

WHAT IS AN OVERPAYMENT OF BENEFIT?

An overpayment of Housing and Council Tax Benefit occurs when a person is paid more Housing or Council Tax Benefit than they were entitled to. If you have been paid too much benefit we will normally ask you to repay the overpaid benefit. This is known as a 'recoverable overpayment'

WHAT IS A RECOVERABLE OVERPAYMENT?

All overpayments are recoverable, except if they are caused by an 'Official Error' which you could not reasonably have known about when you were paid or notified of your benefit.

WHAT IS AN 'OFFICIAL ERROR'?

An official error is a mistake made by the authority, The Department for Work and Pensions (DWP), HM Revenues and Customs or someone on their behalf. It does not include cases where you, or a person acting for you, contribute to the mistake by not providing information or by giving false or misleading information.

WHY DO OVERPAYMENTS HAPPEN?

Overpayments happen for various reasons. These are a few examples:

- ❖ You were late in telling us, or forgot to tell us, about an increase in your income
- ❖ Somebody may have moved into or out of your home
- ❖ You may have moved out of your home and failed to tell us
- ❖ You have started work or changed jobs and not told us until later

- ❖ If you have another adult living with you and their circumstances have changed

IT IS YOUR RESPONSIBILITY TO NOTIFY US OF ANY CHANGES TO YOUR CIRCUMSTANCES.

DO NOT RELY ON SOMEONE ELSE TO TELL US FOR YOU.

HOW WILL I KNOW I HAVE BEEN OVERPAID?

We will write to you. The letter will include the following information:

- ❖ How the overpayment occurred
- ❖ The dates for which your benefit has been changed
- ❖ How much the overpayment is

We will also enclose an invoice with the letter.

WHAT DO I DO IF I THINK THE DECISION IS WRONG?

If, after you have read our explanation, you disagree with the overpayment decision you must write to us and ask for a more detailed explanation, or ask us to reconsider our decision. You must do this within **one calendar month** of the date of our letter. Your request must be in writing and needs to tell us why you disagree with the decision.

HOW DO I PAY BACK MY OVERPAYMENT?

- ❖ If you are still receiving Housing Benefit we can recover your overpayment by reducing your benefit each week
- ❖ You can repay the overpayment in full using the giro slip at the bottom of your invoice.
- ❖ You can contact our Overpayment Section on 01403 215362 or 01273 263449 to set up a payment arrangement.
- ❖ If we have overpaid you Council Tax Benefit we will add the amount of the overpayment to your Council Tax Bill. The Council Tax Department will issue you with a revised demand and you will need to arrange repayment with them.
- ❖ We can ask the Department for Work and Pensions to take money out of your benefit to collect the overpayment.
- ❖ In cases where you have moved out of the area we can recover your overpayment from your Housing Benefit paid by your new council.
- ❖ If we have paid your Landlord your benefit, we may ask them to repay the overpayment in certain circumstances.

CAN YOU REDUCE THE OVERPAYMENT?

In certain circumstances we may be able to reduce the amount we have overpaid you. You will need to tell us about your correct circumstances throughout the period of the overpayment. This is called 'underlying entitlement'. If you are awarded an underlying entitlement we will use it to reduce your overpayment.

To apply for underlying entitlement you must complete a new application form for the

overpayment period and supply all supporting documents.

WHAT IF I DON'T PAY?

If you do not pay or keep to an arrangement we can register your overpayment with the County Court and ask them to force you to pay it back. This is the same as having a court order against you and which may affect your credit rating. We will also add these costs to the amount that you owe us.

CONTACTING US:

By Telephone - Overpayments Team (01403) 215362

Or

In Writing - CenSus Overpayments Team
CenSus Revenues and Benefits
Services
PO Box 10607
Nottingham
NG6 6DU

OTHER HELP AND ADVICE:

Citizen Advice Bureau (CAB) – they give free, confidential and unbiased advice on debt and other matters. www.citizenadvice.org.uk

Horsham: - Lower Tanbridge Way, Horsham, West
Sussex, RH12 1PJ

Haywards Heath: - Oaklands, Paddockhall Road,
Haywards Heath, West Sussex,
RH16 1HG

BN43 5WU

Telephone Number: - 0844 4771171

National Debt Helpline – this is a free helpline for people with debt problems.

Telephone 0808 808 4000 or visit

www.nationaldebtline.co.uk

Consumer Credit Counselling Service – they give a free, confidential service to help you work out realistic solutions to your debt problems, avoid becoming bankrupt and learn how to manage your money.

Telephone 0800 138 1111 or visit www.cccs.co.uk

HOUSING BENEFIT AND COUNCIL TAX BENEFIT

A Guide to Overpayments



Horsham & Mid Sussex District Councils