



DHP for Rent in Advance and/or Rent Deposits

DHP for customers receiving Universal Credit

DHP for customers receiving Housing Benefit

2025/2026

Summary

DHP, DHP/UC, A customer **does not have a statutory right to a payment or award.**

- The amount of DHP that can be paid by an Authority in any financial year, is.
Cash-limited by the Secretary of State
- DHP is a separate scheme to that of the Statutory Housing Benefit Scheme and or the Local Council Tax Support Scheme, Council Tax Reduction Scheme.
- HB, UC or LCTS/CTR should be in payment.
- DHP will only be awarded to customers who receive Housing Benefit and/or the Housing Element within Universal Credit
- Universal Credit will replace the payment of Housing Benefit over a claim migration period; DHP can still be awarded if the customer is in receipt of the Housing Cost element within Universal Credit.
- DHP will be considered where the criteria of financial hardship within the remit of the DHP policy are met.
- DHP can be paid for Rent Deposit and/or Rent in Advance and if applicable to help customer retain or secure accommodation.

DHP Policy April 2025

Purpose

The purpose of this policy is to specify how the scheme will be operated by the Council and to indicate the factors that will be considered when deciding if a DHP should be made. The aim is to treat all claimants equally when administering the scheme, to assist where the claimants can provide evidence that DHP payments would rectify or help in their financial situation, in some cases to secure accommodation and to assist in the prevention of eviction or increasing rent debt or council tax debt.

Claiming a DHP, DHP(UC)

A claim should be made via an on-line application form approved and available on the Castle Point Borough Council's website.

For the claim to proceed the applicant must submit the form electronically and provide **all evidence** requested on the **application form** or requested by letter or e-mail.

Applications for a DHP, should normally be made either by the applicant or the applicant's partner.

Applications for DHP can be made by third parties supporting the applicant, after having received written authorisation from the applicant where applicable.

The Council may request any reasonable evidence in support of an application for a DHP. The Council may make such requests in writing, verbally or electronically.

The customer should provide the evidence where possible within **ten working days** and not longer than one calendar month from the date of request. Evidence

and information provided with the Housing Benefit application and /or the Local Council Tax Support, Council Tax Reduction application may be used.

When a customer makes a DHP application and is in receipt of Universal Credit, evidence of the Universal Credit award should be provided by the customer, showing the award of the **Housing Element**.

If the customer does not provide the required evidence the application will be **declined**.

The Council may be required to verify any information or evidence provided by the claimant(s) by contacting third parties, other organisations.

Decision Process

Each case will be considered by the Benefit & Compliance Manager. In some cases, the Benefit Manager will assign a Team Leader to undertake the DHP claim.

Period of award

The Council will decide the length of time for which a DHP/EHF will be awarded if a payment can be made under this scheme.

The Council has the discretion to award a DHP for such a period that the claim warrants. This will dependant on the circumstances of each case.

The Council will consider any reasonable request for backdating an award of DHP. All such requests should be in writing or e-mail and clearly give the reasons why the application was not made at an earlier time. The Council reserves its discretion not to make backdated awards of DHP.

Eligible Costs for an Award of DHP

The award of a DHP will be the exception rather than the norm. The Council will consider whether to award a DHP and the amount of any such award considering the Discretionary Housing Payment "Good Practice Guide", where the definition of eligible **housing costs** for DHP are listed as the following:-

- Rent in advance.
- Rent Deposits
- Rent
- Homeless Prevention
- Other lump sum costs such as removal costs
 - Estimates for removal costs, receipts if paid.

When considering a DHP application in relation to the above, the council will need to establish the reason for the request, the particulars of the previous tenancy, evidence of the search for a new property linked to possible involvement of Housing Departments of our local authority and other local authorities.

If the DHP Claim is being requested for Rent in Advance and/or Rent Deposit and is made by the Council's Housing Advice Team in partnership with the applicant, landlord or agent, a DHP Notice of Interest or e-mail should be completed and given to the Benefit and Compliance Manager giving full details of the request, the amount required and to whom it should be paid.

The DHP or DHP(UC) Decision

The liability of the customer to pay rent.

DHP payments **cannot** be made for **ineligible services**

Whether a person's maximum Housing Benefit has been restricted by the Local Housing Allowance Rate, Rent Officer of the Rent Service, or the Council; and if so:

- The amount of the restriction.
- The reason for the restriction.
- The length of time that the restriction has been imposed.

In addition to the Rent Officers decision consideration is given to the market value of rents in the borough. If the authority feel the Rent Officers decision is low, a re – determination may be requested by the customer.

Before taking on the tenancy was the customer aware of the Local Housing Allowance rental values.

Steps taken by the claimant to reduce their rental liability.

Where the Housing Benefit has been determined using the Local Housing Allowance regulations the authority should consider the number of bedrooms allocated to the claimant under LHA rules, linked to the relevant rental value. The need for additional bedrooms should be considered and the top up between the rent charged and the LHA rate considered.

Where the Housing Benefit payment has been reduced due to "Welfare Reform Changes", such as Benefit Cap and Under Occupied evidence should be obtained to show this has contributed to financial hardship, and other housing and health issues.

As above consideration should be given to:

The steps taken by the claimant to request the landlord/agent to reduce the rent charged.

The length of tenancy and the availability of alternative rental accommodation the area.

The circumstances surrounding the application, considering the definition of housing costs.

The financial and social health/medical circumstances of the applicant, their partner and any dependants and any other occupants of the applicant's home.

The income and “essential” expenditure of the applicant, their partner and any dependants or other occupants of the applicant’s home; considering any award of **Universal Credit**.

DHP (UC)-

Where a customer is in receipt of Universal Credit, the council will need to be aware of the LHA definition used by the DWP when awarding the “Housing Element” within the UC award. This would need to be compared to the actual market rent charged.

The authority will need to determine if the UC award should include the “Housing Element”. (Considering the tenancy provision)

Any savings or capital that might be held by the applicant or their family or could be made available to the applicant or their family.

Any assets that may be realised.

The availability and any steps taken by the claimant(s) to obtain extra income or to reduce expenditure of the applicant or their family.

The level of indebtedness of the applicant(s) and their family.

If there has been a previous award of DHP, the authority will need to identify the number, length and dates of those awards, and what action the applicant has taken to reduce the need for a DHP.

There will be a need to establish the reasons for moving from previous address, considering possible DHP claims for rent in advance and rent deposits.

(If the customer has children the following questions may help)

Where do the children attend School – Do they have to travel?

Are there particular reasons for attending their School i.e., religious etc.?

Do they receive any help from the father/mother of the children?

E.g., help with food, clothing, or pocket money for children.

To help make a decision or collect appropriate information in some cases a telephone interview may be required.

DHP Criteria for Applications - Rent in Advance and/or Rent Deposit (RIA/DEP)

DHP for Rent in Advance and/or Rent Deposit is a **non-returnable** award.

However, any Rent Deposit returned under the normal Rent Deposit rules should be returned to the Local Authority if it paid such a deposit.

Apart from the normal evidence required to determine an application for DHP, the following additional criteria and information is required:-

- To qualify for this type of DHP, the customer will be required to be in receipt of Housing Benefit or Universal Credit in the borough of Castle Point.

- Will need to provide evidence that they have applied for assistance from the DWP, Housing Advice for the RIA/DEP funding, the customer verbally confirming they have made such a claim will be accepted.
- Will need to provide evidence that family and friends cannot assist with this funding in full or in part, again the customer saying friends and family cannot assist will not be acceptable, a written statement may be required from the customer of the names of family and friends they have requested assistance from, including address and contact e-mails and telephone numbers.
- Provide reasons and evidence why the customer needs to move:-
 - Proof of eviction action
 - Threat of domestic violence
 - Health condition
 - Recommendation from other agencies
 - Social Services
 - Doctor
 - Police
 - Local Authority
 - Charity
- If the customer has already received a DHP for RIA/DEP within the last 52 weeks, **the application may be declined.**
- A letter or e-mail from the potential landlord or agent ,confirming the amount of assistance required to secure the accommodation, together with-
 - Signed Tenancy agreement.
 - Moving Date
 - BACS payment details for landlord/agent

A PAYMENT OF DHP IS NOT GUARANTEED

The Effect of an Award

In making any award consideration will be given to achieving the following:

Encouraging / sustaining a return to work

Safeguarding the home, preventing homelessness

Helping customers to help themselves.

Keeping families together and the vulnerable in the community

Help during temporary crises or events.

Make direct payments if it will help secure continuation of the tenancy.

Making direct payments where arrears or non-payments have occurred or may occur in the future.

The impact any award of DHP will have on the Council's budgets and its ability to make further awards of DHP to others within the financial year.

The impact the non-award of a DHP will have on the applicant and his/her potential tenancy/tenancy or Council Tax Account.

If the requested DHP award is deemed to be excessive, the claimant may be asked to attend a telephone interview to discuss financial options, housing options and support. **(The level of DHP deemed to be excessive will be 50% of the eligible HB rent or higher).**

Changes of Circumstances

Customers in receipt of DHP who as part of the qualifying criteria are in receipt of Housing Benefit or in receipt of Universal Credit remain under an obligation to inform the council of changes in their circumstances that might affect their claim for HB and the DHP and/or DHP (UC) linked to that award.

Customers receiving DHP (UC) due the qualifying criteria of being in receipt of Universal Credit, also have obligation to inform the council of changes in their circumstances.

The Council's policy is that a change in the applicant's circumstances will require the level of their DHP to be reviewed.

For the DHP and /or DHP (UC) to continue following a change in circumstances, the applicant needs to retain entitlement to Housing Benefit and/or Universal Credit (housing element).

Important Information

The amount of money available to the Council to spend on the scheme is set within cash limits specified by the Secretary of State at the start of each financial year.

The Council should consider expenditure and estimated committed expenditure.

“The award of DHP at one time does not guarantee that a further award will be made later even if the claimant’s circumstances remain the same. The Council cannot fetter its discretion in making one decision on a claim with regard to a later claim by the same claimant(s)”.

The amount of any DHP award will be decided by the Council taking into account the above matters and limited to the statutory limits imposed.

DHP Review/Monitoring

DHP is awarded for a fixed period and as such is not intended as a long-term solution to a customer’s financial, debt and housing problems.

The DWP require the authority to return information twice a year, setting out the breakdown of the awards of DHP, this will include:-

- Tenure Type
- Reason for the award
- Relation to Welfare Reform Changes
- Value of DHP award linked to reasons.
- Total payment of DHP

Reviews of DHP awards to establish in addition to the DWP recorded information the following may be used:-

- DHP linked to Universal Credit customers.
- DHP linked to locality.
- Rent Levels
- Migration from authority to authority due to welfare reform changes
- Monthly DHP expenditure

Method of Payment

The authority will decide to whom to make payment of the DHP/DHP (UC) based upon the circumstances of each case. This could include:

- The applicant.
- Their partner.
- An appointee.
- Their landlord (or an agent of the landlord); or
- Any third party to whom it might be appropriate to make payment.

We will pay any award of DHP/DHP (UC) by the most appropriate means available in each case. This could include payment:

- With Housing Benefit.
- As a specific DHP (UC) award via BACS
- By crediting the applicant's rent account.

The DHP will be paid along with the award of Housing Benefit.

The DHP will be paid via BACS to the agreed payee for customers who are in receipt of U/C.

For example, if the customer is paid Housing Benefit in arrears, any DHP will be paid at the same frequency.

Any award of DHP for rent in advance or rent deposit where there is not be any future housing benefit in payment will be paid as a lump sum.

Notification

The authority will inform applicants of the outcome of the application within 5 days of deciding on the DHP/DHP (UC) claim. The authority will notify:

- Those whose application is unsuccessful.
- The reasons why we have decided not to award a DHP.
- We may suggest that the claimant contacts organisations for help, advice and support.
- Those whose application is successful.
- The weekly amount of DHP awarded.
- The period of the award.
- How, when and to whom the award will be paid.

Appeal Rights

DHP/DHP(UC) are not payments of Housing Benefit, Universal Credit and are therefore not subject to the statutory benefits appeals mechanism where appeals are decided by the Appeals Service which is an independent statutory body. Appeals will therefore be decided by the Council.

We will operate the following policy for dealing with appeals regarding DHP's.

An applicant (or their appointee or agent) who wants an explanation of a DHP decision may request one in writing within one calendar month of notification of the DHP award.

An applicant (or their appointee or agent) who disagrees with a DHP decision may dispute the decision.

Any such dispute may be made in writing or electronically but must be made within one calendar month of the written decision about the DHP being issued to the applicant.

Any review should be looked at by "Appeal Officer / Benefit Team Leader"; this may mean that more information may be needed from a claimant. The claimant may be asked to attend a telephone interview.

A written notice of the review decision must be sent to the claimant.

If following an internal review of a decision, the "Appeal Officer/Benefit Team Leader" decide that the original decision should not be revised, there is no further appeal. If the customer has a complaint about the way that the Council has acted with their application however, they will be advised of the corporate complaint's procedure, including the Local Government Ombudsman.

Overpayments

The Council will seek to recover any DHP found to be overpaid. We will seek recovery from the **applicant and/or their partner**, regardless of how and to whom the DHP was paid. We will do this by invoicing the claimant and/or partner. A decision that a DHP is overpaid will be notified by decision letter. An appeal may be made against the decision.

The Council will allow an appeal against a decision that an overpayment of a DHP has been made. These appeals will be allowed on the following grounds only:

- The calculation of the overpayment.
- That the overpayment should not be recoverable as it was caused by Council error.

Fraud

The Council is committed to the fight against fraud in all its forms. Any applicant who tries to fraudulently claim a DHP by falsely declaring their circumstances, providing a false statement or evidence in support of their application, will have committed an offence.

N D Bale
Benefit and Compliance Manager

2025/26