

## **LIFE OPPORTUNITIES – 13/15**

### **REQUEST**

Where do the "Support" monies come from which enhance HB Rent in the instance of "Support" elements accepted by the authority as being provided in association with a tenancy. Such tenancies, of course, normally being Charity provided. I am specifically interested in the way this applies to the single "Non statutory" homeless H.B. Rent and "Support" qualifiers who inhabit, as single people, charity provided rooms with shared facilities..... typically a house in multiple occupation. Please also provide to me the statute(s), guidelines, advice, parameters, "best practice" etc. etc. etc. which direct authorities such as Colchester as to how they will properly allocate "Support" monies.

### **RESPONSE**

I can confirm Supporting People is a fund that is administered by Essex County Council and therefore enquiries should be directed to them.

The other terms used seems to relate to what is called "Exempt Accommodation". This is not connected to the Supporting People fund.

Many tenants in supported housing rely on housing benefit to help pay their rent. The amount of housing benefit awarded will depend on the nature of the accommodation and nature of the landlord. If there is no support attached to the tenancy or if the landlord is a private company or an individual then housing benefit award will be restricted to the level decided by the Rent officer or by the Local Housing Allowance.

Supported accommodation is often provided by non-profit making landlords, housing associations not registered with the Tenant Service Authority, charities and not-for-profit companies. People renting supported housing from these types of landlords will apply for higher levels of housing benefit if the accommodation is defined as "exempt accommodation". If the accommodation is exempt then the claimants can get more housing benefit unless the Council can show there are cheaper alternatives and it is reasonable to expect the claimant to move to cheaper accommodation.

Exempt accommodation is where the support, care or supervision is provided by, or on behalf of, the landlord. Schemes where there is a split between the landlord function and the support function will not qualify as exempt and the ordinary housing benefit rules will apply. If a landlord provided support to the tenants, it has to be a "substantial" amount of support to fall in an exempt type of accommodation. There is no clear rule on how much support qualifies as substantial.

Statutory Instrument 2006 217(3)(4)(10) sets out the provisions for exempt accommodation. There are case law decisions through the Tribunal Service that have made decisions that have put steer on how local authorities make decisions on cases. Decisions must be made on a case by case basis and not as a blanket policy.