



TEMPORARY ACCOMMODATION CHARGING POLICY

Document title	Temporary Accommodation Charging Policy
Document version	3.0
Department	Housing
Title of Author	Housing Operations Manager
Date document approved	
Review cycle	3 Years
Date of next review	

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1.0 Scope

This policy details how Broxtowe Borough Council (the Council) will charge rent for the provision of all temporary accommodation (TA) and assist in tackling homelessness while achieving a more balanced budget. This policy should be read in conjunction with the TA Placement Policy. The Policy will not cover any accommodation provided within the Housing Revenue Account (HRA) under a secure tenancy.

2.0 Purpose

The purpose of this policy is to ensure that temporary accommodation charges are set and applied in a clear transparent manner. This policy does not cover how charges for temporary accommodation are collected.

3.0 Aims and Objectives

The aims of the policy are to ensure that the best, most cost effective, efficient, and socially responsible use is made of both emergency temporary and interim temporary accommodation.

The policy will also ensure that the rent charged for all forms of temporary accommodation:

- Is affordable option to all.
- Does not act as a disincentive to work.
- Meets the reasonable cost of operating temporary accommodation provision; and
- Is recovered to its maximum potential.

The specific objectives are to:

- Ensure the best, most cost effective, efficient, and socially responsible use is made of all temporary accommodation.
- Use a cost effective and fair rent setting process
- Ensure temporary accommodation is an affordable, good quality option to all.
- Use recovery practices which consider a household's income whilst, ensuring that those with the means to pay do pay.

4.0 Regulatory Code and Legal Framework

This policy has been written with specific regard to;

- Homelessness (Suitability of Accommodation) England Order 2012
- Section 11 of the Children Act 2004
- The Housing Act 1996
- Equalities Act 2010

This Policy is written with due consideration of:

- Reasonable preference
- Non digital routes for accessing choice-based lettings
- Support for tenants with vulnerabilities

We are publishing a free summary of this policy, and a full copy of this scheme will be available on our website

For residents without access to digital channels information will be displayed in the reception area and cascaded to relevant partner agencies.

5.0 Policy Outline

5.1 Affordability

The Council recognises that the rent levels for temporary accommodation can be high, particularly for emergency temporary accommodation such as Bed & Breakfast. This can result in some temporary accommodation; particularly emergency accommodation being rendered unaffordable even for those in employment.

The Council will seek to ensure that all those placed in any kind of temporary accommodation are given relevant information about entitlement to welfare benefits/income maximisation services, and appropriate required support in claiming, to encourage optimum take up and maximisation of income and assisting in offsetting the effects of low income on the ability to pay.

In every case, while the Council will seek to maximise its income to balance its budgets, it will only seek to recover those costs that it can reasonably be expected to collect from the occupants to ensure that temporary accommodation is an available affordable option for all.

5.2 Charging for temporary accommodation

The Council has limited control over charging for emergency temporary accommodation, such as Bed and Breakfast, however it will always aim to ensure that procurement of such accommodation affords the best value for money and that licensees time spent in such accommodation is limited if the need cannot be negated altogether.

The Council recognises that applicants in temporary accommodation may experience financial difficulty, when setting the occupancy charge for temporary accommodation provided from its own housing stock it is fixed in line with current Local Housing Allowance (LHA) rates.

Homeless households have a responsibility to contribute to the cost for temporary accommodation depending on their circumstances and entitlement to housing benefit following a claim:

- Full Housing Benefit: Covers the entire rental element.
- Partial Housing Benefit: Household pays the difference between entitlement and actual rent.
- No Housing Benefit: Household pays the full rental amount.

In addition to the occupancy charge, the Council may levy a service charge to reasonably recover some or all the costs relating to Ineligible services charges. These relate to non-communal daily living expenses, such as personal use of water, lighting, and heating, which would be ineligible for any claim made to Housing Benefit.

The Housing Operations Manager will be responsible for ensuring that such charges reflect good practice and fairness for all.

Charges will be reviewed annually. Licensees will be provided with at least 28 days' written notice in the event of any increase in charges.

The Council also reserves the right to recharge a reasonable cost for making good any damage caused by wilful damage and / or neglect and / or any cost of legal action while placed in any type of temporary accommodation.

5.3 Paying for temporary accommodation

Under the terms and conditions of their agreement, licensees ultimately have the full obligation to pay all charges when they fall due and to notify the Council of any change in circumstances, particularly those that affect their ability to pay, and engage with any support that is offered to them to maximise their income and therefore ability to pay charges due.

Some licensees may be able to claim housing related benefits to cover benefit eligible charges. It is the licensees' responsibility to apply for and maintain any claims for such assistance to pay, however, while Council officers will provide advice

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and support where required. Where the licensee chooses not to apply for or maintain any claim or is not eligible, they will be liable to pay the full reasonable charges due.

If the amount of Housing Benefits the licensee receives is less than the reasonable charges, the licensee will be liable for paying the difference.

Officers will take a proactive approach to income collection by making early personal contact with all tenants whose accounts fall into arrears or experience a change in circumstances. Contact will be via telephone, text, letter or home/office appointment. The emphasis of the contact will be to understand the tenant's personal circumstances. Where accounts fall into arrears we will seek to make an arrangement to clear the outstanding debt as soon as possible in a sustainable way.

5.4 Recovery of charges (arrears and overpayments)

Council officers will always maintain comprehensive and accurate records of all communications, actions, and interventions with licensees throughout their occupancy in relation to both the management of their license and recovery of any arrears, within the housing management system.

The Council will usually aim to take a supportive and preventative approach to collecting charges by supporting licensees to maximise their income and effectively budget to secure regular, timely payments.

The Council requires licensees to pay the occupation charges first i.e., before any other charges or debts. This means that when arrears arise, Council officers will take prompt action to ensure current charges are paid first to avoid further escalation, then ensuring that arrears are recovered, either by way of a single payment, or where this is not possible, by making affordable weekly payments within a reasonable time. Where a repayment plan is agreed this will be based on a detailed assessment of the licensees' finances and ability to pay.

Where any Housing related benefits are found to be overpaid, they will be recovered from the licensee where appropriate.

Where the licensee has opportunity to move on from any temporary accommodation and housing related debts are owing to the Council then a payment plan will be required to repay all outstanding housing debts to the Council.

Where the process detailed above becomes frustrated, arrears recovery will be based on a clear and consistent staged escalation process, up to and including ending of the placement and / or reclaiming possession.

In determining the appropriate course of action, full account will be taken of a tenant's vulnerability including age or disability. Tenants with additional support needs will be referred to specialist agencies that may be able to assist

However, the decision to end a placement or recover possession will only be taken as a last resort and by the Housing Operations Manager or nominated deputy.

5.5 Moving & Storage of goods.

This section should be read in conjunction with the Temporary Accommodation Placement Policy.

Before making any decision around storage duties, the Council will fully consider:

- Whether the applicant has any other means of protecting their belongings themselves, and
- Income and expenditure to establish if the applicant has means to pay the full charge, or will require a contribution towards the costs, from the Council.

Applicants may be expected to make payment in full directly to the storage / removal provider. The Council will support applicants where there are additional vulnerabilities that prevent the applicant to make these payments directly.

Applicants who are leaving temporary accommodation are responsible for the cost of transporting goods from storage to an address of the applicant's choice, however financial assistance may be offered at the discretion of The Housing Operations Manager or nominated deputy.

The Council offers several support services, to sustain occupancy in temporary accommodation and ensure readiness for and sustainability of any move on accommodation that might be offered. Licensees are generally expected to engage and co-operate fully with any officers or third-party organisations delivering support and sustainment services. Engagement levels may be considered when licensees have breached the terms and conditions of their licenses and enforcement action is being proposed.

5.6 Right to review

A separate process exists for any decisions made under Part VI and VII of the Homelessness Act and where the licensee is requesting a statutory review of a decision, for example but not limited to affordability or suitability of accommodation. For these processes, it is not possible to make a formal complaint.

Where a licensee is not satisfied with any other matter such as standard of service, actions, or lack of actions by or conduct Council officers or its partners or contractors, then a complaint can be made.

6.0 Related Policies and Procedures

List of documents / associated policies / publications:

- Temporary Accommodation Placement Policy

7.0 Review

This policy will be reviewed every three years, or sooner where required due to changes in legislation, statutory guidance, case law, operational practice or local housing need.

8.0 Document History and Approval

Date	Version	Committee Name