



advice and support for older age  
**Independent  
Age**

## Factsheet

# Council Tax Support and Housing Benefit

This factsheet explains what may be available to help you pay your Council Tax and your rent.

Call FREE on **0800 319 6789** Visit [www.independentage.org](http://www.independentage.org)

Last reviewed: April 2017  
Next review date: April 2018

## About Independent Age

Whatever happens as we get older, we all want to remain independent and live life on our own terms. That's why, as well as offering regular friendly contact and a strong campaigning voice, Independent Age can provide you and your family with clear, free and impartial advice on the issues that matter: care and support, money and benefits, health and mobility.

A charity founded over 150 years ago, we're independent so you can be.

The information in this factsheet applies to England only.

If you're in Wales, contact Age Cymru (0800 022 3444, [agecymru.org.uk](http://agecymru.org.uk)) for information and advice.

In Scotland, contact Age Scotland (0800 12 44 222, [agescotland.org.uk](http://agescotland.org.uk)).

In Northern Ireland, contact Age NI (0808 808 7575, [ageni.org](http://ageni.org)).

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# **Part one: Getting help with Council Tax**

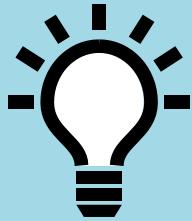
## **1. Introduction to Council Tax**

Council Tax pays for local government services, such as rubbish collection, road repairs and libraries. The amount of Council Tax you pay depends on the value of your home. Every home is assigned to one of eight tax bands (A–H,) based on its market value. Council Tax applies to both rented and owner-occupied homes.

If you're responsible for paying Council Tax, you may be eligible for one of the discount schemes:

- Council Tax discounts (see chapter 3)
- The Disabled Band Reduction Scheme (Disability Reduction Scheme) (chapter 4)
- Your local council's Council Tax Support scheme (Council Tax Reduction) (chapter 5).

## **Good to know**



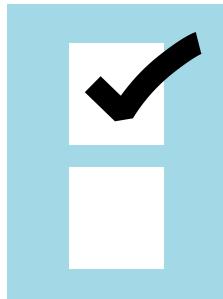
It's possible to receive help from all of these schemes at the same time if you meet the relevant conditions for each one.

## **2. Exemption from Council Tax**

Homes may be exempt from Council Tax if:

- they're unoccupied, in certain circumstances ([gov.uk/council-tax/second-homes-and-empty-properties](http://gov.uk/council-tax/second-homes-and-empty-properties) explains when an unoccupied home might be exempt)
- everyone living there is 'severely mentally impaired'. This could include people with dementia or a serious mental health condition. A GP would need to sign a medical certificate confirming this, and the people in the property would need to be receiving certain disability benefits
- there is a self-contained annexe and the person living in it is a dependant relative of the person living in the main property – ie if they're 65 or over, substantially or permanently disabled, or severely mentally impaired. Only the annexe is exempt in this case, not the main property.

## To do....



If you now live in a care home or hospital and your home is unoccupied, check with your local council if your home is exempt. The council can also advise on other cases where exemption applies.

### **3. Council Tax discounts**

A full Council Tax bill is based on at least two adults living in a home, so if you live alone, you're entitled to a 25% discount on your Council Tax bill.

Some people aren't counted as adults for Council Tax purposes, so you may also be treated as living alone if you live with another adult who is, for example:

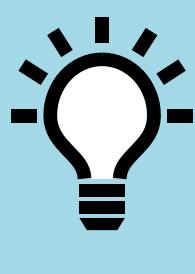
- severely mentally impaired – see chapter 2
- a carer providing at least 35 hours a week care for you, or for someone else in the property who is severely disabled and receiving certain disability benefits, and isn't the spouse, parent or partner of the person they are caring for
- a full-time student.

Check with your local council if you're unsure who is responsible for paying Council Tax in your household.

## **Roy, Betty and John**

Roy and Betty live with their grandson John. Betty has late-stage dementia and has a certificate confirming she's severely mentally impaired, and John is a full-time university student. This means Roy is the only adult in the house for Council Tax purposes. He will get a 25% discount on his Council Tax bill, as he is treated as living alone.

### **Good to know**



You'll usually have to apply to your council for any discounts. If you notify them of a change of circumstances, they may apply any relevant discounts at that stage.

There is no time limit to apply for a discount. You can ask for it to be backdated to when you were first eligible for it. See chapter 7 for information about appealing decisions on Council Tax discounts.

## **4. Discounts for disabled people**

You can get a discount through the Disabled Band Reduction Scheme (Disability Reduction Scheme) if you or another adult living with you is 'substantially and permanently' disabled. To qualify for this reduction, you must have:

- an extra bathroom, kitchen or other room which is needed by the disabled person because of their disability, or
- extra space in your home for the disabled person to use a wheelchair indoors.

There is no set test for what counts as a substantial and permanent disability, or for deciding whether an extra room is needed by someone due to their disability. Councils must use their judgment on this.

### **What reduction could you get?**

If you qualify for this scheme, your Council Tax bill will be reduced to the band below, or by one sixth if your home is already in the lowest band.

## **5. Council Tax Support**

If you need help to pay your Council Tax bill, you may qualify for Council Tax Support. This is also known as Council Tax Reduction. Your local council is responsible for Council Tax Support. Each council sets its own rules, so schemes vary from council to council.

### **Who can apply for Council Tax Support?**

You can apply for Council Tax Support whether you rent or own your home. Anyone who has no income or a low income may be eligible. If you (and your partner) have savings and investments over £16,000 you won't qualify for Council Tax Support unless you're receiving Guarantee Pension Credit. Read our factsheet Pension Credit for more information on this benefit (0800 319 6789, [independentage.org/information](http://independentage.org/information)).

### **How much will you get?**

Council Tax Support is means-tested. The reduction you receive will depend on:

- your income, savings and investments – the less you have, the higher the reduction you might get
- whether you're over Pension Credit qualifying age ([gov.uk/state-pension-age](http://gov.uk/state-pension-age))
- how the scheme works in your area.

You may get your Council Tax paid in full or you may get a reduction.

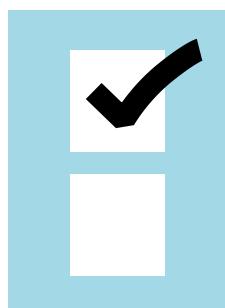
If you get Guarantee Pension Credit, you will get the highest Council Tax reduction available.

However, you may actually get a lower reduction than this if you live with another adult who isn't your partner and who cannot be disregarded as they would be expected to pay towards the Council Tax bill. They are known as a non-dependant.

One weekly deduction is made from your Council Tax Support for each non-dependant – for couples, only one deduction is made for each couple. The amount deducted depends on the non-dependant's circumstances, including how much they earn and the benefits they get. There are some exemptions to this – for example, no deductions will be made if you receive certain

disability benefits or you're blind – so speak to your council for more information.

## To do....



Ask your local council for details of their scheme, look on their website or contact your local Citizens Advice (08444 111 444, [citizensadvice.org.uk](http://citizensadvice.org.uk)).

## **6. Second Adult Rebate**

If you live with another adult who has a low income or receives certain benefits, and isn't your partner, you may be able to apply for Second Adult Rebate.

The second adult can't be a joint owner or joint tenant of the property with you, or be someone who is ignored when the council works out what Council Tax you should pay (see chapter 3).

You can't receive both Second Adult Rebate and Council Tax Support. If you're not entitled to Council Tax Support because your income or savings and investments are too high, you may qualify for Second Adult Rebate from your council instead. In some circumstances, even if you're entitled to Council Tax Support, you may be better off getting Second Adult Rebate.

### **What rebate might you get?**

The amount your Council Tax is reduced by will depend on the income of the second adult living with you, and what benefits they're receiving. There are three levels of rebate: 25%, 15% or 7.5%.

## **How to apply**

Contact your council. If you apply for Council Tax Support, your local council should automatically consider whether Second Adult Rebate would give you the bigger reduction, so you don't need to make a separate application.

If you're not applying for Council Tax Support because your savings and investments are too high for you to qualify, then apply for Second Adult Rebate. Ask your local council for more information.

## **7. Appealing decisions about help with Council Tax**

You have the right to appeal decisions about whether you should be paying Council Tax, whether your property should be exempt, or whether you should be getting any discounts or Council Tax Support.

If you want a written explanation of how a decision was reached, write to the council within one month of the date of the decision. You should generally receive a written statement within 14 days.

If you're not satisfied with the decision, you can appeal to the Valuation Tribunal for England ([valuationtribunal.gov.uk](http://valuationtribunal.gov.uk)). Check with your local council if there is a time limit to appeal.

If you need help with your appeal, contact your local Citizens Advice (03444 111 444, [citizensadvice.org.uk](http://citizensadvice.org.uk)) or Age UK (0800 169 6565, [ageuk.org.uk](http://ageuk.org.uk)) to see if they can help.

## **Part two: Getting help with paying rent**

### **8. What is Housing Benefit?**

Housing Benefit helps pay your rent if you're a tenant with a low income. There's no fixed amount – the amount you get depends on your income and circumstances, so it could cover all or some of your rent.

As well as paying your rent, Housing Benefit can help with certain service charges, such as upkeep of lifts or a communal garden. It can't be claimed towards heating, hot water or other energy bills, unless they're for a communal area and you're obliged to pay them. If these charges are included in your rent, that part of your rent is not eligible for Housing Benefit. Your landlord should be able to tell you what charges are included in your rent. If separate charges aren't specified, a set amount will be deducted from your Housing Benefit.

## **An example**

If you pay rent of £100 per week, which includes heating for your flat, the Housing Benefit department will deduct the flat rate standard amount of £28.80 a week for heating if there is no evidence of the actual amount. This means your eligible rent will be £71.20 and the maximum Housing Benefit you could receive is £71.20 a week.

If you live on a houseboat, in a caravan or in a mobile home, you can claim Housing Benefit to cover your mooring or site fees.

People who pay for their board/lodgings or are living in a hostel may also be eligible to receive Housing Benefit for the accommodation part of their charges.

You can't claim Housing Benefit to pay your mortgage.

## **9. Who can claim Housing Benefit?**

You may be able to claim Housing Benefit if all the points below apply to you:

- you're a tenant, either council, private or housing association
- you're personally or jointly responsible for paying rent
- you have a low income, or receive Guarantee Pension Credit or certain other working-age benefits
- you have less than £16,000 in savings and investments (unless you receive Guarantee Pension Credit).

If you receive Guarantee Pension Credit, you may get your rent paid in full by Housing Benefit.

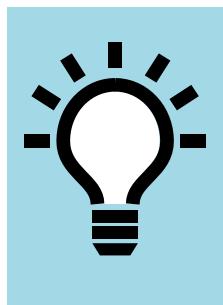
If you live with your husband, wife, civil partner or partner, one of you must be the lead applicant for Housing Benefit. Whether or not you can get Housing Benefit will depend on your joint income, savings and investments, and if any other adults live with you.

## **Who can't claim?**

You can't normally claim Housing Benefit if for example:

- you live in a care home
- you rent from a close relative who owns the property
- you have savings and investments of over £16,000 (this includes your partner's savings and investments). If you get Guarantee Pension Credit, this limit doesn't apply.
- you don't normally live in the UK. You're also unlikely to get Housing Benefit if you're subject to immigration control.

## **Good to know**



Universal Credit is gradually replacing Housing Benefit and certain other benefits for people of working age. If you've reached Pension Credit qualifying age ([gov.uk/state-pension-age](http://gov.uk/state-pension-age)), this does not affect you.

If you're below Pension Credit qualifying age, you may have to claim support towards your rent

under Universal Credit. The amount awarded for housing costs will be included in your monthly Universal Credit payment. You can't claim Housing Benefit if you're entitled to Universal Credit.

Check if Universal Credit applies in your area at [gov.uk/apply-universal-credit](http://gov.uk/apply-universal-credit) or by calling the helpline on 0345 600 0723.

## **10. How your Housing Benefit is calculated**

There's no fixed amount of Housing Benefit. What you get will depend on your income, savings and investments, circumstances, whether you're a private tenant or rent from the council or a housing association, and how much your rent is.

Your eligible rent will be calculated. This is the maximum amount you can receive from Housing Benefit. It may be less than your actual rent if, for example, your rent includes service charges like heating or Council Tax, which Housing Benefit won't cover.

### **If you're a council or housing association tenant**

If you're already receiving Guarantee Pension Credit, your full rent will be used as the starting point for calculating your Housing Benefit. You may get less than this, for example if you live with another adult other than your partner – called a non-dependant. One weekly deduction is made for each non-dependant (or one deduction for each non-dependant couple). The amount

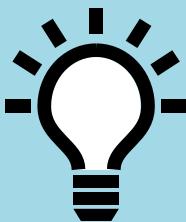
deducted depends on the non-dependant's circumstances, including how much they earn and the benefits they get. These deductions won't be made if you or your partner are registered blind or receiving certain disability benefits.

If you're not receiving Guarantee Pension Credit, your income, savings and investments will be looked at, including:

- earnings
- most welfare benefits – certain disability benefits are ignored
- income from anyone living with you, for example, tenants or lodgers
- occupational and private pensions
- maintenance payments (except child maintenance)
- assumed income of £1 per £500 (or part of £500) for savings between £10,000 and £16,000 if you have reached Pension Credit qualifying age
- savings and investments of £16,000 or above (this will exclude you from Housing Benefit).

## Good to know

### The 'bedroom tax'

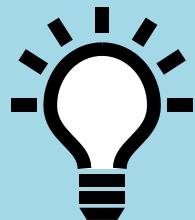


If you've reached Pension Credit qualifying age and rent from the council or a housing association, this will not affect you.

If you're below the Pension Credit qualifying age, your Housing Benefit will be reduced if you have more bedrooms than the government says your household needs. For example, an adult couple would normally be expected to share one bedroom, so a husband and wife in a two-bedroom flat would be counted as having one spare bedroom. The reduction is 14% of your eligible rent for one spare room, or 25% for two or more spare rooms.

If this affects you, you may be able get help from the Discretionary Housing Payments scheme (see chapter 12). Contact your local council for more information.

## **Good to know**



If you're over Pension Credit qualifying age, you won't be affected by the benefit cap, which limits the total amount of weekly out-of-work and children's benefits you can receive.

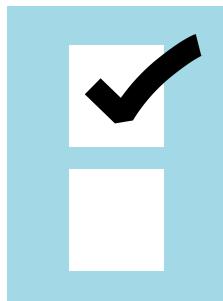
## **If you're a private tenant – Local Housing Allowance**

If you're a private tenant, how much help you can get with your rent depends on your council's Local Housing Allowance (LHA) rates. These are standard maximum rent figures set by your local council. How much Housing Benefit you get depends on:

- the maximum rent allowed for properties in your local authority area
- the number of bedrooms your household needs.

Local Housing Allowance figures are set every April.

## To do....



Find out what the Local Housing Allowance is in your area from your local council or the Valuation Office Agency ([lha-direct.voa.gov.uk/search.aspx](http://lha-direct.voa.gov.uk/search.aspx), 03000 501501).

## Maximum LHA limits

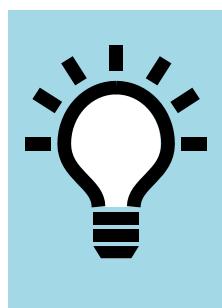
The set maximum LHA depends on the area you live in and the size of property you need. If your rent is more than the maximum, you will have to make up the difference, so you may have to consider looking for cheaper accommodation. Exact LHA rates vary from area to area. For example, in the London area you can't get more than:

- £260.64 for one bedroom (either a whole property or in shared accommodation)
- £302.33 for two bedrooms
- £354.46 for three bedrooms
- £417.02 for four bedrooms

The highest LHA rate is for a four-bedroom property. Even if you live in a property with more than four bedrooms, the Housing Benefit you receive will be limited to the maximum LHA for a four-bedroom property.

Don't forget, after the LHA rate has been applied to your circumstances, non-dependent deductions will affect how much Housing Benefit you are entitled to – see page 17.

## Good to know



If you're disabled and receive regular overnight care from a carer who doesn't live in the property, an extra bedroom for the carer to stay overnight is allowed.

### David and Jim

David is 72 and lives with his husband Jim in a privately rented two-bedroom house. They receive Pension Credit but are struggling to pay the £250 weekly rent. David currently cares for Jim, who has some health problems and limited mobility.

When David claims Housing Benefit, the council says the couple only need a one-bedroom property. The amount of LHA for a one-bedroom property in their area is £175 a week. This means that David and Jim still need to pay £75 a week towards their rent after their maximum Housing Benefit award.

David may be able to get the LHA rate for a two-bedroom property in the future if Jim's condition deteriorates and he is unable to continue caring for him overnight. As the carer would need to sleep in the house, they would be allowed an extra bedroom.

## 11. How to claim Housing Benefit

If you're claiming Pension Credit, you can claim Housing Benefit at the same time. Contact the Pension Service on 0800 99 1234. They will forward your claim to your local council. It's a good idea to check that your local council has received your form and is processing your claim.

If you're under Pension Credit qualifying age and claiming Universal Credit, you can get help with housing costs as part of it.

If you're not claiming these benefits, apply through your local council ([gov.uk/apply-housing-benefit-from-council](http://gov.uk/apply-housing-benefit-from-council)). You'll need to provide details of your income, savings and investments.

If you pay rent to a private landlord, the local council may need additional information, including your tenancy agreement which will include proof of how much rent you pay.

Some councils may have an advisory team who can visit you at home if you're unable to go out, to help you complete the forms and verify any documents required to support your application. Check with your local council.

## **When will a decision be made?**

The council should try to work out your Housing Benefit entitlement within 14 days of receiving all the information it needs. If you pay rent to a private landlord and the local council has not made a decision on your claim within 14 days, they must make an interim payment while your claim is being dealt with. The council should do this automatically – if they don't do this, contact them.

Your local council will write and tell you if you have been awarded Housing Benefit and if so how much you're entitled to. It's important you check the details in the award letter to ensure the information you provided in your claim has been listed correctly. If anything appears wrong, tell the council straight away to avoid a possible overpayment.

## **How Housing Benefit is paid**

Housing Benefit is paid in arrears.

If you're a council tenant, your Housing Benefit will be paid straight into your rent account and deducted from your rent.

If you pay rent to a private landlord or a housing association, the money will be paid directly to you. In some situations, it may be possible for it to be paid directly to your landlord instead. Check with your council.

The council decides how often you should be paid your Housing Benefit, but they should take into account how often and on what date your rent payment is due. Payments can be made weekly, every two weeks, every four weeks or once a month. Contact your local council if your Housing Benefit payments don't match your rent payment dates.

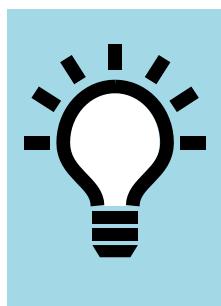
## **Backdating Housing Benefit claims**

It may be possible to get your Housing Benefit backdated. Check with your local council. If you have reached Pension Credit qualifying age and believe you should have been receiving Housing Benefit but didn't claim, you can ask for your claim to be backdated by up to three months.

## **12. If you're still struggling to pay your rent – Discretionary Housing Payments**

If you qualify for Housing Benefit but your benefit doesn't cover all your eligible rent, you may be able to claim Discretionary Housing Payments (DHPs) from your local council if meeting the shortfall is causing you financial hardship.

### **Good to know**



There are no set rules for who receives DHPs, but councils have to be fair and reasonable when deciding who to grant them to. Each council has a fixed budget for this and decides how to allocate it.

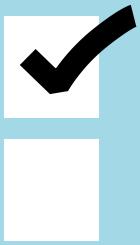
### **Who qualifies for Discretionary Housing Payments?**

You can only get a DHP if you're eligible for Housing Benefit (or the housing costs part of Universal Credit if you are under Pension Credit qualifying age). DHPs can help pay your eligible rent if you don't receive enough Housing Benefit

to cover it. For example, this might be the case if your Local Housing Allowance is lower than your rent. Sometimes, DHPs can be given for one-off costs relating to moving home, such as rent deposits or rent in advance.

Payments can't be awarded to cover service charges such as heating costs, which aren't covered by Housing Benefit.

### To do....



Ask your local council how to apply for a DHP. They may have an application form, or if they don't, you could write a letter to them instead.

The decision to award a DHP is based on your individual circumstances, so it's important to give as much information as possible when you apply. For example, you should give details of income and outgoings, any disabilities you have, debts, and any other benefits you receive, explaining why it's so difficult for you to pay the shortfall in your rent.

### How much can I get?

There is no set amount for a DHP because it is a discretionary payment – your DHP and Housing

Benefit combined can't total more than your eligible rent.

DHPs may be paid in instalments or as a lump sum. It's also possible for the council to use its discretion to backdate an award.

Remember, nobody has a right to a DHP, so you can't appeal against the decision if it's refused, or the amount if awarded, or the length of time it has been awarded for. Instead, you could ask the council to reconsider their decision and submit further information or evidence to support your request. It's a good idea to get help from a local advice service, such as Citizens Advice ([citizensadvice.org.uk](http://citizensadvice.org.uk)).

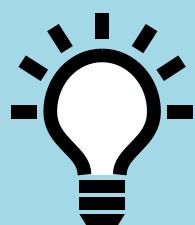
## **13. If your circumstances change**

It's important to tell your local council if your situation changes while you're receiving Housing Benefit. For example, contact your local council straight away if:

- someone new moves in with you
- someone moves out or their circumstances change
- your income or savings change
- there's any change to the benefits you're receiving
- your rent changes.

Your Housing Benefit will then be reassessed to take account of the changes, and may go up or down.

### **Good to know**



If your rent increases, check whether you're now entitled to more Housing Benefit.

## **Overpayments**

If you have been paid too much Housing Benefit because of an 'official error' – for example, if the Housing Benefit department incorrectly calculated how much you should be paid and you were unaware that you were being overpaid – you have the right to challenge the Housing Benefit department if they ask you to pay the money back by asking them to reconsider their decision, or by appealing.

However, if you have been paid too much Housing Benefit because you failed to provide the council with the correct information about your situation, or you were aware that the council had wrongly assessed you, then you will have to pay the money back.

If you need help to check if the amount and time period of the overpayment is correct or to challenge the decision, it's a good idea to get help from a local advice service, such as Citizens Advice ([citizensadvice.org.uk](http://citizensadvice.org.uk)).

## **If you're away from home**

If you're temporarily away from home within Great Britain and plan to return, your Housing Benefit may continue to be paid for up to 13

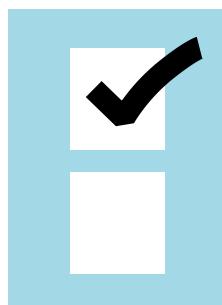
weeks. It could be paid for up to a year if, for example, you're receiving medical treatment in a hospital or staying in a care home for a trial period. If your home is being rented out while you're away, your Housing Benefit will no longer be paid.

If you're temporarily absent from Great Britain, you can keep getting Housing Benefit for up to four weeks, if at the start of the absence you don't plan to be away for more than four weeks.

This period can sometimes be extended up to eight weeks if the absence is caused by the death of a close relative – such as your partner or child – while you are absent. Contact the Housing Benefit department for more advice if this applies to you.

If you're temporarily absent from Great Britain for medical treatment that began in England before you left or medically-approved convalescence, you may be able to keep getting Housing Benefit for up to 26 weeks. This could also apply if you're accompanying a partner or child who is being treated. Contact the Housing Benefit department for more advice if this applies to you

## To do...



Contact the Housing Benefit department at your council before you travel.

## If you're moving home

If you're thinking of moving home, you have a new property in mind and you will be privately renting, first check what the LHA will be for that area. This won't tell you how much Housing Benefit you may get for the new property so it may be useful to get a benefits check as well. This may help you decide whether or not the new property is affordable before you sign a tenancy agreement or move in. Contact the Independent Age Helpline for advice (0800 319 6789).

In some situations, you may be able to receive Housing Benefit to help pay the rent for two properties if you're currently renting. You can only do this for up to four weeks, if for example:

- you're waiting for your new home to be adapted to meet your needs, or the needs of someone you live with who has a disability

- you can't move into your new home straight away because you are waiting to leave hospital or a care home
- you can't reasonably avoid paying rent on the old property after you have moved into the new property (because you had to move quickly, for example).

You must make a claim for Housing Benefit straight away and not wait until after you have moved into the new property.

## **14. Appealing decisions about Housing Benefit**

### **Finding out more**

If you're unhappy with the council's decision about how much Housing Benefit you're entitled to, write to them and ask for a written explanation of how the decision was made.

You must do this within one month of the date on the decision letter. The council should respond to you within 14 working days.

You have the right to ask the council to review its decision on almost anything to do with Housing Benefit, including if you have been asked to repay an overpayment.

### **Reviewing the decision**

You do not have to request a reconsideration and you can go straight to appealing the decision. If you decide to ask the council to reconsider its decision you have within one month from the date of the decision to do so. They must take into account any additional information or evidence you provide. The council will write to

you to tell you their decision and give you their reasons.

## **Independent appeal**

If you decide to appeal straight away – or you are still dissatisfied with the council's decision following a reconsideration – you can ask for your case to be heard by an independent appeal tribunal. You have one month from the date of the original decision (or reconsideration) to appeal.

Get help with this from a local advice agency, such as your local Citizens Advice ([citizensadvice.org.uk](http://citizensadvice.org.uk)). Shelter has some useful information about this process too ([england.shelter.org.uk/get advice](http://england.shelter.org.uk/get_advice)).

## **Challenging Local Housing Allowance**

You can't challenge the Local Housing Allowance set by your council. If you can't meet the gap between the Housing Benefit you're getting and the cost of your eligible rent, you may be able to get help through Discretionary Housing Payments (see chapter 12).

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The sources used to create this publication are available on request. Contact us using the details below.

## **Thank you**

Independent Age would like to thank those who shared their experiences as this information was being developed, and those who reviewed the information for us.

## **What do you think?**

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