.24
North West Leicestershire	£80.28
Northampton	£84.86
Northumberland	£69.69
Norwich	£80.87
Nottingham	£76.49
Nuneaton	£79.70
Oadby & Wigston	£80.80
Oldham	£74.74
Oxford City	£111.21
Poole	£86.87
Portsmouth	£86.51
Reading	£106.85
Redbridge	£104.99
Redditch	£80.03
Richmondshire	£79.03
Rotherham	£77.24
Rugby	£88.45
Runnymede	£111.95
Salford	£76.32
Sandwell	£83.01
Sedgemoor	£79.01
Selby	£79.70
Sheffield	£73.30
Shepway	£83.13
Shropshire	£82.94
Slough	£107.89
Solihull	£83.70
South Cambridge	£109.20
South Derbyshire	£81.19

South Holland	£77.26
South Kesteven	£80.30
South Tyneside	£76.50
Southampton	£86.69
Southend-on-Sea	£87.66
Southwark	£110.06
St Albans	£115.38
Stevenage	£99.81
Stockport	£76.17
Stoke-on-Trent	£71.79
Stroud	£83.93
Sutton	£109.18
Swindon	£84.53
Tamworth	£81.85
Tandridge	£100.09
Taunton Deane	£83.97
Tendring	£84.96
Thanet	£82.46
Thurrock	£87.48
Tower Hamlets	£112.90
Uttlesford	£101.05
Waltham Forest	£104.13
Wandsworth	£127.45
Warwick	£95.80
Waveney	£79.52
Waverley	£115.80
Wealden	£85.62
Welwyn Hatfield	£108.07
West Lancashire	£77.91
Westminster	£126.30
Wigan	£78.52
Wiltshire	£89.50
Winchester	£103.21
Woking	£105.98
Wokingham	£117.89
Wolverhampton	£81.37

**Appendix F – Amounts for rent rebate subsidy deduction calculation for LAs in Wales 2016/2017**

	<b>Specified Amount</b>	<b>Guideline Rent Increase</b>
	<b>‘O’</b>	<b>‘P’</b>
Caerphilly	£78.91	£3.08
Cardiff	£89.18	£3.22
Carmarthenshire	£78.52	£3.07
Denbighshire	£76.29	£3.05
Flintshire	£79.35	£3.10
Isle of Anglesey	£75.15	£3.03
Pembrokeshire	£80.09	£2.97
Powys	£80.35	£3.09
Swansea	£77.24	£3.08
Vale of Glamorgan	£86.21	£3.19
Wrexham	£78.53	£3.08

## 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
<b>Cases subject to Articles 17 – 17C</b>					
1	<b>Great Britain</b> Homelessness accommodation (excluding prevention cases): <ul style="list-style-type: none"> <li>• Board and lodging (B&amp;B).</li> </ul>	LA or RSL	Non HRA rent rebate or Rent Allowance	One bedroom LHA rate	012 & 013 – LA landlord or 104 & 105 – RSL
2	<b>Great Britain</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Non self-contained,</li> <li>• Held on licence.</li> </ul>	LA or RSL	Non HRA rent rebate or Rent Allowance	One bedroom LHA rate	012 & 013 – LA landlord or 104 & 105 – RSL
3	<b>Great Britain</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Non self-contained,</li> <li>• Leased to the LA, (Including hostels on a lease),</li> <li>• Period up to 10 years,</li> <li>• Outside HRA in England,</li> <li>• In or outside HRA in Wales and Scotland.</li> </ul>	LA	Non HRA rent rebate in England, Non HRA or HRA rent rebate in Wales / Scotland	90% one bedroom LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	014 & 015 (non HRA in Wales and HRA in Scotland. 056 & 057 (HRA Wales)
4	<b>Wales or Scotland only</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Non self-contained</li> <li>• Leased to the LA (Including hostels on a lease)</li> <li>• Period 10 years or over,</li> <li>• In or outside HRA</li> </ul>	LA	Non HRA or HRA rent rebate in Wales / Scotland	90% one bedroom LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	014 & 015 (non HRA in Wales and Scotland and HRA in Scotland). 056 & 057 (HRA Wales)
5	<b>Great Britain</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Non self-contained,</li> <li>• Leased to or owned by RSL, (Including hostels)</li> <li>• Any period.</li> </ul>	RSL	Rent Allowance	90% one bedroom LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	106 & 107

Item no.	Accommodation	Landlord	Treatment under HB	Maximum weekly subsidy amount	Cell no. on subsidy claim form
6	<b>Great Britain</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Self contained,</li> <li>• Held on licence by LA or RSL.</li> </ul>	LA or RSL	Non HRA rent rebate or Rent Allowance	90% of appropriate LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	014 & 015 – LA or 106 & 107 - RSL
7	<b>England</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Self-contained,</li> <li>• Leased to the LA</li> <li>• Period up to 10 years,</li> <li>• Outside HRA.</li> </ul>	LA	Non HRA rent rebate in England	90% of appropriate LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	014 & 015
8	<b>Wales and Scotland</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Self-contained,</li> <li>• Leased to the LA,</li> <li>• Any period,</li> <li>• In or outside HRA.</li> </ul>	LA	Non HRA or HRA rent rebate in Wales / Scotland	90% of appropriate LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	014 & 015 (non HRA in Wales and Scotland and HRA in Scotland. 056 & 057 in Wales)
9	<b>Great Britain</b> Homelessness accommodation: <ul style="list-style-type: none"> <li>• Self contained,</li> <li>• Leased to RSL,</li> <li>• Owned by RSL*,</li> <li>• Any period.</li> </ul> <p>*Applies only to accommodation acquired by an RSL, the purpose of which is to be used as homelessness accommodation.</p>	RSL	Rent Allowance	90% of appropriate LHA rate + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	106 & 107

Item no.	Accommodation	Landlord	Treatment under HB	Maximum weekly subsidy amount	Cell no. on subsidy claim form
10	<p><b>Great Britain</b> Homelessness accommodation:</p> <ul style="list-style-type: none"> <li>Leased to or owned by RSL,</li> <li>Sub-leased to the LA.</li> </ul> <p>Treat as 3, 4, 7 or 8 - LA-leased.</p>	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) + (£40 or £60 on subsidy claims to 31.3.2017 – from 1.4.2017 no longer included)	014 & 015 (non HRA in England, Wales and Scotland, HRA in Scotland). 056 & 057 (HRA in Wales)
<b>Cases which are not subject to Articles 17 – 17C</b>					
11	<p><b>Great Britain</b> Hostels,</p> <ul style="list-style-type: none"> <li>Owned by LA,</li> <li>Outside HRA in England,</li> <li>In or outside HRA in Wales and Scotland.</li> </ul>	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	<p><b>Great Britain</b> Supported exempt accommodation.</p>	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) + £40 = £1,075
- 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) + £60 = £215.77
- Upper cap limit = £375

Subsidy payable is lowest of the three = £160. (Expenditure is below the cap.)

## 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'.