

# Housing Assistance Payment Tenant Information Leaflet

## Table of Contents

1. What is Housing Assistance Payment (HAP)?	3
2. When will HAP be available?	3
3. Where will HAP be available?	3
4. How will HAP work?	3
5. Who is Eligible for HAP?	4
6. How will HAP benefit you?	5
7. What are rent limits?	5
8. Conditions for payment of HAP.	5
9. How do I apply for HAP?	6
10. What documents do I need when applying for HAP?	6
11. When and how often is HAP paid?	7
12. Will my landlord know about HAP?	7
13. What if my landlord looks for a deposit?	7
14. What happens to my Rent Supplement if I move to HAP?	7

## 1. What is Housing Assistance Payment (HAP)?

Housing Assistance Payment (HAP) is a new social housing support being introduced by local authorities. HAP will replace Rent Supplement for those with a long term housing need who qualify for social housing support. The introduction of HAP will mean local authorities can now provide housing assistance for households with a long term housing need, including many long term Rent Supplement recipients.

HAP is being introduced to simplify the current system of housing supports and has been designed to allow households that gain full-time employment to remain in the scheme. Where you are eligible and approved for HAP, your local authority will pay, on your behalf, your monthly rent to your landlord. In return you will be required to pay a contribution towards rent to the local authority. This will be a differential rent based on your household weekly income, in a similar way to the differential rents charged for all local authority housing.

## 2. When will HAP be available?

The scheme is operated by local authorities and is being introduced on a phased basis in selected local authorities during September 2014.

## 3. Where will HAP be available?

During the first phase starting in September 2014 it will be available in selected local authorities . beginning in Limerick City and County Council, Cork County Council and Waterford City and County Council, before being rolled out to Kilkenny County Council, Louth County Council, South Dublin County Council and Monaghan County Council, before the end of 2014. General roll-out to all local authorities will begin on a phased basis during 2015.

## 4. How will HAP work?

- 1) Under HAP you will be required to find your own accommodation in the private rented sector. This accommodation must be within the HAP rent limits for your household size and area. These rent limits will be available from your local authority.
  
- 2) Your local authority will pay your rent directly to your landlord on your behalf subject to certain conditions including your payment to the local authority of your

rent contribution.

Your tenancy will be covered under the terms of the Residential Tenancies Act 2004 (RTA). This means that the tenancy agreement will be between you and your landlord, so you will be a tenant of the landlord and will not be a tenant of the local authority. In addition, under the RTA, your landlord is required to register your tenancy with the Private Residential Tenancies Board (PRTB).

- 3) Under HAP you will be able to take up full time employment and continue to benefit from HAP. Payments to your landlord will continue but the amount of rent contribution which you will have to pay to your local authority will increase in accordance with your income.
- 4) You will be required to pay your rent contribution, based on your household income, to the local authority through Household Budget if you are in receipt of social welfare payments paid through the post office.
- 5) Your local authority will inspect your accommodation within 8 months of the first HAP payment to your landlord to ensure that the accommodation meets the rental housing standards.
- 6) Once you are in receipt of HAP your housing needs will be met and you will not be on the local authority's housing list. However, you will be able to apply for transfer to other forms of social housing. If you do apply for a transfer when you enter HAP, any time you spent on the housing list can be taken into account when your local authority considers your application. This means that you can be placed on your local authority's transfer list on no less favourable terms than if you had remained on the waiting list.
- 7) Once you have been approved for HAP in a property you will be expected to remain in that property for a minimum of 2 years. Under certain circumstances you may be able to apply for a new HAP payment for another property. For example, if you receive a job offer in another town or if your family has another child and the property is no longer big enough.

## 5. Who is Eligible for HAP?

To be eligible for HAP your household must be assessed and approved by a local authority as being qualified for social housing support (i.e. you are on the local

authority's housing list). If you are on your local authority's housing list and in receipt of Rent Supplement you will be eligible for HAP.

Rent Supplement will still be available from the Department of Social Protection for people with a short term need, due to the loss of a job for example. Normally you are required to show that you have been renting in the private sector for at least 6 of the previous 12 months and that you could afford your rent at the beginning of the tenancy.

## 6. How will HAP benefit you?

HAP will:

- Allow you to apply for all housing supports through your local authority. Your local authority will be a one stop shop for all housing supports.
- Allow you to take up full time employment without losing your HAP payment.
- Ensure your accommodation meets rental standards. Your local authority will inspect your accommodation to ensure it meets rental accommodation standards.

## 7. What are rent limits?

These are limits which set out the maximum payments that your local authority is willing to pay on your behalf to your landlord, depending on the location and the size of your household. Initially, as HAP is being introduced, these limits will be based on the current Rent Supplement limits. The limits that apply to accommodation suited to your household size are available from your local authority.

## 8. Conditions for payment of HAP.

In order to have the local authority pay your rent to your landlord the following conditions must be met:

- 1) You must pay your weekly rent contribution to the local authority. If you don't pay your rent contribution HAP payments to your landlord will be suspended.
- 2) You or any member of your household must not engage in anti-social behavior.
- 3) Your accommodation must meet the standards for rented accommodation. Your

local authority will carry out an inspection to make sure it meet these standards within 8 months of the start of the HAP payments.

- 4) Your landlord must be tax compliant (i.e. have a current tax clearance certificate).

Your local authority may withhold approval of a HAP application if the accommodation is not suitable for your household's needs. You should also note that your local authority has discretion to make or not make HAP payments in certain circumstances, for example, if a member of a household is engaged in anti-social behavior.

## 9. How do I apply for HAP?

Once you are qualified for social housing support you are eligible to apply for HAP.

Where you are already on your local authority's housing list you can ask for the HAP application form and find your own accommodation. The HAP application form only needs to be filled in after you have found suitable accommodation. This may be your existing accommodation if you are in receipt of Rent Supplement and your landlord agrees to the terms and conditions of the HAP scheme.

Where you have been receiving Rent Supplement for a significant period of time you may be requested by the Department of Social Protection to contact your local authority about your qualification for social housing support and applying for HAP.

## 10. What documents do I need when applying for HAP?

If you are a new applicant for social housing support you will need all of the documentation that is required by your local authority (see your local authority's social housing support application form for more information).

Where you are already on your local authority's housing list you will need to fill in the HAP application form which needs to be signed by you and your landlord. Most of the information for this form is about the accommodation and includes sections to be filled out by your landlord. The accommodation may be the house/apartment you are already living in if you are an existing Rent Supplement recipient and your existing landlord agrees to enter the HAP scheme.

If your application is approved you will have to sign a Rent Contribution Agreement with your local authority. You may also be asked to provide a copy of the tenancy agreement with your landlord. Your landlord may also be asked to provide additional

documents.

### 11. When and how often is HAP paid?

HAP payments will normally be made to your landlord on a monthly basis to cover the rent on your behalf provided you comply with the terms of the scheme.

### 12. Will my landlord know about HAP?

As HAP is a new scheme being introduced on a phased basis across the country (see questions 2 and 3 above) many landlords will be unfamiliar with it. Your local authority will provide you with an information leaflet which you can give to your landlord. The leaflet will explain the main features of HAP.

### 13. What if my landlord looks for a deposit?

Under HAP the local authority will not pay a deposit to your landlord. You will be responsible for paying any deposit. In some exceptional circumstances you may be eligible to apply for an exceptional needs payment from the Department of Social Protection to assist with paying a deposit subject to approval by the Department of Social Protection.

### 14. What happens to my Rent Supplement if I move to HAP?

Once HAP payments to your landlord begin, any Rent Supplement payment you received from the Department of Social Protection will stop.

Rent Supplement will continue to be paid to tenants who need short-term support only. This payment will be paid by the Department of Social Protection as before. These Rent Supplement recipients do not require an assessment of housing need, as it is expected that their need for support is short-term. Typically, this support is given to those who lose income through temporary unemployment. A return to employment then removes the need for support.