

HM Courts and Tribunal Service

If your Housing Benefit appeal is passed to HM Courts and Tribunals Service you will be sent a copy of the council's submission explaining why it has made the decision. You will also get a form, called a TAS1, asking if you want your appeal to be dealt with:

- in writing
- by attending in person.

You have 14 days to return your TAS1. If you do not return it to HM Courts and Tribunals Service may not look at your appeal.

You have the right to take a representative to the hearing with you. If your case goes to a tribunal hearing you should try to attend. This is because you will have a better chance of success if you are at the hearing. The tribunal will tell you its decision About your Housing Benefit in writing.

Do you think your Council Tax Support decision is wrong?

This is a different process to if you disagree with your Housing Benefit from 1 April 2013 onwards. You can write to us to dispute our decision:

- not to award Council Tax Support; or
- the amount of Council Tax Support we have awarded you.

There is no time limit, but ideally we would like you to write in within one month of the date of our decision.

What happens next to your Council Tax Support dispute?

We must look at our original decision again within two months of when we received your dispute letter. We will write back to you, either

- to confirm our original decision i.e. not change it; or
- change our original decision.

You may accept our review of your dispute. The dispute process ends.

If we have failed to look at your dispute letter within two months of the date we received it, you can appeal directly to the Valuation Tribunal for England (VTE). You have four months, from the date you sent your original letter, to appeal to the VTE, if you did not get a written reply from us.

What if I still disagree, can I appeal?

Yes you can. You may still disagree with our review of your dispute because:

- we decided not to change our original decision and you are still unhappy with this; or
- we changed our decision, but you are still unhappy.

You then have upto two months from the date of our reply to appeal directly to the Valuation Tribunal for England (VTE).

Further Information:

- Go to: www.merton.gov.uk/benefits/hb-ctb
- Phone us: on 020 8274 4903; or
- Visit us at: Merton Link, ground floor Civic Centre, London Road, Morden SM4 5DX; or
- Email us at: Housing.Benefits@merton.gov.uk
- HM Courts and Tribunals Service, Copthall House, 9 Pavement Walk, Grove Road, Sutton SM1 1DA
- Valuation Tribunal for England, Second Floor, Black Lion House, 45, Whitechapel Rd, E1 1DU
- www.valuationtribunal.gov.uk
- Phone the VTE on: 0300 123 2035
- Email the VTE at: vtwhitechapel@vts.gsi.gov.uk

REF: 052683

MERTON COUNCIL

What to do if you disagree with your Housing Benefit or Council Tax Support decision



Civic Centre



H M courts and
Tribunal Service



Valuation Tribunal

- Asking for an explanation
- Disagreeing with a decision
- Appealing against a decision

www.merton.gov.uk



Do you understand our Housing Benefit decision?

We want to be sure you are getting the right amount of benefit. When we have worked out your benefit or support, we will send you a decision letter. This letter will show the information we have used to work out your Housing Benefit. You should check this letter carefully. If you do not understand our decision letter or want to know more, you should get in touch with us and ask us to explain it. You can ask for more information about a Housing Benefit decision or a more detailed explanation by:

- phone,
- letter,
- email, or
- visiting our offices.

You also have the right to ask for a full written statement of reasons explaining what we have done when we made a decision about your Housing Benefit. If you want a full statement of reasons for your Housing Benefit, you have to ask for this by writing to us within one calendar month of the date on our decision letter.

If you ask us for more information after this time, we will still explain our decision to you but we may not be able to look at the decision again if you later decide that you think our decision is wrong.

Do you think our decision about your Housing Benefit is wrong?

As soon as you get our decision letter you may think the decision is wrong. You can ask for more information before deciding if you think the decision is wrong. If you think we have made a mistake you can ask us to:

- look at our decision again as a reconsideration; or
- pass your case to an independent tribunal that is run by Her Majesty's Courts and Tribunals Service by appealing against the decision.

If you want us to look at our decision again, or if you want to appeal you must write and tell us why you think our decision is wrong. We must get your letter within one calendar month of the date in the decision letter.

If we give you a full statement of reasons you have one calendar month from the date of the original decision letter plus the time we took to send you the statement of reasons to decide if you think our benefit decision is wrong.

If you ask us to look at a decision again more than one month after the date of the decision letter, do not leave it longer than 13 months in total and tell us why you did not write to us earlier.



What happens next to your Housing Benefit reconsideration or appeal?

We will check your claim thoroughly and take account of any more information you have given us in your letter. We may even contact you to ask for more information.

We could then:

- change our decision and pay you more benefit,
- change our decision and pay you less benefit, or
- decide not to change our decision. We will write to you and let you know what we have decided.

If you asked us to look at your case again and you are still not happy with our decision you can still appeal and we will pass your case to HM Courts and Tribunals Service. You must do this in writing within one calendar month of the date on our decision letter telling you our decision after our thorough check of your claim.

If you appealed we will pass your case to HM Courts and Tribunals Service. We will do this if we have not changed our decision or if we have changed our decision and you get less benefit.

If your Housing Benefit appeal is late and the council do not accept your reasons for the delay your case will still be passed to HM Courts and Tribunals Service for consideration.