

# CHiP practitioner article

## Preventing homelessness: landlords delivering welfare rights

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# Shelter

## Preventing homelessness: landlords delivering welfare rights

**Steven Craig, a Welfare Rights Officer with Queens Cross Housing Association, Glasgow, discusses how the team's work contributes to the prevention of rent arrears.**

### Introduction

In the social rented sector, rent arrears can lead to homelessness, either by eviction or by the threat of eviction. For a social landlord, eviction as a solution to rent arrears is neither good business sense nor good practice.

The financial cost of legal action only compounds the tenant's growing debt and is seldom (if ever) recovered in full. What's more, if eviction (or abandonment to avoid eviction) takes place, then the rent itself is unlikely to be recovered. This is one of the reasons why a key principle of QXHA's rent arrears policy (in common with that of most social landlords) is that legal proceedings should only ever be used as a last resort [QXHA *Policy and Procedures Manual, May 1999*].

The avoidance of legal action for rent arrears is an objective that social landlords share with people who advise tenants. Co-operation between advisers and landlords can therefore be a powerful tool in avoiding legal action, particularly where effective advice is given on welfare benefit issues at an early stage. This is why both Communities Scotland and the Scottish Federation of Housing Associations [*Raising Standards in Housing*, SFHA/Communities Scotland] strongly recommend that social landlords build and maintain a good working relationship with local advice agencies.

However, if good advice on welfare benefits helps to achieve a landlord's aims of finding solutions to rent problems and avoiding eviction, then does it not make sense for the landlord to employ its own welfare rights advisers? This is exactly what a fast growing number of social landlords, including QXHA, have done. This article explores some of the ways in which an in-house welfare rights service can help in the avoidance of eviction for rent arrears.

### Housing Benefit and rent arrears

Here are some of the common problems in Housing Benefit (HB) that can lead to rent arrears:

- Completed claim forms going missing after posting or delivering to the Council.
- Tenants not receiving benefit review forms.

- Complexity of forms leading to beneficial information being missed out.
- Incorrect advice leading to failure to claim.
- Claims being closed down for tenant's failure to provide 'original proof of income' (often where the proof in question is either not legally required or could easily be obtained directly by the Council).
- Changes in circumstances leading to unexpected reduction in HB.
- Incorrect application of non-dependant deductions.

In all of the above cases, with welfare rights support, the pursuit of an application or appeal to its final conclusion will very often result in the restoration of full benefit entitlement, thus eliminating or substantially reducing rent arrears. This is based on the QXHA Welfare Rights team's many years of direct experience in dealing with these types of problem.

## **Benefits of delivering welfare rights in-house**

Naturally, an adviser's ability to resolve problems depends on the adviser being well informed about their client's situation. Welfare rights advisers need certain information about a tenant's situation before they might help with a rent arrears problem, especially where housing benefit is involved.

This includes valuable information that housing officers can provide directly from the landlord's own records. For example, the history of housing benefit payments received, whether or not they have been interrupted, whether an HB claim has been made but payment not yet received, whether there have been reductions in monthly payments, etc.

Access to this valuable information is very straightforward for an adviser who works within the same organisation and is a trusted member of the team. Thus the adviser's effectiveness in tackling housing benefit problems is enhanced by working in-house.

From a housing management perspective, there are things that housing officers need to know, if they are to have confidence in the welfare rights adviser's ability to help resolve problems. Here are some key points that a WRO will convey to our housing officer colleagues when conferring on a rent arrears case:

- that the rent arrears (or a substantial part of them) are due to a clearly identifiable housing benefit problem
- that the tenant needs support to resolve the problem
- that support will be provided right through to resolution
- the extent of the housing benefit problem and how much money can be recovered through its resolution.

If all these points are accepted, then we can be confident that legal action to pursue the arrears would be unnecessary and counterproductive.

In order to accept our assurances, housing officers need to have confidence in our ability to resolve benefit problems, and they need to be able to trust us to keep them informed. As experienced welfare rights workers, we can identify problems that are virtually certain to be resolved by pursuing an application or appeal to its final conclusion, and we can convey this knowledge to our housing colleagues with confidence.

When offering support to resolve benefit problems, we also have to be realistic about timescales. Sorting out a housing benefit problem can be a long process, taking months or sometimes more than a year. This is where the advantage of being an in-house service really comes into its own.

When the welfare rights officer conveys realistic expectations of timescales, and is available for progress updates whenever needed, housing officers can be patient in the knowledge that the problem is in hand. Also, by witnessing the results, for example in terms of housing benefit gained, the housing team can see that we don't promise what we can't deliver. They see proof that, while the process can take a long time, in the long run our plan of action is shown to be effective.

Having someone as part of your own team, who conveys expertise on benefit issues with confidence, and who is always available for advice and support, is a major advantage for a housing organisation. Compare this with the situation where specialist advice is only available from external advice agencies. Their resources will inevitably be spread across a wide constituency, and they will not be as readily available for backup support.

## **The wider picture**

It should be emphasised that a good welfare rights service does more than just react to housing benefit problems. Experienced advisers know how different benefits link together, so that gaining entitlement to benefits for ill health or disability often has the effect of creating or boosting entitlement to housing benefit, thus helping to prevent rent arrears occurring in the first place. This is among the reasons that QXHA has always provided a generic welfare rights service, aimed at maximising tenants' income from all social security benefits.

However, the benefits of landlords delivering welfare rights services to tenants go further than the impact on housing benefit. In common with all community based social landlords, QXHA is committed to improving the quality of life for members of the community it serves, in which maximising benefit income plays a vital part. We should also bear in mind

that the good will of all local residents is vital to the effective running of a social landlord's business.

Providing welfare rights services demonstrates a positive commitment to improving tenants' well-being and quality of life, thus helping to gain tenants' trust and confidence. And among the benefits of added trust and confidence, is greater willingness to communicate and co-operate with the landlord, thus increasing the chances of helpful early intervention where rent problems arise. So the wider benefits to the community also have a positive effect on preventing rent arrears.

There is another reason why social landlords can be especially effective at delivering welfare rights services. Staff members in regular contact with tenants are well placed to spot tenants' difficulties at an early stage, for instance where there are poor living conditions, social isolation or the beginning of rent arrears. In such cases, informed referral to the in-house welfare rights service leads to maximised benefit income, which enables access to linked benefits and services, all of which in turn helps vulnerable tenants to maintain their tenancies.

## **Additional advice services**

While we recognise the importance of benefit issues in relation to rent arrears, there are other financial problems, for example debts, which can contribute to difficulties in paying rent and can contribute to the risk of homelessness. This is why QXHA has helped to secure funding for a Money and Debt Advice Service, which the Association currently shares with Blue Triangle Housing Association, Move On and The Simon Community.

## **Summary**

QXHA has found that in-house advice services provide an extremely important contribution to the prevention and control of rent arrears, thus helping to avoid the need for legal action. By establishing a relationship of trust with the tenant from the start, the landlord ensures that the tenant is far more likely to ask for help when difficulties are experienced.

While advice may well be available from external agencies, it is often not sought until problems reach crisis point, when it can be more difficult for advisers to find solutions. It is widely recognised that early intervention is the key to preventing rent arrears getting out of control, particularly where benefit problems are involved. In our experience the delivery of in-house welfare rights services plays a crucial role in achieving this aim.

## Further information

If you would like to contact Steven for more information about his work, please email [chip@shelter.org.uk](mailto:chip@shelter.org.uk) in the first instance.