

## About 'Bedroom Tax'

### 1. For Council and Social Housing tenants

See also <https://www.gov.uk/housing-benefit/what-youll-get>.

For Council and Social Housing tenants the amount of Housing Benefit depends on:-

- your 'eligible' rent – this includes service charges (e.g. for lift maintenance or a communal laundry) but not things like heating
- if you have a spare room (however if either one of a couple is of pensionable age, their housing benefit does not get cut)
- your household income – including benefits, pensions and savings (over £6,000)
- your circumstances – e.g. age of people in the house, if someone has a disability
- whether any 'non-dependants' (e.g. an adult son or daughter) live with you

**Your Housing Benefit could be reduced if you live in council or social housing and have a spare bedroom.** The following are generally expected to share a bedroom:-

- an adult couple
- 2 children under 16 of the same sex
- 2 children under 10 (regardless of sex)

Therefore only the following can have their own bedroom:-

- an adult couple
- a single adult (16 or over)
- two children (under 16) of the same sex
- two children under ten, regardless of sex
- any other child, i.e. a child that would normally share but shared bedrooms are already taken, e.g. you've 3 children and 2 already share
- a foster child or child whose main home is elsewhere
- children who can't share because of a disability or medical condition
- a non-resident overnight carer for you or your partner (but only if they must stay overnight)

*Rooms used by students and members of the armed or reserve forces will not be counted as 'spare' if they're away and intend to return home.*

One spare bedroom is allowed for:-

- an approved foster carer who is between placements but only for up to 52 weeks from the end of the last placement
- a newly approved foster carer for up to 52 weeks from the date of approval if no child is placed with them during that time

**The reduction is:-**

- **14% of the 'eligible rent'** for 1 spare bedroom
- **25% of the 'eligible rent'** for 2+ spare bedrooms

**Example of bedroom tax:-**

Your eligible rent is £100 per week. Housing Benefit pays £50 and you pay £50. You have 1 spare bedroom so the reduction is 14%. This means your Housing Benefit will be reduced by £14 per week (i.e. 14%) to £50 - £14 = £36 per week.

## Exemption:–

- if you have lived at the same address AND
- you have been continuously entitled to housing benefit since before 1 January 1996 WITH A BREAK OF NO MORE THAN 4 WEEKS (or 52 weeks, if the claimant or their partner is a welfare to work beneficiary)

then the bedroom tax does not apply and you may be eligible for a REFUND (apply to your local authority) – this is because the 'eligible rent' referred to in bedroom tax regulations does not apply prior to 1 January 1996, when a previous set of rules existed. *However the Government intends to close this 'loophole' in March 2014.*

## 2. For Private-Renting Tenants

See also <https://lha-direct.voa.gov.uk/BedRoomCalculator.aspx>

For Privately-renting tenants the amount of Housing Benefit is usually based on:–

- the **Local Housing Allowance** in your area – this is based on the lowest 30% of the rents in the local area by number of bedrooms, up to a max of 4 bedrooms
- your Local Housing Allowance bedroom entitlement – although Bedroom Tax for housing benefit from April 2013 only affects council and housing association tenants, for privately-renting tenants the Local Housing Allowance bedroom entitlement is worked out along virtually the same lines
- your income - including benefits, pensions and savings (over £6,000)
- your circumstances
- whether any 'non-dependants' (e.g. an adult son or daughter) live with you

**Local Housing Allowance** weekly amounts for High Weald BRMA ('Broad Rental Market Area') – includes Sevenoaks District Council, Tonbridge & Malling Borough Council and Tunbridge Wells Borough Council are as follows:–

- Shared Accommodation Rate: £76.27 per week (for under 35 and single)
- One Bedroom Rate: £132.69 per week
- Two Bedrooms Rate: £173.08 per week
- Three Bedrooms Rate: £206.36 per week
- Four Bedrooms Rate: £330.19 per week

## Exception:–

If you've been getting Housing Benefit continuously since before 7 April 2008, these limits only apply if you:–

- change address
- have a break in your claim for Housing Benefit

**How you're paid:** Housing Benefit is paid by your local council as follows:–

- council tenants - into your rent account (you won't receive the money)
- private tenants - into your bank or building society account (rarely by cheque)

**The benefit cap:** the benefit cap limits the amount of benefit that most people aged 16 to 64 can get. The level of the cap is:–

- £500 a week for couples (with or without children living with them)
- £500 a week for single parents whose children live with them
- £350 a week for single adults who don't have children, or whose children don't live with them