

Overpayments

What is an overpayment?

An overpayment is when we pay you or your landlord an amount of Housing Benefit that you were not entitled to receive.

We can recover all overpayments, except if they are caused by an 'official error', which you could not reasonably have known about when you were paid or told about your benefit.

An official error is a mistake we make. It is not an official error if you or a person acting on your behalf contributed to the mistake by not giving us information or by giving false or misleading information.

Why do overpayments happen?

Recoverable overpayments happen for various reasons. Here are some examples:

- You have not told us about an increase in your income
- Somebody has moved into or out of your home
- You may have moved and not told us
- If you have other adults living with you and their circumstances have changed.

You must tell us about any changes. Do not leave it to someone else to tell us. Even if you have told the Department for Work and Pensions (DWP) about a change in your circumstances, you must still let us know.

How will I know if I have an overpayment?

We will send you a letter giving you full details of the overpayment. The letter will tell you how the overpayment happened, the amount you were overpaid and the period of time the overpayment covers. It will also tell you how we will recover the overpayment and what to do if you disagree with the overpayment.

Can you reduce the overpayment?

In some circumstances we may be able to reduce the amount of the overpayment. You will need to tell us about your correct circumstances throughout the whole period of the overpayment. If we can reduce the amount you were overpaid, now that we have the correct details of your case, this is called 'underlying entitlement'. This can only be used to offset or reduce the amount of the outstanding overpayment. You will need to provide supporting documents before we can work out the possible amount of underlying entitlement.

How do you recover the overpayment?

There are a variety of ways that we will seek to recover an overpayment, as follows:

- If you are still getting Housing Benefit, we may reduce your benefit each week
- If you pay us rent and your rent account is in credit, we may use this credit
- If we are not paying you Housing Benefit, we will send you an invoice and you will need to make an

arrangement to pay us

- If we paid your benefit to your landlord we may ask the landlord to repay the overpayment in certain circumstances
- We can ask the DWP to take money out of other benefits you may receive

What if I can't afford the repayments?

If you want to change or reduce the amount, you must contact the overpayments team by email hboverpayments@basildon.gov.uk or call **01268 294103**.

Alternatively, you can complete the online financial income and expenditure form and return this to:

The Benefit Section, PO Box 4, Basildon, Essex, SS14 1DL.

If you do not pay or do not contact the team to make an alternative arrangement, further action may be taken. Any additional costs due to further action will be added to the amount you owe.

What if I disagree with the overpayment and can I appeal?

If you disagree with our decision you should write to us to ask for a detailed explanation, or ask us to look at the decision again. If you are still not satisfied you can also appeal. All correspondence must be received in writing. This can be by post or email however appeals must be signed. You must make it clear which decision you are appealing against and your reasons for appealing. You must do this within one calendar month of the decision you are appealing against. You can find out more about appeals through the website, www.basildon.gov.uk/benefits.

How can I get help with my debts?

It may be of benefit for you to get advice about other benefits and debt counselling if you have other debts.

There are a number of agencies that you can contact for free, confidential and expert advice and their telephone contact details are as follows:

Citizens Advice Bureau – 0844 477 0808 (11am-2pm Monday, Tuesday, Wednesday)

Impact – 01268 553553

Basildon Council Housing Advice (Basildon Centre) – 01268 294342

National Debt Line – 0800 808 4000

Consumer Credit Counselling Service – 0800 138 1111

