

Overpayment of benefit



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Number 8 in a series of benefit information leaflets.

Overpayment of benefit

If you receive an overpayment of benefit, in most cases you will have to pay the money back. This leaflet explains how you may have been overpaid, whether you have to repay the benefit money and how you can pay it back.

This leaflet is part of a series (illustrated opposite) produced by a group of local authorities to help make Housing Benefit and Council Tax Benefit easier to understand.

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What is overpayment of benefit?

An overpayment is any amount of Housing Benefit or Council Tax Benefit (or both) which has been paid to you, but which you are not entitled to. This could happen because you did not inform the council of a change in your circumstances, such as:

- your Income Support or Jobseeker's Allowance ending;
- an increase in the earnings or private pension or other benefit award of you or anyone else in your home;
- someone joining your household;
- you leaving the address for which Housing Benefit was being paid.

The amount you have been overpaid is the difference between the amount of benefit you actually received and the amount you should have received. For example: if you received £12 a week for two weeks (total £24) and as a result of a change in your circumstances you should only have received £10 for each week (total £20), then you will have been overpaid by £4. ($£24 - £20 = £4$.) So you would have to pay back £4.

Do I have to pay the money back?

In almost all cases overpaid benefit has to be repaid, even if it was paid because of our error.

However, you may not have to repay the overpayment if it was our error and we could not have reasonably expected you to know you were getting an overpayment.

If you have been overpaid, we will write to you giving the reason for the overpayment and a statement of the dates and amount.

How is the money paid back?

If you are a council tenant or private tenant and still receiving Housing Benefit, you can repay the overpayment from the benefit you are getting. This will mean you have to increase the amount you contribute to your rent.

If you are no longer receiving Housing Benefit, you will get a bill, and if you cannot repay the overpayment straight away you can pay it in instalments. You will need to contact us to make arrangements (contact details are on the back of this leaflet).

For Council Tax Benefit, the overpayment will be added to your council tax bill.

What if I disagree with the overpayment?

If you disagree that you have been overpaid, or with the amount we have calculated, or that you should repay it, you can ask us to explain in writing. We will answer within 14 days.

Alternatively you can ask for a review or you can appeal against the decision. You must ask for a review or make an appeal within one month of the date of the overpayment notice. For more information on making an appeal, please see our appeals leaflet.

What if I do not repay or appeal?

If you do not repay, appeal or arrange to repay the money, we may take further action to get it back. This could lead to legal proceedings.

Other formats

This leaflet is also available in large print, Braille, on audio cassette and in other languages. Please contact us if you need this leaflet in one of these formats.

This leaflet gives basic advice and is a general guide. If you have a question that is not answered in this leaflet, or if you want more advice, please contact us.

Participating authorities: Broxbourne, Dacorum, Hertsmeire, Ipswich, Lincoln City, North Herts, St Albans, Stevenage, Three Rivers and Welwyn Hatfield.



Where to get help and advice

To get more information you can visit us at:

Three Rivers District Council
Three Rivers House
Northway, Rickmansworth
Herts WD3 1RL

Offices are open: Mon to Thu 8.30am – 5.30pm
Fri 8.30am – 5pm

Telephone: 01923 773138 (*benefits section*)

Email: benefits@threerivers.gov.uk

Fax: 01923 727181

Website: www.threerivers.gov.uk

South Oxhey Area Office
37 Oxhey Drive
South Oxhey
Herts WD19 7SD

Benefits officer

available: Mon and Thu 9am – 4.30pm
Fri 9am – 4pm

Other organisations that provide help and advice

Citizens Advice Bureaux

Watford 01923 234949

Rickmansworth 01923 720424

Abbots Langley 01923 267949

Oxhey & District 020 8421 0911