

■ What if I disagree with the overpayment?

When you receive your overpayment letter, please read it carefully. If you do not understand it, you can ask us for more information, or an explanation of the decision. You must do this within one calendar month from the date of the letter we sent you.

■ What happens if I do not pay?

- We will seek recovery through a debt collection agency or the county court. Court and solicitor's costs will substantially increase the size of the debt.
- A credit reference bureau may be advised to register this debt. Credit may be difficult or impossible to obtain in the future.

Paying it Back

What happens if you owe benefits money to the Council?

What is an overpayment?

An overpayment is when we pay you or your landlord an amount of Housing benefit or Council Tax Benefit or Local Housing Allowance, but you were not entitled to receive it. This could be because you did not inform the council about a relevant change in your circumstances, such as:

- Your income support or job seekers allowance or any other state benefits ending
- An increase in earnings, private pension/s, or any other type of state benefits, of you or any member of your household.
- Someone moving into or out of your home.
- You leaving the address for which housing benefit/ local housing allowance is being paid.

If we have paid you too much benefit, we will usually ask you to pay back the amount we have overpaid. Overpayments are recoverable; in some circumstances this could also include those caused by an official error; this is a mistake by the Local Authority, Department for Works and Pensions or the Inland Revenue. However, we have to consider whether it was reasonable to expect you to know there would be an overpayment.

You must tell us straight away if your Circumstances change.

How will I know if I have been overpaid?

When there is an overpayment, we will write to you about it.

What if benefit was paid to my landlord?

We will also write to your landlord.

Who will you recover the overpayment from?

If you are still getting Housing Benefit or Local Housing Allowance (LHA), we may reduce your benefit each week to recover the overpayment. If you no longer qualify for benefit or LHA, we will send you an invoice, and you should make arrangements to pay this in full if you have capital or savings. Otherwise, you can arrange to pay by instalments.

Other ways that we may recover the overpayment

- If we paid your landlord your benefit, we may ask the landlord to repay the overpayment, this will only be done in certain circumstances.
- We can ask the Department for Work and Pensions to take money out of your income support or jobseekers allowance or some other benefits.
- In cases where you have moved out of the area, we can ask the local authority where you have moved to take money from any Housing Benefit or LHA paid to you at your new address.
- If we overpaid your Council Tax Benefit, we will add the amount of the overpayment to your Council Tax bill. Our Council Tax office will collect the overpayment by increasing your monthly payments.

How have my instalments been set?

You may have made a repayment agreement, at the time you were notified of the overpayment. However, if the repayments are being deducted from your ongoing entitlement to benefit, the levels are set by Central Government. These levels vary depending on whether you are on benefits or if you are working.

Can I reduce my instalment repayments?

You can ask us to reconsider the amount we are recovering from your ongoing Housing Benefit or LHA, if the amount we are deducting is causing you hardship. We will send you an income and expenditure form to help us make a decision. You can also make us a reasonable offer for our consideration.

What happens next?

We will consider your offer based on the income and expenditure details that you have provided. We may ask to see proof for things such as: Proof of benefits, receipts for payments you make for utility bills – such as gas, water, electricity etc.

We may suggest that you review your outgoings to make additional income available or to consider reducing non-priority expenses. Once we are satisfied that the income and expenses are accurate, we will advise you if the repayments can be reduced and the amount you should pay. We may make a short-term arrangement with you where we reduce the repayments for a set period and then review the arrangement in the future.