

Housing Benefit & Council Tax Benefit



**Information
about
Overpayments**

Epping Forest District Council

What happens if we give you too much Housing Benefit?

When we give you too much Housing Benefit, we call it an overpayment.

We will send you a letter to tell you

- Why we gave you too much benefit
- How much the overpayment is
- If you have to pay back the overpayment
- How we will recover the overpayment
- How you can appeal if you think this is wrong.

Do you have to repay the overpayment?

If you failed to tell us of the change that caused the overpayment, or you did tell us but continued to receive benefit you knew you were not entitled to, you will have to pay back the overpayment.

Who has to repay the overpayment?

An overpayment can be recovered from the person who claimed benefit, or from the person who received the payment. If Housing Benefit was paid to your landlord or agent after you vacated the property, we may recover the overpayment from them.

Failure to repay the overpayment may result in court action being taken against you and you will incur additional costs.

How will the council collect the money?

We want to help you repay the overpayment without causing hardship.

- If you are still getting Housing Benefit we will make deductions from the amount we send you or your landlord until the overpayment is repaid in full. You will need to pay the difference in your rent.
- If you are no longer getting Housing Benefit, we will send you an invoice with details of how to pay the money back.
- If you are a Local Authority tenant it may be recovered from your rent account.
- If you are getting other benefits, we can ask the Department for Work and Pensions to make deductions from your payments to repay the invoice, providing no other deductions are already being made.
- If you are a landlord or agent getting Housing Benefit for other tenants, we can deduct the amount you owe from the payments we send you until the overpayment is fully paid back.

What happens if you cannot pay it back?

If you cannot afford to pay back the overpayment, you must contact us. If you have no savings and a very low income we may be able to reconsider the method of recovering the debt. You will be asked to complete a financial statement, giving your personal circumstances, to help us decide how you should pay back the money.

You can ask for the recovery rate to be reduced if you think it is too high. Again, you must write and tell us.

Each case is looked at on its own merits and a sympathetic approach is always taken in real hardship cases, so please contact us.

Your rights:

If you do not agree with the way the overpayment has been calculated, or that it should be recovered from you, you can question it or appeal against it. To do this you must write to us within one calendar month of the date of the letter telling you that you have been overpaid. You must state the reason why you disagree with the overpayment and your case will be looked at again. If you appeal against the overpayment, we may refer your case to the independent Tribunals Service.

Overpaid Council Tax Benefit:

In most cases this will be added to your Council Tax account. A new bill will then be sent to you with a revised payment plan.

What should you do if you are having difficulty in paying Council Tax instalments because overpaid Council Tax Benefit has been added to it?

You should contact the Council Tax Division to discuss your options

**EPPING FOREST DISTRICT COUNCIL
PO BOX 5455
BENEFITS DIVISION
EPPING
ESSEX
CM16 4DS**

Contact details:

Tel : 01992 5640000

Fax : 01992 564296

Email: benefits@eppingforestdc.gov.uk

**The Finance reception area is open for
Benefit enquiries at the Civic Offices -**

Mon - Thurs 9.00 am to 5.00 pm

Fri 9.00 am to 4.45 pm