



Housing benefit

1. What is housing benefit?

Housing benefit (HB) is help with rent and some other housing costs. This does not include mortgage costs, which may be met if you claim income support, pension credit, income-based jobseeker's allowance or income-related employment and support allowance.

If you have been living in private rented accommodation since before 7 April 2008 the information contained within this factsheet applies to you. However if you move into or claim benefit for private accommodation after 7 April 2008 your housing benefit will be assessed under the local housing allowance scheme (LHA).

You can find out more information about LHA in our Factsheet - local housing allowance.

2. Who can get housing benefit?

You can get housing benefit if you:

- are liable to pay rent on your normal home.
- are on a low income - housing benefit is worked out in a similar way to income support but your benefit tapers off instead of stopping altogether when your income goes above income support levels.
- do not have have capital/savings above £16,000.
- pass the "habitual residence" test and have the right to reside

The habitual residence test and the right to reside

The term "right to reside" is not defined but is dependent on your immigration status and nationality. You might have a right to reside under United Kingdom rules, EC law or because you are a British citizen.

The habitual residence test is a test to see if you normally live in the United Kingdom, the Channel Islands, the Republic of Ireland or the Isle of Man). The test will be applied if you have been living abroad.

There is no legal definition of 'habitual residence'. Relevant factors are where you normally live, where you expect to live in future, your reasons for coming to this country, the length of time spent abroad before you came here, and any ties you still have with the country where you have come from.



However, the test should not be applied if someone:

- is an EC national with 'worker status', or the 'right to reside' (under EC worker legislation); or
- has refugee status; or
- has exceptional leave to remain or enter.

If these do not apply, a Decision Maker (DM) will decide whether you are habitually resident or not. Get advice if you fail this test.

How much is HB?

The amount you get will vary depending on your circumstances..

You may not get all of your rent paid if your property is considered too large for your needs or it is considered too expensive.

Your housing benefit may also be affected if you have any other adults living with you apart from your partner.

It may also be affected by any work you do.

Finding work

Your housing benefit can continue at your old rate for four weeks if you find work and you were getting :

- employment and support allowance (ESA)
- incapacity benefit (IB)
- income support (IS)
- income-based jobseeker's allowance (JSA)
- severe disablement allowance (SDA)

To get housing benefit extended payments you must have been on one of the above benefits for at least 26 weeks and your job must be expected to last at least 5 weeks. You do not need to make a claim to receive extended payments.



How do you claim?

You can claim housing benefit at the same time as you claim income support, employment and support allowance, incapacity benefit, jobseeker's allowance or pension credit.

You can also claim from your local authority using their claim form.

Young people leaving care

You may not get housing benefit if you are:

- a care leaver under 18 where social services are responsible for accommodating you
- you are in a care home
- you are a 'person from abroad' or 'subject to immigration control'.

3. Disabled students and HB

You can get HB as a student if you:

- are eligible for a disability premium (see Factsheet [income support](#))
- get a disabled students' allowance because of deafness
- have been incapable of work for 28 or more weeks
- have limited capability for work under the employment and support allowance rules for 28 weeks or more

If you have a partner and only one of you is a full-time student, the other one can get HB for you both.

Accommodation provided by an educational establishment

Full-time students living in accommodation provided by their educational establishment can claim for this accommodation if they are eligible for HB. Part-time students renting accommodation from their educational establishment may also be able to get help if they can establish that they are eligible for HB had they been a full-time student.



Where can I get more help and information?

DIAL Great Yarmouth

12a George Street

Great Yarmouth

Norfolk

NR30 1HR

01493 856900

Housing Advice & Welfare Services

Great Yarmouth Borough Council

Grey Friars House – telephone 01493 846179

Drop in Monday to Friday 9am and 12noon.