

**From landlord to council's corporate complaints department
Formal complaint to council because of failure to notify direct landlord payments decision**

[Your (landlord's) address]

[Your telephone number]

[Your email address]

[Date]

[Address of the Council's corporate complaints department]

By [first class post / email to: [insert email address]]

Dear Sir/Madam

Formal complaint

**Request to housing benefits section for direct payment of housing benefit to landlord
Failure to notify a decision**

Name of claimant: [Name]

Address of claimant: [Address]

I write to make a formal complaint about the housing benefits section.

On [date] I asked in writing for payments of the above claimant's housing benefit to be made directly to myself as their landlord on the grounds that the criteria contained in Regulations 95 and 96 of the Housing Benefit Regulations 2006 were satisfied. I enclose a copy of this letter.

My reasons for complaining are:

- The Council has failed to make a decision on the above matter.
- Alternatively, if the Council has made a decision, it has failed to notify me, as it is obliged to do as a 'person affected' by the decision (Regulations 2 and 90(1), Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001 SI No 1002, Regulation 3(1)(e)).

This is despite the fact I chased up the matter in writing on [date] (copy enclosed).

This situation is causing me injustice because:

- I am being prevented from exercising my right of appeal to the independent First Tier Tribunal, because I cannot appeal until after a decision is notified;



- *[State the other effects of the failure to notify a decision eg: I am being denied direct payments which the Council are obliged to make as the tenant has rent arrears that are equivalent to eight weeks' rent or more.]*
- *[I am suffering financial hardship because of the absence of direct payments]*
- *[I am likely to have to take steps to terminate the claimant's tenancy as a result of the Council's failure to issue a decision, for which I am likely to incur significant expenses in the form of the court fees for an application to the county court for a possession order and execution by warrant.]*
- *[etc.]*

I observe in passing that if I am required to terminate the tenancy because of the Council's failure to make direct payments, this is likely to result in the Council itself incurring significant costs if the claimant or any member of their household applies to you for accommodation and assistance under the homelessness legislation.

Please forward me a copy of the Council's complaints policy and procedures, and confirm the name of the officer who is dealing with my complaint.

Please note that if I do not receive a satisfactory response to this letter within the timescale prescribed by your complaints policy I may submit a formal complaint to the Ombudsman, without further reference to you.

In the meantime if you need any further information from me, please do not hesitate to contact me.

Yours faithfully

[Your name]

Enc: Letters dated *[dates]*

