

# Vale of Glamorgan Council



## Charter and Code of Practice for the Collection of Housing Benefit Overpayments

### Information for Landlords

## **What is an overpayment of Housing Benefit**

- An overpayment occurs when payments of Housing Benefit are issued to which the claimant is not entitled
- Most overpayments are recoverable, regardless of the cause of the overpayment. If an overpayment was caused by a misrepresentation or failure to disclose information the overpayment must be recovered from the person who actually misrepresented or failed to disclose the information
- To keep any possible overpayment to a minimum, you should always advise the Benefit Section as soon as you become aware of a change in your tenant's circumstances that might affect the amount paid
- If one of your tenant(s) leaves a property, you should not continue to cash Housing Benefit cheques that may arrive, in respect of that tenant, in order to compensate for damage or rent arrears

## **What if a tenant was overpaid Housing Benefit at a previous address**

- If your tenant owes the Council an overpayment for another address, then that overpayment may be deducted from the payments issued to you. You will have to collect any shortfall in rent from your tenant. It is his/her responsibility to pay the full rent due, not the Council's

## **How will overpayments be recovered**

The Vale of Glamorgan Council has a duty to recover Housing Benefit overpayments and will do so wherever possible. If you are overpaid benefit for one of your tenants, recovery will normally be by one of the following methods:-

- If your tenant is still living in a property owned by you and is still entitled to Housing Benefit, the overpayment will be recovered by reducing the amount of his/her benefit payments
- In other cases, you will be sent an invoice requesting repayments. This will explain the different methods of repayment
- Where you received payments of Housing Benefit for more than one tenant, the Council may also recover an overpayment you owe in respect of one tenant, from Housing Benefit you are due to be paid for others.

Your consent is not required for this to be done, but many landlords find this a convenient way of repaying overpayments

- If this is done, the rent for the tenant(s) whose Housing Benefit has been used to reduce the overpayments of other tenant(s), will be treated as being paid up to the value of the full amount of Housing Benefit that was originally awarded to them, and not the reduced amount that was actually paid to the landlord
- These tenant(s) are not legally required to make up a shortfall caused by the overpayment recovery. This is a matter between you and the tenant whose benefit was overpaid

Please note this leaflet gives general information only and should not be treated as a complete and authoritative statement of the law

**For more information, please contact us at:**

HB Overpayments Team  
Payments and Income Management Section  
Vale of Glamorgan Council  
Civic Offices  
Holton Road  
BARRY  
Vale of Glamorgan.  
CF63 4RU.

Telephone: 01446 709241/5

E-mail: [HBOverpayments@valeofglamorgan.gov.uk](mailto:HBOverpayments@valeofglamorgan.gov.uk)

**We are open Monday to Thursday between 8:45am to 4:30pm and on Friday between 8:45am to 4:00pm**