

# Housing Benefit

## Pre-tenancy determinations



CUSTOMER SERVICE EXCELLENCE

the rent service   
specialists in rental valuations

## What is a pre-tenancy determination?

A pre-tenancy determination is a valuation by the rent officer which decides the maximum amount of rent that will be used by your local council to work out your Housing Benefit if you claim it at the same property as the decision was for.

However, when the council works out your Housing Benefit, it will also take account of your income and personal circumstances. This pre-tenancy determination does not guarantee that you will get Housing Benefit or tell you the actual amount that you will receive.

The information in the pre-tenancy determination may help you decide whether you can afford the rent that you are being asked to pay. If you decide to take the property, you should claim Housing Benefit as soon as possible. You can get a claim form from your local council Housing Benefit office.

## What did the rent officer do?

The rent officer may have looked at the property you are thinking of renting, although it is not necessary for them to visit all properties.

If there are services included in the rent (such as fuel bills, water charges, laundry or room cleaning), the rent officer will take off the value of these as Housing Benefit cannot pay for them.

## The rent officer makes the following valuations.

### Claim-related rent (This has three parts)

#### **1** Significantly high rent

The rent officer will have decided if the rent your landlord has asked for is reasonable compared with other properties in the vicinity. If it is too high, they will set a reasonable figure.

‘Vicinity’ means the immediate area around the property. If the property is in a town or city, this could mean just the street the property is in or a few adjoining streets. If the property

is in the country, the 'vicinity' could be a small village.

## **2** Number of rooms (size criteria)

The rent officer will consider whether the property you are planning to move into has more rooms than the Housing Benefit rules say you need. If the property has too many rooms, the rent officer will decide what the rent would be for a similar property with the right number of rooms.

The rules are strict and the rent officer is not able to alter them.

There is an electronic rooms calculator on The Rent Service website

**[www.therentservice.gov.uk](http://www.therentservice.gov.uk)**, which can tell you the maximum number of rooms your household is entitled to for Housing Benefit purposes. If the property you intend to occupy has less rooms than you are entitled to, you will only be assessed on the number of rooms actually in the property.

The number of rooms allowed is as follows.

One bedroom for each of the following, counting each person once only, in the first group they come into.

- A couple.
- Someone who is 16 or over.
- Two children of the same sex.
- Two children who are younger than 10.
- A child (a 'child' is someone under 16).

You are also allowed one living room if there are up to three people living in your home. You are allowed a second living room if four, five or six people live there. You are allowed a third living room if there are more than six people living in your home.

The rent officer only counts children in the home where they normally live. They are not counted in a home which they only visit, however often. The Housing Benefit department decides who counts as living at a property and the rent officer can only include these people in the decision.

### **3** Exceptionally high rent

After having made these decisions, the rent officer decides if the lowest figure is still much higher than most rents for properties in the neighbourhood with the right number

of rooms. This might be because of the high quality of the property or because of the services or amenities provided. If it is much higher, the rent officer must fix a figure that is in keeping with the general level of rents.

'Services' are things that the landlord does or supplies beyond providing the basic accommodation, such as doing the laundry or cleaning the property.

'Amenities' are the physical things at the property, such as a swimming pool or tennis court.

## Claim-related rent

The lowest of these three figures is called the **claim-related rent** and is shown on the pre-tenancy determination decision.

## Local reference rent

The rent officer will also decide how much is generally paid for property with the right number of rooms in the 'locality'. This is called the **local reference rent** and will be shown if it is lower than the claim-related rent.

The local reference rent is the midpoint of the range of rents for all types of property with the right number of rooms in the same 'locality' as your home.

The 'locality' is an area with at least two neighbourhoods. Within this area there will be a mix of property types and alternative places to live within a reasonable travelling distance of similar public amenities. The range of rents used will not include any rent that is unusually high or low.

## Single room rent

If you are single and under 25, with no partner or children living with you, the rent officer will also decide how much is generally paid in the 'locality' for a single room with a shared living room, kitchen, bathroom and toilet, but without any food or fuel bills included. This is called the **single room rent** and will be shown if it is lower than the claim-related rent.

The rent officer will only give a single room rent decision if the Housing Benefit department asks us to provide one.

Rent officer decisions usually stay in force for 52 weeks, but the single room rent lasts for 52 weeks or until your 25th birthday, whichever is sooner.

You can find more information in the leaflet - The Rent Service and Housing Benefit.

## **Does the decision tell me how much Housing Benefit I will get?**

The decision from the rent officer does not guarantee that you will get Housing Benefit or tell you how much benefit you might get. It tells you the rent figure that the local council will use to work out your Housing Benefit. It also tells you the value of any services (such as fuel, water charges, laundry or room cleaning) which Housing Benefit cannot help with and which are not included in the rent officer's valuations. However, if your rent includes food, the figure that the council uses will be lower than the figure on the decision as Housing Benefit will not pay for the food.

You can ask the rent officer for an explanation of how they made their

decision. For advice on how much Housing Benefit you will receive, you should get in touch with your local council Housing Benefit office who will also have received a copy of the decision.

The rent officer's decision can help you decide whether you can afford the tenancy or whether to negotiate a different rent with the landlord or to look elsewhere. It can also help the landlord to decide whether to grant you a tenancy.

If you are unhappy about the rent officer's decision, you can ask for your case to be looked at again, but only if you take up the tenancy and claim Housing Benefit. The local authority will then ask for another rent officer (called a redetermination officer) to make a new decision.

If you get Housing Benefit, it will be paid from the date of your claim, not from the date of this pre-tenancy determination. If you want to claim Housing Benefit or you need any more information about your benefit, you should contact your local council's Housing Benefit office immediately.

## Do you want to know more?

For more information about pre-tenancy determinations, please contact The Rent Service at the address below or visit our website [www.therentservice.gov.uk](http://www.therentservice.gov.uk)

The Rent Service is committed to providing services which embrace diversity and promote equal opportunity for our stakeholders, customers and staff. We aim to ensure this commitment, reinforced by our values, is embedded in our day to day working practices.

If you require our literature in an alternative format or language, we may be able to help you. Please telephone **01202 551590** or e-mail **[customer.services@therentservice.gov.uk](mailto:customer.services@therentservice.gov.uk)**

Your local Rent Service office is at:

