

# Thurrock Council

## Form for requesting benefit payment to landlord

### How we will use your information

We will use your information to provide the service requested. We may share your personal data between our services and with partner organisations, such as government bodies and the police. We will do so when it is of benefit to you, or required by law, or to prevent or detect fraud. To find out more, go to [thurrock.gov.uk/privacy](http://thurrock.gov.uk/privacy). Get free internet access at libraries and community hubs.

### For completion by the landlord or someone helping the tenant

Under the Local Housing Allowance (LHA) scheme, benefit payments will normally be sent direct to tenants. If you think that sending direct payments to a tenant will cause them, or you, serious problems, please complete this form and return it to us.

Your name	
Your address	
Your relationship to the tenant – for example, landlord, relative, friend, social worker, care worker	
Tenant's name	
Tenant's address	
Claim reference, if known	

A decision cannot be made until you have provided the evidence required. Please put a cross the box or boxes that apply, below, and provide the evidence required.

Cross	Reason direct payment is a problem	Evidence to be provided
<input type="checkbox"/>	The tenant is more than 8 weeks in arrears with their rent	Rent records and letters proving attempts to collect monies
<input type="checkbox"/>	The tenant has learning disabilities which make it difficult for them to manage their finances	Written evidence from Social Worker, Support Worker, GP
<input type="checkbox"/>	The tenant has a medical condition or mental health problem which makes it difficult for them to manage their finances	Written evidence from Social Worker, Support Worker, GP
<input type="checkbox"/>	The tenant has serious difficulties with reading and writing	Written evidence from Support Organisations
<input type="checkbox"/>	The tenant does not speak English	Written evidence from Support Organisations
<input type="checkbox"/>	The tenant is dealing with addiction to drugs, alcohol or gambling	Written evidence from Support Organisations, GP, Social Services, Care Workers, Hospital

Cross	Reason direct payment is a problem	Evidence to be provided
<input type="checkbox"/>	The tenant is fleeing domestic violence	Written evidence from Support Organisations, Social Services
<input type="checkbox"/>	The tenant has recently been released from prison	Written evidence from the Prison or the Probation Service
<input type="checkbox"/>	The tenant has severe debt problems	Court Orders, County Court Judgements, evidence from Help
<input type="checkbox"/>	The tenant is an un-discharged bankrupt	Groups, Solicitors, creditors, debt advisers, Copy of Court Order
<input type="checkbox"/>	The tenant is unable to open a bank account	Letters from banks or money advisers
<input type="checkbox"/>	The tenant has a history of homelessness	Evidence from Support Organisations, Homeless Charity
<input type="checkbox"/>	The tenant has a history of non-payment of rent	Rent records and letters proving attempts to collect monies or evidence from a previous landlord
<input type="checkbox"/>	No circumstances above apply, but direct payments will cause problems because:	

### Declaration by person completing this form

I declare that the information I have given in this form is correct and I authorise you to make enquiries to check any of the information or evidence I have provided.

I understand that you may need to contact the tenant and that you will need to tell them about the information I have given you.

<b>Signature</b>			
<b>Name</b>		<b>Date</b>	

Should you have the support of your tenant, it would speed the decision process if you could ask them to sign below.

### Declaration by tenant

I confirm the information and evidence supplied above is true and correct.

Signature			
Name		Date	

### Submitting this form

Send this completed form to:

- Benefits Section, Thurrock Council, Civic Offices, New Road, Grays, RM17 6SL
- [benefits@thurrock.gov.uk](mailto:benefits@thurrock.gov.uk)

## Landlord declaration

I agree to accept any rent allowance due to the above tenant, direct from Thurrock Council, and understand that:

1. the landlord must inform the council of any changes in housing costs
2. the landlord as well as the tenant must notify the council whenever there is a change to the tenancy, including the tenant leaving the accommodation or an additional person living there
3. the council cannot become involved in any dispute between the landlord and tenant over outstanding charges
4. the council cannot divulge any information about the claimant to the landlord without the tenant's previous permission
5. the council retains the right to withhold the Local Housing Allowance or pay it to the claimant should it so decide
6. if an overpayment of the rent allowance occurs for any reason, the landlord must repay the overpayment to the council immediately; otherwise legal proceedings for recovery will be taken in the County Court

Signature			
Name		Date	

## BACS request

Complete the form below if you would like to receive payment direct into your bank account.

Landlord reference number			
Landlords name			
Landlords full postal address			
Landlords telephone number			
Name of bank or building society			
Account number or roll number		Sort code	
Account holders name			
Signature			
Name		Date	

## For office use only

Benefits	New / amended details		
	Actioned by:		
	Signed:		Date
Creditors	Created / amended details		

# Local Housing Allowance direct payment policy

## Vulnerability

In order to protect vulnerable customers, we will use our discretion in deciding whether housing benefit should be paid to the landlord direct as opposed to the tenant. The following criteria will be considered when deciding who benefit should be paid to.

By vulnerable we mean someone who may have difficulty managing his or her finances. We do not mean someone who does not want to pay the rent.

## Who might be vulnerable

There are many reasons why someone cannot manage their finances. A vulnerable tenant may be someone who:

- has severe debt problems
- has a recent County Court judgement against them
- is an un-discharged bankrupt
- is unable to open a bank or building society account
- has some of their Income Support or Jobseeker's Allowance paid direct to the gas, electricity or water company by DWP
- is getting help from supporting people
- is getting help from a homeless charity or independent advocate

We may look into whether a tenant is vulnerable or not if the tenant:

- has learning difficulties
- has an illness that stops them managing on a day to day basis such as mental illness
- cannot read or speak English
- is addicted to drugs, alcohol or gambling
- is homeless

## Aims and objectives

Aims and objectives are to:

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

## Procedure

The tenant or tenants' representative makes us aware that they would prefer their LHA to be paid to the landlord. The request needs to be supported with written evidence from a third party. Information and evidence will be considered from, amongst others:

- social services
- Pension Service
- Jobcentre Plus
- reputable financial institutions
- courts
- support or advisory services – for example, Citizens Advice
- doctor
- the tenant
- friends and family of the tenant
- probation officers

Evidence from a landlord cannot be accepted alone.

## Making a decision

A council officer will work with the tenant taking account of all relevant evidence requested when making a decision on each case. The decision will be made on the basis of having regard to all of the available facts. In all cases, one of two decisions will be made – either:

1. the customer is vulnerable and payment of LHA will be made to the landlord
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 Citizens Advice 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 that:

- 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
- they should provide bank details, if not previously received
- if the tenant has been found not to be vulnerable, the landlords' appeal right against this decision

## Reviews and appeals

If the tenant or landlord disagrees with the decision they can appeal. The rules for this are the same as the rules for Housing Benefit.