

Tenancy Awareness Desk-aide

Additional information on verifying residency and rent

Housing Benefit (HB) is normally payable to customers who have a liability to pay rent for the dwelling they occupy as their home. Therefore evidence of residency and rent is normally needed.

Private Tenants (also known as rent allowance) - Proof of liability to pay rent and residency needed.

Housing Association [HA] / Registered Social Landlord Tenants [RSL] (also known as rent allowance) - Proof of liability to pay rent and residency needed.

However, some LA's have agreements with some HA/RSL's (and other social housing providers in their area, to obtain evidence of rent by telephone or e-mail.

See local guidance which may include a Social Housing list which lists when rent proof gathered from HA/RSL direct.

Acceptable as evidence

- **in-date tenancy agreement** (should be signed by tenant and landlord)
- **rent book**
- **letter** from the landlord or landlord's agent.

Local Authority (LA)/ council tenants (rent rebate) - No additional proofs needed - LA can establish tenancy/ residency from own information.

Tenancy Agreements

If the tenancy agreement is only signed by the tenant or the landlord, accept it **AND** ask for a letter from the landlord confirming current tenancy agreement is valid.

If the tenancy agreement is no longer in-date, accept it (as they often 'just run' on) and ask for additional evidence of up to date payment of rent or a landlord letter.

What evidence should include

- **full name and business address** of the landlord and agent, see 'Confirm Tenancy Questions asked on LAID' overleaf.
- **date** the agreement started
 - The tenancy start date must be shown on any proof of rent and/or tenancy agreement. The **tenancy date** is the date that the tenancy starts from.
- **amount** of rent payable
- what is included in the rent, e.g.
 - fuel
 - water
 - meals
 - other support services, in particular
 - ~ personal care
 - ~ general counselling
 - ~ support
 - ~ cleaning of rooms and windows
 - ~ emergency alarms
- **payment period/frequency**, e.g. weekly, monthly, four weekly

Note: Whilst ideally the evidence should provide all of the above it may not, especially for non HA/RSL tenants. Therefore the less information provided, the more likely it is that the Local Authority will make further enquiries. Whilst encouraging customers to provide evidence with full details, do not delay in trying to acquire evidence that may not exist.

Confirm Tenancy Questions asked on LAID

The LA needs the LAID to be complete so check it and ask any unanswered questions:

- **Landlord's full name** - This should be available to the customer as it is usually included on a tenancy agreement. By full name we mean a name by which they can be identified, e.g., neither 'John' nor 'Mr Smith' would be sufficient on their own, but 'John Smith' or 'John A Smith' would be acceptable
- Both landlords and agents can be **companies**. When they are, make sure the company's details are recorded
- **Landlord's full address** - When an agent manages the property, the customer may not know the landlord's address. In such cases, it is sufficient to record just the landlord's name together with the name and address of the managing agent.
- **Occupation of room in a shared house** – If the customer rents a room in a shared house make sure that the location on the LAID is the location of their room.

HB isn't always payable. For example:

- If tenant lives with a close relative (there is a definition of 'close relative')
- Tenancy is non commercial or is contrived (tenancy set up to take advantage of the HB scheme)
- HB isn't payable in other (obscure) circumstances

Remember

- Inconsistencies or issues should be noted on LAID and sent with evidence to the LA
- Suspicions about residency? (i.e. that they don't live at the address they are claiming for) note this and your reasons on LAID.
- **Be careful not to promise that HB will be paid.**

Gathering and Crosschecking Evidence – Good Practice

The LA is responsible for awarding HB and CTB and must safeguard against fraud. Since 31 October 2007 LA's must use information provided by the DWP that the DWP has used or verified itself and should not make further enquiries as to the accuracy of that information (with only limited exceptions).

Hence the JCP has a vital role in gathering data and *getting it right first time* and ensuring that the LA are alerted to any suspicion of fraud, can make further investigations, and be confident in speedily processing claims already verified.

- Don't operate a tick box approach to data gathering or verify items in isolation
- If rental evidence conflicts with telephone information, clarify or note this on LAID
- Check frequency is consistent – sometimes monthly and 4 weekly are both quoted
- Do any rental payments on bank statements match frequency on tenancy
- Bank statements can show rent from possible sub-tenants or boarders.
- Utility bills for old addresses or showing no fuel being used suggest customer does not live at the declared address

As the only person to see the original documents look out for

- Documents that have been tampered, changed, had something added or tippexed
- Documents that don't look right, rent books that are too new and tidy
- Handwriting on form does not match rental evidence
- Signatures that don't match