


Your overpayment letter explained

This is your unique benefits reference number. Always quote this number when you contact us. You can speak to any of our officers when you phone us

Please phone this number if you have any queries with your claim

 Bracknell Forest Council

The Benefits Service – 01344 351866

Please quote this number when you contact us
12345678

Case Officer: AB

Mr AN Other
1 Bracknell Street
Bracknell
Berkshire
RG12 1BK

21 April 2009

Dear Mr AN Other

RE: Overpayment of Housing and Council Tax Benefit

I write with reference to your claim for Housing and Council Tax Benefit, it has come to our attention that you have had the following change in your circumstances: your earnings have increased from £100.00 per week to £130.00 per week from 1st April 2009.

This change should have reduced your benefit with effect from 6th April 2009, and as we did not know about this change until 10th April 2009 you have received more benefit than you were entitled to. The overpayment is for the following periods and amounts:

Housing Benefit

Start Date	End Date	No. of weeks	Old Weekly Benefit	New Weekly Benefit	Difference in Weekly Benefit	Total Overpayment
06/04/2009	19/04/2009	2	£100.00	£80.00	£20.00	£40.00

Council Tax Benefit

Start Date	End Date	No. of weeks	Old Weekly Benefit	New Weekly Benefit	Difference in Weekly Benefit	Total Overpayment
06/04/2009	31/03/2010	51 weeks & 3 days	£18.00	£14.00	£4.00	£205.71

We have decided that the overpaid benefit is recoverable, as it is defined within the law relating to Housing & Council Tax Benefit. The parts of the law that say this are Housing Benefit General Regulation 99 and Council Tax Benefit General Regulation 84.

This explains the reason why you have been overpaid and the date the change in your circumstances was from

This is the name and address of the person to whom the letter relates to or the person who has been designated to receive your letters

This tells you the period that you have been overpaid Housing Benefit; your entitlement before and after we amended your claim; and the total overpayment

This informs you of the type of benefit you have been overpaid

This informs you of the date your benefit has been changed from and the date that we had the last piece of information that was needed in order to amend your claim

This tells you the period that you have been overpaid Council Tax Benefit; your entitlement before and after we amended your claim; and the total overpayment. When we award Council Tax Benefit we credit your council tax account for the whole council tax year, and so when you have been overpaid we will need to adjust the benefit up until the end of the following March.

This tells you whether we feel the overpayment is to be recovered or not and the parts of the law we use to reach that decision. In certain circumstances we may decide not to recover it from you for example if it was due to our error and we feel that you could not have reasonably been expected to realise you were overpaid

If you have any further queries or require this in large type then please contact our offices on (01344) 351866 or email benefits@bracknell-forest.gov.uk

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This tells you who we are recovering the overpayment from and how. We can do this by reducing your future weekly benefit entitlement and will tell you the amount. If you are no longer entitled to benefit we will send you an invoice. 'Without prejudice' means that the Council could take further action against you should any offences arise as a result of the overpayment

For all Council Tax Benefit overpayments we will recover this directly from your council tax account. You will then be sent a new bill from Revenue Services advising you of the new monthly Council Tax payments that you need to make

We have decided that in this case the overpayments should be recovered from you **without prejudice**, we will do this by recovering the Housing Benefit overpayment from your ongoing Housing Benefit at a rate of £9.75 per week. We will recover the Council Tax Benefit overpayment from your council tax account.

You will also receive a new council tax bill. If your benefit has been reduced or you are going to receive a new council tax account you must make the payments requested by the council or your accounts will go into arrears.

If you want to know more about this decision, or if you think it is wrong you should get in touch with us within *one calendar month* of the date of this letter. If you do not do this we may not be able to consider any dispute. You can ask us to do one of three things. You can ask us for an explanation, which you can do verbally, or in writing. You can write to us and ask us to look at the decision again, or you can appeal against our decision and ask for a hearing by the independent Appeals Tribunal.

We may be able to consider reducing the balance of the stated overpayment. If you wish the Benefit Service to do this, please provide full details and evidence of your correct circumstances throughout the period in question. Please contact the Benefit Service if you require further information or assistance with this matter

Yours sincerely

Benefits Assessment Officer

Please contact us if you do not agree with the overpayment and we will look at the decision again or if you appeal then we will pass your case to the Tribunal Service. If you contact us after 1 month then you will need to tell us why you did not write to us earlier

If you feel that we have not reassessed your claim based on your correct circumstances then you can provide evidence so that we can look at this period again. If we already have the information we will try to automatically do this. Please note that should your correct circumstances have meant you were entitled to a higher award of benefit than what we were previously assessing your claim on we can normally only consider reducing the overpayment, but not award you anymore benefit. We would also normally only reassess your claim for the period the overpayment relates to and not for any other period in the past.

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