



## Suspension

Suspension of benefit happens when a claimant has an award of benefit in place - no decision has been made to end or change the award; but the body that makes the award (usually the Department for Work and Pensions or, in the case of Housing Benefit, the local authority) believes there is a possibility that the award does need to be stopped or changed. In these circumstances the benefit is not paid for the time being. If the issue causing concern is resolved to the awarding body's satisfaction the suspended benefit is reinstated in full.

In Housing Benefit suspension is governed by Regulation 11 of the Housing benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001:

### Cases where a relevant authority may suspend

(11)

1. A relevant authority may suspend, in whole or in part -
  - a) any payment of housing benefit or council tax benefit;
  - b) any reduction (by way of council tax benefit) in the amount that a person is or will become liable to pay in respect of council tax,in the circumstances prescribed in paragraph (2).
2. The prescribed circumstances are where -
  - a) it appears to the relevant authority that an issue arises whether—
    - i) the conditions for entitlement to housing benefit or council tax benefit are or were fulfilled; or
    - ii) a decision as to an award of such a benefit should be revised under paragraph 3 of Schedule 7 to the Act or superseded under paragraph 4 of that Schedule;
  - b) an appeal is pending against -
    - i) a decision of an appeal tribunal, a Commissioner or a court; or
    - ii) a decision given by a Commissioner or a court in a different case, and it appears to the relevant authority that if the appeal were to be determined in a particular way an issue would arise whether the award of housing benefit or council tax benefit in the case itself ought to be revised or superseded; or
  - c) an issue arises whether -
    - i) an amount of housing benefit is recoverable under section 75 (overpayments) of the Administration Act or regulations made under that section; or
    - ii) an excess payment of council tax benefit under section 76 of the Administration Act or regulations made under that section has occurred.