

Appendix A – Summary of 2017/2018 benefit subsidy arrangements

Basic rate of subsidy	ARRANGEMENTS FOR 2017/2018	ARRANGEMENTS FOR 2018/2019	REMARKS
	All Housing Benefit 100%	All Housing Benefit 100%	No change

Other rates of subsidy	ARRANGEMENTS FOR 2017/2018	ARRANGEMENTS FOR 2018/2019	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 2017/2018	ARRANGEMENTS FOR 2018/2019	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 2017/2018	ARRANGEMENTS FOR 2018/2019	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 2018/19

Local Authority - England	2018-19 DWP HB administration subsidy allocation (£)
Adur	168,661
Allerdale	262,412
Amber Valley	322,355
Arun	439,124
Ashfield	417,437
Ashford	332,412
Aylesbury Vale	408,425
Babergh	185,900
Barking	1,031,669
Barnet	1,478,278
Barnsley	841,419
Barrow-in-Furness	215,961
Basildon	604,550
Basingstoke and Deane	411,551
Bassetlaw	323,742
Bath and N E Somerset	414,650
Bedford	474,290
Bexley	700,259
Birmingham	4,845,983
Blaby	165,768
Blackburn with Darwen	518,877
Blackpool	831,138
Bolsover	254,274
Bolton	1,082,057
Boston	224,548
Bournemouth	716,277
Bracknell Forest	288,279
Bradford	1,911,684
Braintree	375,425
Breckland	348,285
Brent	1,825,004
Brentwood	138,800
Brighton and Hove	1,108,821
Bristol	1,759,545
Broadland	223,677
Bromley	875,650
Bromsgrove	164,936
Broxbourne	280,731
Broxtowe	262,047

Burnley	352,107
Bury	578,005
Calderdale	666,397
Cambridge	345,827
Camden	1,478,991
Cannock Chase	295,781
Canterbury	406,551
Carlisle	310,708
Castle Point	211,774
Central Bedfordshire	578,690
Charnwood	343,403
Chelmsford	388,426
Cheltenham	288,073
Cherwell	324,446
Cheshire East	774,548
Cheshire West and Chester	849,622
Chesterfield	393,601
Chichester	297,301
Chiltern	169,226
Chorley	258,250
Christchurch	121,477
City of London	62,210
Colchester	493,341
Copeland	202,557
Corby	250,517
Cornwall	1,745,138
Cotswold	180,982
Coventry	1,235,694
Craven	96,753
Crawley	432,204
Croydon	1,470,136
Dacorum	443,418
Darlington	411,782
Dartford	264,352
Daventry	140,106
Derby	889,298
Derbyshire Dales	140,921
Doncaster	1,073,628
Dover	357,141
Dudley	988,896
Durham	2,018,235
Ealing	1,571,849
East Cambridgeshire	190,181
East Devon	311,072
East Dorset	162,697
East Hampshire	224,619
East Hertfordshire	301,524
East Lindsey	488,039
East Northamptonshire	187,915
East Riding of Yorkshire	837,734

East Staffordshire	297,962
Eastbourne	403,326
Eastleigh	245,547
Eden	96,353
Elmbridge	281,494
Enfield	1,560,821
Epping Forest	321,590
Epsom and Ewell	148,919
Erewash	299,681
Exeter	386,170
Fareham	193,886
Fenland	312,129
Forest Heath	163,075
Forest of Dean	213,816
Fylde	199,357
Gateshead	885,392
Gedling	300,683
Gloucester	410,346
Gosport	303,370
Gravesham	317,703
Great Yarmouth	380,857
Greenwich	1,535,326
Guildford	297,357
Hackney	2,278,328
Halton	473,845
Hambleton	167,917
Hammersmith and Fulham	1,030,738
Harborough	117,523
Haringey	1,665,501
Harlow	362,108
Harrogate	277,348
Harrow	841,293
Hart	121,839
Hartlepool	429,762
Hastings	420,606
Havant	340,395
Havering	691,892
Herefordshire	485,187
Hertsmere	300,007
High Peak	240,915
Hillingdon	1,025,399
Hinckley and Bosworth	191,985
Horsham	246,248
Hounslow	941,612
Huntingdonshire	396,617
Hyndburn	314,957
Ipswich	527,783
Isle of Wight	498,873
Isles of Scilly	1,779
Islington	1,660,490

Kensington and Chelsea	932,921
Kettering	261,678
Kings Lynn and West Norfolk	418,310
Kingston upon Hull	1,441,320
Kingston upon Thames	449,283
Kirklees	1,335,647
Knowsley	760,790
Lambeth	2,116,006
Lancaster	357,841
Leeds	3,000,369
Leicester	1,429,272
Lewes	276,347
Lewisham	1,972,731
Lichfield	190,731
Lincoln	391,402
Liverpool	2,706,464
Luton	749,632
Maidstone	403,528
Maldon	134,080
Malvern Hills	180,660
Manchester	2,663,251
Mansfield	387,934
Medway	871,344
Melton	89,038
Mendip	264,961
Merton	603,503
Mid Devon	191,837
Mid Suffolk	172,484
Mid Sussex	247,338
Middlesbrough	797,064
Milton Keynes	936,940
Mole Valley	177,763
New Forest	375,463
Newark and Sherwood	295,136
Newcastle upon Tyne	1,262,109
Newcastle-under-Lyme	342,445
Newham	1,713,116
North Devon	287,593
North Dorset	148,381
North East Derbyshire	279,461
North East Lincolnshire	633,576
North Hertfordshire	349,879
North Kesteven	223,363
North Lincolnshire	494,063
North Norfolk	287,501
North Somerset	579,464
North Tyneside	795,212
North Warwickshire	152,736
North West Leicestershire	207,790
Northampton	715,240

Northumberland	1,042,202
Norwich	701,790
Nottingham	1,573,781
Nuneaton and Bedworth	377,849
Oadby and Wigston	98,605
Oldham	841,141
Oxford	465,233
Pendle	325,830
Peterborough	725,956
Plymouth	1,010,710
Poole	384,168
Portsmouth	990,482
Preston	486,146
Purbeck	109,227
Reading	599,511
Redbridge	894,183
Redcar and Cleveland	595,052
Redditch	247,933
Reigate and Banstead	310,534
Ribble Valley	88,793
Richmond upon Thames	461,112
Richmondshire	81,472
Rochdale	888,867
Rochford	155,011
Rossendale	207,571
Rother	235,430
Rotherham	1,002,694
Rugby	221,259
Runnymede	189,945
Rushcliffe	180,560
Rushmoor	300,175
Rutland	59,284
Ryedale	107,869
Salford	1,211,029
Sandwell	1,451,145
Scarborough	413,616
Sedgemoor	293,746
Sefton	951,562
Selby	173,002
Sevenoaks	253,535
Sheffield	2,211,617
Shepway	386,086
Shropshire	717,236
Slough	548,949
Solihull	520,274
South Bucks	125,096
South Cambridgeshire	262,077
South Derbyshire	194,231
South Gloucestershire	644,006
South Hams	211,064

South Holland	214,481
South Kesteven	324,425
South Lakeland	187,569
South Norfolk	267,200
South Northamptonshire	129,724
South Oxfordshire	236,961
South Ribble	235,100
South Somerset	398,192
South Staffordshire	228,960
South Tyneside	807,910
Southampton	937,411
Southend on Sea	674,571
Southwark	1,821,052
Spelthorne	238,464
St Albans	266,714
St Edmundsbury	260,676
St Helens	687,740
Stafford	282,170
Staffordshire Moorlands	187,524
Stevenage	328,392
Stockport	786,763
Stockton on Tees	723,140
Stoke on Trent	1,070,400
Stratford-on-Avon	253,567
Stroud	244,426
Suffolk Coastal	270,052
Sunderland	1,354,237
Surrey Heath	156,737
Sutton	552,843
Swale	451,413
Swindon	544,653
Tameside	892,517
Tamworth	215,178
Tandridge	175,139
Taunton Deane	283,257
Teignbridge	348,469
Telford and Wrekin	674,888
Tendring	545,504
Test Valley	257,724
Tewkesbury	180,578
Thanet	613,951
Three Rivers	202,728
Thurrock	515,679
Tonbridge and Malling	295,320
Torbay	621,630
Torridge	184,810
Tower Hamlets	1,975,866
Trafford	572,504
Tunbridge Wells	282,174
Uttlesford	137,566

Vale of White Horse	232,307
Wakefield	1,324,444
Walsall	1,182,221
Waltham Forest	1,200,866
Wandsworth	1,460,967
Warrington	500,707
Warwick	295,984
Watford	295,967
Waveney	378,119
Waverley	251,210
Wealden	267,480
Wellingborough	247,314
Welwyn Hatfield	347,407
West Berkshire	337,409
West Devon	129,865
West Dorset	253,631
West Lancashire	287,148
West Lindsey	262,726
West Oxfordshire	207,734
West Somerset	111,146
Westminster	1,378,835
Weymouth and Portland	246,684
Wigan	1,053,308
Wiltshire	1,044,787
Winchester	245,154
Windsor and Maidenhead	297,451
Wirral	1,238,690
Woking	224,465
Wokingham	188,393
Wolverhampton	1,138,969
Worcester	311,222
Worthing	301,724
Wychavon	282,274
Wycombe	395,036
Wyre	335,089
Wyre Forest	329,150
York	416,507
Total	185,132,133

Local Authority - Scotland	2018-19 DWP HB administration subsidy allocation (£)
Aberdeen	689,041
Aberdeenshire	609,938
Angus	368,077
Argyll and Bute	319,323
Clackmannanshire	204,134
Comhairle nan Eilean Siar	105,407
Dumfries and Galloway	609,978
Dundee	823,321

East Ayrshire	531,445
East Dunbartonshire	221,758
East Lothian	282,606
East Renfrewshire	175,490
Edinburgh	1,752,172
Falkirk	562,731
Fife	1,319,829
Glasgow	3,943,978
Highland	686,589
Inverclyde	388,854
Midlothian	270,558
Moray	257,770
North Ayrshire	672,284
North Lanarkshire	1,457,778
Orkney	62,862
Perth and Kinross	446,995
Renfrewshire	778,470
Scottish Borders	417,835
Shetland	50,400
South Ayrshire	442,814
South Lanarkshire	1,114,586
Stirling	235,824
West Dunbartonshire	540,770
West Lothian	666,878
Total	21,010,495

Local Authority - Wales	2018-19 DWP HB administration subsidy allocation (£)
Blaenau Gwent	335,207
Bridgend	494,528
Caerphilly	670,501
Cardiff	1,311,726
Carmarthenshire	574,293
Ceredigion	208,376
Conwy	386,790
Denbighshire	354,600
Flintshire	396,103
Gwynedd	375,758
Isle of Anglesey	220,487
Merthyr Tydfil	247,532
Monmouthshire	219,545
Neath Port Talbot	573,428
Newport	574,254
Pembrokeshire	396,561
Powys	346,356
Rhondda Cynon Taf	875,988
Swansea	895,579
Torfaen	360,633
Vale of Glamorgan	382,134

Wrexham	463,982
Total	10,664,361

Appendix E – Weekly limit rents for LAs in England 2018/19

Local Authority	Limit rent
Adur	£93.67
Arun	£90.45
Ashfield	£68.12
Ashford	£89.13
Babergh	£89.11
Barking	£97.75
Barnet	£107.95
Barnsley	£74.53
Barrow	£74.87
Basildon	£87.55
Bassetlaw	£72.24
Birmingham	£82.61
Blackpool	£71.08
Bolsover	£81.61
Bournemouth	£83.32
Brent	£115.86
Brentwood	£94.22
Brighton & Hove	£84.18
Bristol	£80.90
Broxtowe	£74.23
Bury	£76.45
Cambridge	£102.69
Camden	£121.13
Cannock Chase	£75.43
Canterbury	£88.11
Castle Point	£88.14
Central Bedfordshire	£101.36
Charnwood	£74.14
Cheltenham	£80.14
Cheshire West	£82.23
Chesterfield	£79.50
City of London	£106.20
City of York	£79.15
Colchester	£87.32
Corby	£78.62
Cornwall	£70.84
Crawley	£102.93
Croydon	£105.82

Dacorum	£108.18
Darlington	£70.84
Dartford	£89.81
Derby	£78.50
Doncaster	£73.09
Dover	£84.08
Dudley	£82.54
Ealing	£101.32
East Devon	£81.52
East Riding	£79.09
Eastbourne	£79.33
Enfield	£101.10
Epping Forest	£99.17
Exeter	£75.13
Fareham	£90.81
Gateshead	£76.27
Gosport	£83.63
Gravesham	£89.44
Great Yarmouth	£74.70
Greenwich	£102.98
Guildford	£110.47
Hackney	£100.76
Hammersmith	£115.80
Haringey	£106.19
Harlow	£91.92
Harrogate	£80.51
Harrow	£113.57
Hartlepool	£100.62
Havering	£96.37
High Peak	£73.03
Hillingdon	£109.03
Hinckley	£78.30
Hounslow	£102.46
Ipswich	£82.06
Islington	£121.19
Isles of Scilly	£80.09
Kensington	£127.88
Kettering	£81.26
Kingston upon Hull	£74.98
Kingston upon Thames	£112.18
Kirklees	£69.66
Lambeth	£108.68
Lancaster	£77.13
Leeds	£74.04

Leicester	£71.72
Lewes	£89.29
Lewisham	£96.29
Lincoln	£68.65
Luton	£86.53
Manchester	£74.13
Mansfield	£73.01
Medway Towns	£81.79
Melton	£77.06
Mid Devon	£78.55
Mid Suffolk	£82.21
Milton Keynes	£85.68
North East Derbyshire	£81.18
New Forest	£99.28
Newark	£77.98
Newcastle upon Tyne	£75.07
Newham	£97.67
North Kesteven	£76.56
North Tyneside	£76.47
North Warwick	£87.76
Northampton	£83.05
Northumberland	£68.17
Norwich	£79.22
Nottingham	£74.88
Nuneaton	£78.05
North West Leicester	£78.89
Oadby & Wigston	£79.19
Oldham	£79.33
Oxford City	£108.92
Poole	£84.98
Portsmouth	£84.78
Reading	£104.67
Redbridge	£102.63
Redditch	£77.97
Richmondshire	£77.60
Rotherham	£75.79
Rugby	£86.53
Runnymede	£110.22
Salford	£80.25
Sandwell	£81.28
Sedgemoor	£77.57
Selby	£78.21
Sheffield	£71.78
Shepway	£84.04

Shropshire	£81.41
Slough	£106.14
Solihull	£82.13
South Cambridge	£106.87
South Derby	£79.81
South Holland	£75.60
South Kesteven	£78.67
South Tyneside	£75.22
Southampton	£84.68
Southend-on-Sea	£85.75
Southwark	£107.89
St Albans	£113.74
Stevenage	£97.80
Stockport	£74.61
Stoke-on-Trent	£70.37
Stroud	£82.37
Sutton	£106.95
Swindon	£82.74
Tamworth	£80.28
Tandridge	£98.06
Taunton Deane	£82.23
Tendring	£83.82
Thanet	£80.84
Thurrock	£85.89
Tower Hamlets	£110.64
Uttlesford	£98.32
Waltham Forest	£101.92
Wandsworth	£124.78
Warwick	£93.66
Waveney	£80.20
Waverley	£114.44
Wealden	£84.65
Welwyn Hatfield	£107.96
West Lancashire	£76.06
Westminster	£124.93
Wigan	£76.89
Wiltshire	£88.03
Winchester	£101.19
Woking	£104.18
Wokingham	£115.22
Wolverhampton	£79.69

Appendix F – Amounts for rent rebate subsidy deduction calculation for LAs in Wales 2018/19

Local Authority	Specified amount	Guideline rent increase
	'O'	'P'
Caerphilly	86.00	5.72
Cardiff	96.69	6.29
Carmarthenshire	85.56	5.68
Denbighshire	83.28	5.68
Flintshire	86.50	5.87
Isle of Anglesey	82.38	5.73
Pembrokeshire	86.83	5.36
Powys	87.41	5.67
Swansea	84.32	5.78
Vale of Glamorgan	93.60	6.09
Wrexham	85.61	5.73

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. <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	106 & 107
10	Great Britain Homelessness accommodation: <ul style="list-style-type: none"> • Leased to or owned by RSL, • Sub-leased to the LA. <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)	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'.