

Housing Benefit - temporary absence from home

It is a condition of receiving Housing Benefit that you are actually living in the property for which you are claiming benefit. There are certain exceptions to this rule which means that some people can continue to claim Housing Benefit during periods of absence from the property.

General rules:

- The person must have an intention to return and occupy the dwelling as their home
- The person (or the landlord) must not let or sublet the accommodation whilst the person is away.
- The person must return within the time limits stated below

Allowable period of absence within Great Britain (England, Scotland & Wales)

- The person can be absent up to 13 weeks for any reason.
- The person can be absent for up to 52 weeks if the absence is due to one of the following reasons:
 - The person is a hospital inpatient
 - The person, their partner or dependant child is undergoing medical treatment or medically approved convalescence
 - The person is undertaking medically approved care of another person
 - The person is undertaking the care of a child whose parent or guardian is receiving medically approved care or treatment
 - The person is receiving medically approved care elsewhere
 - The person is on remand pending trial
 - The person is detained pending sentence
 - The person is required to reside elsewhere due to a condition of bail
 - The person is undergoing a trial period in a rest home
 - The person is a student
 - The person is following a government training course
 - The person is in fear of violence

Where the absence is in connection with a fear of violence and there is no intention to return, it is possible to pay up to 4 weeks on the property that has been vacated for an unavoidable notice period.

Allowable period of absence outside Great Britain (for new absences from 28 July 2016)

- The person can normally only be absent for a continuous period of up to 4 weeks. For example:
 - Holidays
 - The person is undertaking medically approved care of another person.
 - The person is undertaking the care of a child whose parent or guardian is receiving medically approved care or treatment.

It is possible however to have this time limit extended:

- The person can be absent up to 8 weeks when the absence is in connection with the death of:
 - The person's partner or child or young person for whom the person or their partner is responsible
 - A close relative of the person or the persons partner, or child or young person for whom the person or their partner is responsible

and it would be considered unreasonable to expect the person to return within 4 weeks.

- The person can be absent up to 26 weeks if the absence is due to one of the following reasons:
 - The person, their partner or dependant child is undergoing medical treatment or medically approved convalescence
 - The person is receiving medically approved care elsewhere
 - The person is absent as a member of the armed forces posted overseas
 - The person absent is a mariner (member of a ships crew)
 - The person absent is a continental shelf worker employed to explore or extract minerals from the sea bed or subsoil
 - The person is absent through fear of violence

If you are unsure how your absence will be treated, please contact us for advice.

Information you need to supply

If it is clear that you will be away from your property for a length of time, please advise us **before** you leave. We need the following information:

- The dates of the likely period of absence
- The reason for the absence
- A statement confirming that the person will return to live in your property and that you will not sub-let it during the absence

You may also be asked to complete a new application form.

During the absence

If anything changes during the absence you need to let us know immediately -

- If the person decides not to return to the property
- If the reason for absence changes
- If the absence is likely to be for longer than expected

What are the implications if the absence exceeds the allowed time limit?

The person that is temporarily absent should no longer be treated as occupying the dwelling as their home

- If the person absent is the claimant the entitlement to housing benefit will end. If pension credit is received this will also end.
- If the person absent is the claimants partner they may no longer be treated as being in the household. The Housing Benefit may be reassessed and recalculated as if the claimant was single.
- If the person absent is a member of the benefit household such as a non dependant, this may where applicable have implications for the Local Housing Allowance rate or the Removal of the Spare Room Subsidy sometimes called "bedroom tax".

Council Tax Reduction (CTR):

Similar rules apply, please supply full details of the absence and we will let you know what effect it may have.

27 July 2016