

Factsheet B20: The Bedroom Tax

From April 2013 new rules have applied which assess housing size according to the needs of each household for families that live in social housing (renting from your local authority or a housing association).

The rules say that:

- one bedroom is allowed for a single person or a couple living together
- one bedroom is allowed for any dependent children over 16
- children under 16 of the same gender are expected to share a room
- children under 10 are expected to share a room regardless of gender

An extra room will be allowed if there is a disabled tenant or partner who needs an overnight carer (but that carer doesn't live there).

If a household has more rooms than is allowed under the rules referred to above, they will have a reduction in their housing benefit (this is what is known as the 'bedroom tax').

A household will lose 14% of their benefit if they have one more bedroom than they are assessed to need, and a 25% reduction if they have two or more extra bedrooms.

There are exemptions for foster carers (for up to one year, even if they have no foster child living with them at the time) and for disabled children.



What can I do about it?

Find out whether you can challenge the decision. Ask them to reconsider their decision if you think the local authority have wrongly described a room as a bedroom because it is too small or perhaps because you have to use it as a dining room because your kitchen is too small. Make sure they know that the room is not 'spare' if you are separated from your partner and need the room to meet childcare and parental responsibilities.

You need to ask your local authority for their housing benefit and council tax dispute form. You are disputing what is called an under-occupancy deduction. Ask them for a **statement of reasons** that explains how they made their decision, and also ask for it to be looked at again.

The Government has suggested that anyone affected by the bedroom tax has three main options:

- move to smaller accommodation that fits within the rules
- take in a lodger or boarder (although you do need permission from your landlord, this income will not be deducted from any means-tested benefit)
- pay the extra cost out of other income

There is some financial help for people who may have very good reasons for staying in their current home, for example if you have substantially adapted the property to meet the needs of a physical disability. The Government has given local authorities money for **Discretionary Housing Payments** which can be used to top-up housing benefit. Most local authorities will have a form on which to request a Discretionary Housing Payment. If your authority does not, write a letter instead. It is also possible to claim if your housing benefit shortfall is likely to cause severe hardship, for example if it places you at risk of becoming homeless.



You do not have a right to a Discretionary Housing Payment. It is up to the local authority whether they give you any payment. They have very little money to support this, so they are only likely to help if families can show they have exceptional need, have a significantly adapted home, or will benefit significantly from short-term support.

There is a separate Factsheet specifically about Discretionary Housing Payments, but information can also be found online here:

<https://www.gov.uk/government/publications/claiming-discretionary-housing-payments>.

There are national rules, although it is the local authorities that have to apply them. This is the guidance they are supposed to use:

<https://www.gov.uk/government/publications/discretionary-housing-payments-guidance-manual>.

Our website www.equallives.org.uk has more information on this. If you need assistance to claim a Discretionary Housing Payment please call our information and advice service.

If you require further information or would like this Factsheet in an alternative format you can contact us by calling: 01508 491210, by emailing: info@equallives.org.uk, or by writing to: Equal Lives, 15 Manor Farm Barns, Fox Road, Framingham Pigot, Norfolk, NR14 7PZ.

