

Exempt Accommodation

Providers are concerned an unintended consequence of our proposal will be that it may impact on their 'exempt accommodation' status for the purpose of housing benefit entitlement

Exempt Accommodation applies to most Supported and Sheltered Housing. For an Exempt Accommodation scenario to exist ALL of the following 4 criteria must be fulfilled:

- Landlord must be a non-metropolitan county council; voluntary organisation, charity or Registered Provider (housing association)
- Landlord must have legal interest in the properties concerned (ownership or lease)
- Tenants must need "care, support and supervision" (in case law terms this means "more than normal property management functions")
- Additional services to meet those needs must be provided by the landlord or an agent on its behalf

Exempt Accommodation:

- Entitles a social landlord to recover the costs of providing additional services to residents with additional needs via Housing Benefit
- Enables local authorities to fund enhanced levels of Housing Benefit, subject to a properly evidenced claim

Exempt Accommodation protects tenants from Welfare Reform Act provisions such as:

- Benefit Cap
- Spare Room Subsidy ("Bedroom Tax")
- Direct payment of rent

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