

Rushmoor Borough Council

Local Housing Allowance – Vulnerability

In order to protect vulnerable customers we will use our discretion in deciding whether housing benefit should be paid to the landlord as opposed to the customer.

Criteria will be considered when deciding to whom benefit should be paid.

Aims and Objectives

- Protection for the most vulnerable customers providing reassurance that their rent will be paid
- To help prevent rent arrears and customers being put at risk of eviction.
- To reassure landlords that rent charged will be paid if they have vulnerable customers or are approached by vulnerable customers
- To help put customers in touch with other agencies/support groups where they are given the support to manage their own affairs
- To ensure council officials make fair, responsible and consistent decision
- To promote and publicise a process which is widely understood
- To treat each case independently and on it's own merits

Procedure

The customer or customers' representative makes us aware that they would prefer their LHA to be paid to the landlord. The request, made on the appropriate application form, needs to be supported with evidence from a third party. Information and evidence will be considered from, amongst others:

- Social Services
- Department of Work and Pensions
- Reputable financial institutions
- Courts
- Support of advisory services e.g. CAB
- Doctor

Evidence from a landlord cannot be accepted alone.

Making a decision

The Housing Benefit Manager will make the decision on each case. The decision will be made on the basis of having regard to all the available facts. In all cases one of the two decisions will be made:

1. The customer is vulnerable and payment of LHA will be made to the landlord, or:
2. The customer is not vulnerable and payment of LHA will be made to the customer.

Notifying affected parties

The customer and/or their representative will be written to and advised of the following:

- The decision and reasons for it
- If and when the decision will be reviewed
- Appeal Rights
- Advice agencies, voluntary or statutory organisations which will be able to help
- Contact details for the CAB money advice service if they do not have a bank account and will be receiving excess LHA themselves

The landlord will also be written to and advised:

- If the tenant has been found vulnerable and we will pay them, the landlord, LHA up to the contractual rent
- If and when the decision will be reviewed
- Request bank details if not previously received
- If the tenant has been found not vulnerable, the landlords' appeal right against the decision.

RBC/LHA/vulnerable