

Freedom of Information request 2742/2014

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Information request

“Deductions from benefits for rent arrears – migration to UC

Where a claimant on legacy benefits is having direct deductions (third party payments) for rent arrears - will these automatically be transferred to the UC award on migration? I could see a reference to deductions for fuel costs and water being transferred under Reg 18 of the Transitional regs 2014, but not rent arrears.”

DWP response

Existing third party deductions for rent arrears will continue when a claimant migrates to Universal Credit. However these will be subject to any changes needed to comply with the relevant legislation under Universal Credit.

Schedule 6 of The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations 2013 (Statutory Instrument 2013 No.380), provides for deduction of benefits and direct payment to third parties under Universal Credit and can be found at <http://www.dwp.gov.uk/docs/a14-6701.pdf>.

Regulation 18(3) in The Universal Credit (Transitional Provisions) Regulations 2014 (SI 2014 No 1230) specifically provides for continuing deductions in respect of fuel costs or water charges, without the need for further written consent. We ask for a claimant's consent to make deductions for fuel costs and water charges where the total of these deductions exceeds a set threshold, and without regulation 18 we would need to ask for that consent again to continue making these deductions.