Only remand prisoners and those serving short sentences (see below) can claim benefits to cover housing costs. This leaflet explains when and how you can claim housing costs. It includes standard letters which can be used to apply for benefits.

If you are not able to claim benefits, you will need to make other arrangements for your home. The leaflet gives some advice on this. If the debts that occur as a result are not large, you may be able to agree a plan to repay the debt from your prison wages. Seek advice about this.

Many prisons have housing advice and resettlement centres, and prison officers (sometimes known as ‘Nacro officers’) and other staff able to provide help with claiming housing costs. If after you have read this leaflet you want help, try and find this within the prison.

If your family or partner is still living in your home, they should make a new claim for benefits. They should use the normal housing benefit, council tax benefit or income support claim forms, not the standard letters included with this leaflet. If they are not sure how or what to claim, they should ask for advice from their social security office, the local council’s housing department, an independent housing advice service or a citizens advice bureau. In areas where they exist, the local social security office will be the Jobcentre Plus office.

If there is no-one living in your home while you are in prison, try to get someone to keep an eye on it. (If you arrange for a friend to move in, deductions will be made from your housing benefit on the assumption that the person is paying some of the rent. You need to be sure therefore that your friend can be trusted to do that.)

**Sentenced prisoners and the 13 week rule**

If you are a sentenced prisoner, you can only claim housing benefit to cover rent, mortgage interest and other housing costs if you are likely to serve 13 weeks or less. In effect, this means if you are given a six month (26 week) sentence or less you may be eligible for housing benefit given that you will only serve half your sentence. However, if you are sentenced up to one year you may be able to obtain housing benefit given that this means that with home detention curfew you might be released after serving 13 weeks. But this is at the discretion of local social security offices. They do not have to give this to you.
If you are renting

If you are a tenant in rented accommodation, you might be able to claim housing benefit to cover your rent. This applies whether you are renting from the council, a housing association, or a private landlord. In order to claim, you must intend to return to live there on release, and the accommodation must not be let or sub-let to anyone else in your absence.

If you are a remand prisoner, you can claim housing benefit for up to 52 weeks. If you are a sentenced prisoner, you can only claim housing benefit if you are likely to serve 13 weeks or under. If you are likely to serve longer than this, say 14 weeks, you cannot claim housing benefit at all.

If the rent on your home is quite high compared to most rents in your home area, housing benefit may not cover all your rent. If this is likely to happen in your case and you cannot make up the shortfall, you might have to consider giving up your home (see below).

To claim housing benefit
You need to claim housing benefit as soon as possible because it will take a while for your claim to be processed.

If you were receiving housing benefit before being sent to prison, you need to make a new claim now – you cannot just continue with your previous claim.

Use standard letter 1 to let your landlord know what is happening. If you are a council tenant, you should send the letter to the housing manager at the council’s housing department.

If you live in a hostel (or residential care home) you can claim housing benefit for the rent element of the hostel’s charges – but housing benefit will probably not cover all the charges. Instead of using standard letter 1, ask the hostel to keep the room for you, even though you can only pay the rent element of the charges, or to give you a room on release if you agree to give up your place voluntarily.

In some situations where tenants and hostel residents do not have security of tenure, landlords do not have to keep a home available even if arrangements can be made for paying the rent.

If you need to make a new claim for housing benefit, use standard letter 2 to request the appropriate housing benefit claim form from the council (or to accompany the form if you already have one).

If your circumstances change
You are required to inform the housing benefit office of any change in circumstances which may affect your claim – such as being sentenced. You should write to the housing benefit office and let them know straightaway.

If you are claiming as a remand prisoner and are then sentenced to custody, you will only continue to get housing benefit if the total period you are likely to spend in custody (ie both on remand and under sentenced) is 13 weeks or less.

If you cannot get housing benefit
If you have to give up your accommodation because you are not eligible for housing benefit and are unable to pay your rent, contact your landlord and let them know. If you were living in council, housing association or hostel accommodation, you can ask whether they will rehouse you if you give up the tenancy voluntarily. If they agree to this, ask them to confirm it in writing.

If you have to give up your accommodation, you will need to make arrangements for a friend or relative to collect and store your belongings. Councils cannot store belongings or furniture and commercial storage is very expensive.
If you have a mortgage

If you are a sentenced prisoner, you cannot get any help with mortgage payments. If you are a remand prisoner who had been receiving mortgage interest payments in your income support or income-based jobseeker’s allowance, you can continue to receive this. If, however, you were on contributions-based jobseeker’s allowance before you were on remand, you now need to make a new claim for income support.

However, even if your claim is met, you will not get any money for the first eight weeks. You will then get 50% of your mortgage interest payments for the next 18 weeks, and 100% thereafter. So you will need to ask your mortgage company to reschedule the payments to take account of this.

Income support mortgage interest payments are paid at a standard interest rate, which may not be the same as the interest rate you are paying. If you are a leaseholder, you can also claim the costs of ground rent and some service charges.

If you have an endowment mortgage, you will also need to come to an arrangement with the company which provides the insurance element of the mortgage.

To claim income support housing costs

Use standard letter 3 to claim income support housing costs from the social security office. The letter authorises direct payment of mortgage interest to your mortgage company. Other housing costs can be paid as a lump sum on release, but you need to claim now.

Use standard letter 4 to notify your building society or bank of your wish to pay mortgage interest only. The letter also authorises them to release details of your mortgage payments to the social security office, which can then calculate your benefit.

If your circumstances change

If you are claiming income support housing costs as a remand prisoner and are then sentenced, you must tell the social security office. Failure to do so will be regarded as a fraudulent claim.

If you cannot claim mortgage costs

If you are unable to meet your mortgage payments, you should write to your mortgage company to let them know. You could ask them to defer or reschedule payments until your release. You could also consider letting your house or selling it. Before you make a decision, you should get advice from your solicitor or a housing advice service. You should also get advice if you get into arrears with your mortgage.
If your home is empty while you are in prison, you may be exempt from paying council tax. If your partner, relative or other co-owner or co-tenant is still living in the property, you (or they) may be eligible for discount.

If you still have to pay council tax, you (or your partner or relative) can claim council tax benefit. It can cover up to 100% of your council tax bill. Remand prisoners can claim council tax benefit for up to 52 weeks. Sentenced prisoners can only claim if they will be in custody for 13 weeks or less.

To claim council tax exemption/discount/benefit, use standard letter 5 to inform the council, and to request a council tax benefit claim form if you still have to pay some or all of your council tax.

If your home will be empty while you are in prison, you will still have to pay water rates and standing charges for gas and electricity unless these services have been disconnected.

You should write to the water company giving the date that you were imprisoned and your release date (if known). Give your home address, explain that your home will be unoccupied until you are released, and ask for the charges to be waived in the meantime. If the company do not agree to this, ask whether they wish to disconnect the water supply until you return. (If it’s winter and the supply has not been disconnected, get a friend or relative to drain and turn off the supply to avoid burst pipes.)

Write to the gas and electricity companies giving the date that you were imprisoned, explaining that you do not require gas/electricity while you are in prison. Ask them to make appropriate arrangements so that you do not have to pay the standing charge, and to confirm that they have done this. Say that you will write just before you move back to your home so that they can reinstate the supply.
Use **standard letter 1** to let your landlord know what is happening. If you are a council tenant, you should send the letter to the housing manager at the council's housing department.

Use **standard letter 2** to request the appropriate housing benefit claim form from the council (or to accompany the form if you already have one).

Use **standard letter 3** to claim income support housing costs from the social security office. The letter authorises direct payment of mortgage interest to your building society or bank. Other housing costs can be paid as a lump sum on release, but you need to claim now.

Use **standard letter 4** to notify your building society or bank of your wish to pay mortgage interest only. The letter also authorises them to release details of your mortgage payments to the social security office, which can then calculate your benefit.

To claim council tax exemption/discount/benefit, use **standard letter 5** to inform the council, and to request a council tax benefit claim form if you still have to pay some or all of your council tax.
Dear Sir/Madam

I am writing to inform you that I am currently in prison on remand*/serving a sentence from which I expect to be released on* _________________. My tenancy is therefore temporarily unoccupied, but I am planning to resume occupation on my release.

The keys are held by:

Name: ________________________________
Address: ________________________________

who has agreed to look after the property until my release.

I have applied for housing benefit to cover the rent during my absence, and have asked that payment be made direct to you. Please let me know if there are any problems.

Thank you for your attention.

Yours faithfully

(Signature)

* delete as applicable

Date: 

To: Housing Department

Address: 

Dear Sir/Madam

Full name: 

Prison number: 

Prison address: 

Home address: 

I am a tenant*/hostel resident* at the above address. I enclose*/please send me* a housing benefit application form to claim payment of rent. I was received into custody on 

Please backdate my claim if necessary. My expected date of release is* 

I am currently held on remand.* *delete as applicable

I hereby authorise you to make payments direct to my landlord whose name and address are given below:

Name: 

Address: 

Thank you for your attention.

Yours faithfully

(Signature)

For HB Office use

Please complete and return this slip as soon as possible.

Name: 

Prison number: 

* Your claim has been received and will be met in full from: ___________________________ (date)

* Your claim has been received but will not (or part of it will not) be met for the following reasons:

________________________________________________________________________

Signed: ___________________________ Date: ___________________________ *delete as applicable
Dear Sir/Madam

Full name: 
Prison number: 
Prison address: 
Home address: 

I am the owner-occupier of the above address. I was received into custody on remand on 
and I wish to apply for income support for the following costs:

- Mortgage interest £ weekly/fortnightly/monthly*
- Ground rent £ weekly/fortnightly/monthly*
- Service charges £ weekly/fortnightly/monthly*
- Repayments on repair loans £ weekly/fortnightly/monthly*

*I am an existing claimant and last signed for benefit on: 

Please make arrangements for my entitlement to be paid direct to my building society or bank, whose name and address are given below:

Bank/building society name: 
Address: 

I will notify you as soon as the outcome of my trial is known. I understand that if I am convicted I will no longer be eligible for help in meeting the above housing costs.

Thank you for your attention.

Yours faithfully

(Signature)
Date:

To (Building society or bank name):______________________________

Address:_____________________________________________________

Dear Sir/Madam

Full name:_____________________________________________________

Prison number:_______________________________________________

Prison address:_______________________________________________

Home address:_______________________________________________

I am writing to inform you that I am currently in prison on remand and my case is to be heard on _________________ (date of court hearing if known).

In the meantime, I am unable to meet the repayments on my mortgage (number ).

I have applied to the Jobcentre Plus/social security office* for income support to cover the interest element of my repayments. Please notify the Jobcentre Plus/social security office at ________________________________ office of the amount of mortgage interest due on this account, quoting my name, home address and mortgage number.

If my claim is met, it will cover nothing for the first eight weeks, 50% of the mortgage interest for the next 18 weeks, and 100% of the mortgage interest thereafter.

I intend to resume full payments on my mortgage as soon as possible after release. I would be very grateful therefore if you could give consideration to rescheduling my mortgage in accordance with the income support mortgage interest payment schedule outlined above.

I shall contact you again as soon as I know the result of my court hearing. If in the meantime there are any problems, please write to me at the prison address above as soon as possible.

Thank you for your attention.

*delete as applicable

Yours faithfully

(Signature)
Date: ____________________________

To: Council Tax Office
Address: __________________________________________________________
______________________________________________________________

Dear Sir/Madam

**Council tax liability: change of circumstances**

Full name: __________________________________________________________

Prison number: ______________________________________________________

Prison address: ______________________________________________________

Home address: _______________________________________________________

I normally live at the address shown above. I am currently in prison and would be grateful if you could let me know how this affects my liability for council tax.

I was received into custody on: ____________________________

My expected release date is ____________________________*/ I am currently held on remand.*

* My home will be empty while I am in prison.

* I share my home with the following adults: __________________________________________

* If I am still liable to pay council tax for the period of my custody I would like to claim council tax benefit. Please arrange for a council tax benefit form to be sent to me.

* I have paid council tax in advance for my home address and if my liability has not changed I would like to claim a refund.

*delete as applicable

Thank you for your attention.

Yours faithfully

(Signature)