

# Local Housing Allowance

## Reviews and appeals



**Local Housing Allowance is a new way of working out new claims for Housing Benefit for tenants renting accommodation from a private landlord. It also affects tenants already getting Housing Benefit who move into accommodation rented from a private landlord. Local Housing Allowance is being introduced on 7 April, 2008. If you live in council accommodation or other social housing, Local Housing Allowance will not affect you.**

With Local Housing Allowance, your benefit is not usually based on the property you live in. It is usually based on:

- who lives with you
- which area you live in
- how much money you have coming in
- what savings you have.

In some cases the amount of benefit you are entitled to will be affected by other things. These can include:

- how much your rent is
- whether anyone living with you is expected to contribute to your rent.

For more details about this, please see our leaflet **HB(LHA)1** *Local Housing Allowance: an introduction*. You can get this from us at the address below.

### **What can I do if I disagree with your decision?**

If you disagree with a decision we have made in the assessment of your claim you can challenge our decision in a number of ways. You can:

- ask us to explain the decision
- ask us to look at the decision again – this is known as a review
- submit an appeal in writing giving the reasons you disagree with the decision.

### **How do I ask for a review?**

You can ask us to review our decision about your claim for Housing Benefit including the Local Housing Allowance rate we have applied to you. Your request for a review must be in writing. You must include details of why you think our decision is wrong.

We must get your request for a review within one month of the date of the decision notification letter. If we do not get it within one month, we may not be able to look again at your claim. You cannot ask for a review of the Local Housing Allowance rates for the area you want to live in.

Details of how to get in touch with us are at the end of this leaflet.

### **How do I ask for an appeal?**

If you are not happy with our decision you can ask the Tribunal Service to look at it. This is called an appeal. You can appeal against our original decision or our review decision.

Your request for an appeal must be in writing. Details of how to appeal will be included in your notification letter.

In your appeal you must make it clear which decision you are appealing against and include the date on the official letter notifying you of the decision. You must also give the reasons why you are appealing. If you have information or evidence to support your appeal, you should send it with your appeal.

If you want to appeal, we must get your request within one month of the date of the decision notification letter. If we do not get it within one month, the Tribunal Service may not be able to look again at your claim.

The Tribunal Service may be able to consider an appeal outside this time limit if there are special circumstances. They cannot consider an appeal if it is made more than 13 months from the date of the original decision notification letter. To find out more about this, get in touch with the Tribunal Service ([www.appeals-service.gov.uk](http://www.appeals-service.gov.uk))

## Who can make an appeal?

Someone who is affected by the decision may appeal, including:

- the person making the claim
- someone who is appointed by the courts to act on behalf of the person making the claim
- someone who the council agrees is appointed to act on behalf of the person making the claim
- a landlord – but only about who benefit may be paid to
- an agent – but only about who benefit may be paid to
- any person from whom an overpayment is to be recovered.

## Further information

If you want more information:

- phone your Benefits Team on: 01827 709540
- visit your Benefits Team at: Tamworth Borough Council, Marmion House, Lichfield Street, Tamworth, Staffordshire B79 7BZ
- look on our website: [www.tamworth.gov.uk](http://www.tamworth.gov.uk)
- email us at: [benefits@tamworth.gov.uk](mailto:benefits@tamworth.gov.uk)
- visit [www.direct.gov.uk](http://www.direct.gov.uk)

You may find it helpful to talk to a welfare rights organisation, such as Citizens Advice. You can get their details from the phone book.

Alternatively visit the Tribunals Service website at [www.appeals-service.gov.uk](http://www.appeals-service.gov.uk)