

# Local Housing Allowance

## Tenants who are likely to have difficulty paying their rent: A Guide for Landlords

Local Housing Allowance is usually paid to your tenant. Your tenant cannot decide to have their Local Housing Allowance paid to you. However, we can pay Local Housing Allowance to you if we decide your tenant is **vulnerable** or they are **unlikely to pay their rent**. The intention is to prevent tenants who are likely to have difficulties from falling into arrears.

**Vulnerable:** This means someone who is likely to have difficulty managing his or her own affairs.

**Unlikely to pay:** This means that it is improbable that the tenant will pay their rent.

We cannot pay Local Housing Allowance to you where there is only a possibility that your tenant may have difficulty managing their own affairs, or that there is only a risk they may not pay their rent.

All requests for direct payments of Local Housing Allowance to you must be made in writing and supported with evidence of the tenant's vulnerability or difficulty in paying their rent.

### Tenants who are likely to have difficulty paying their rent might be someone who:

- has learning disabilities
- has a medical condition, that is likely to impair their ability to manage their own affairs on a day to day basis
- has literacy problems
- is unable to speak English
- has an addiction to drugs, alcohol or gambling
- has severe debt problems
- is unable to manage their tenancy without support
- is unable to obtain a bank account
- has a history of rent arrears or missed payments of rent

This does not automatically mean that we will pay Local Housing Allowance direct to you. We need to be satisfied that it is likely the person will have difficulty managing their own affairs **and** this is supported by evidence from an independent organisation, such as a doctor, welfare rights worker or a social worker.

## **What to do if you think your tenant is likely to have difficulty managing his or her own affairs:**

1. Speak to your tenant or their representative first to establish the facts.
2. Find out if they are likely to have difficulty managing their own affairs.
3. Find out what arrangements, if any, have already been made to cover other costs and bills.
4. Encourage the tenant or their representative to contact us about their vulnerability. We will usually want to speak to them anyway, if you approach us.
5. Get written confirmation from the tenant to confirm that we can speak to you. We will not be able to disclose or discuss any information with you, without your tenant's permission.
6. Give us as much information and evidence as possible. We cannot pay Local Housing Allowance to you without this.

## **Making a decision**

Once we have collected evidence we will decide as quickly as possible if a tenant is vulnerable or unlikely to pay their rent. We may still pay Local Housing Allowance to the tenant while we are making our decision. We will notify all the affected parties of our decision.

## **What you should do if you think this decision is wrong**

If you disagree with our decision you should get in touch with us within **one month** of the date of the decision notification. The rules for this are the same as the rules for Housing Benefit. You can contact us by phone or in writing. You can either:

- ask for an explanation
- tell us why you think the decision is wrong and ask us to look at the decision again
- appeal against the decision – this must be in writing.

If you appeal, an independent tribunal by the Tribunal Service may hear your appeal.

## **Money advice**

Tenants can get help managing their money from Citizens Advice Bureau, Bennet House, 14 Horsemarket, Darlington, Co Durham, DL1 5PT Tel: (01325) 256999.

## **Further information**

If you want more information about vulnerable tenants/ unlikely to pay tenants:

Visit our website at: [www.darlington.gov.uk/housing/housing+benefits](http://www.darlington.gov.uk/housing/housing+benefits)

Write to us at:  
Housing Benefits Section  
Darlington Borough Council  
Town Hall  
Darlington  
DL1 5QT

Telephone: Customer Services on (01325) 388514

or visit us in person at: Customer Contact Centre Town hall Darlington.

Opening Times are: Mon – Thurs 8:30 to 5:00, Friday 8:30 to 4:30