

Information on claiming Housing and Council Tax Benefit while you are away from home.

Benefit whilst you are away from home

Normally Housing and Council Tax Benefit are only payable whilst you are living at the property, however in certain circumstances benefit can be paid whilst you are away from home.

In order to qualify you must

- Intend to return to property following the absence; and
- The property must not be sub-let or re-let while you are away

The 13 week rule

You may be able to claim benefit whilst you are away from home for a period of up to 13 weeks if:

- You are on holiday and your circumstances do not change.
- You are absent due to domestic reasons for example, illness of a close relative or bereavement.
- You are absent for religious reasons.
- You are working away from home in the UK or abroad, either paid or unpaid.
- You are a sentenced prisoner. Benefit can only be awarded if the total absence including any period served on remand is likely to be less than 13 weeks.

You may not claim Housing or Council Tax Benefit elsewhere and you must intend to return to the property within 13 weeks.

The 52 week rule

You may be able to claim benefit whilst you are away from home for a period of up to 52 weeks if:

- You are a prisoner on remand. If you are sentenced you automatically fall under the 13 week rule.
- You are a patient in hospital.
- You are receiving medically approved care, treatment or convalescence.
- You are attending an approved training course.
- You are providing care for a child whose parent or guardian is receiving medical treatment.
- You are a certain type of student.
- You are in fear of violence.

You must not claim Housing or Council Tax Benefit elsewhere and you must intend to return to the property within 52 weeks.

In no circumstance can benefit, paid during an absence, extend beyond 52 weeks.

Going into residential care accommodation

If you move into residential care accommodation but intend to return home you may be entitled to benefit for up to 52 weeks.

If you go into residential care accommodation on a trial basis you may be entitled to benefit for up to 13 weeks. However you must intend to return home if the accommodation does not meet your needs.

If you go into residential care accommodation on a permanent basis you are no longer entitled to Housing or council Tax Benefit on your former home.

How to make a claim for benefit whilst you are away from home.

You must tell us as soon as possible if you are going away from home and wish to continue claiming Housing or Council Tax Benefit.
We will then confirm your details and write to you with our decision.