

**Canllaw Ynghylch
Adennill Gordaliadau
Budd-Dal Tai**
**A Guide to the Recovery
of Housing Benefit
Overpayments**

Beth yw gordaliad?

Mae gordaliad yn digwydd pan fydd swm o Fudd-dal nad oedd gennych hawl i'w gael yn cael ei dalu i chi neu i'ch landlord.

Os ydym wedi rhoi gormod o fudd-dal tai i chi, byddwn yn gofyn i chi dalu'r gordaliad yn ôl.

Gelwir hyn yn "ordaliad y gellir ei adennill".

A ellir lleihau'r gordaliad hwn?

Efallai y gallwn leihau'r gordaliad os gallwch ddangos bod gennych hawl "waelodol" i fudd-dal am y cyfnod pryd y cawsoch eich gordalu.

Er mwyn asesu hawl "waelodol", mae angen i chi gyflwyno tystiolaeth ddogfennol o'ch incwm a'ch cyfalaf a hefyd mae angen i chi gadarnhau manylion y personau oedd yn byw yn yr eiddo gyda chi yn ystod y cyfnod y mae'r gordaliad yn berthnasol iddo.

Rhaid i chi anfon y wybodaeth hyn o fewn mis i ddyddiad y llythyr sy'n eich hysbysu eich bod wedi eich gordalu.

Beth ddylwn ei wneud os wyf yn credu bod y gordaliad yn anghywir?

Mae gweithdrefn ar waith lle gallwch ofyn i ni **ailstyried** ein penderfyniad, a hefyd mae gennych hawl i wneud apêl ffurfiol. I gael rhagor o wybodaeth, darllenwch ein taflen Apelio neu gwnewch gais am ffurflen anghydfod os ydych yn anghytuno â'r penderfyniad gwreiddiol.

Sut y bydd y gordaliad yn cael ei adennill?

Os oes gennych hawl o hyd i dderbyn Budd-dal Tai, byddwn yn lleihau eich budd-dal bob wythnos er mwyn adennill y gordaliad.

Gallwn ofyn i'r Adran Gwaith a Phensiynau ddidynnu arian o'ch budd-dal nawdd cymdeithasol er mwyn adennill y gordaliad.

Os ydych wedi symud o'r ardal, gallwn ofyn i Awdurdod Lleol arall leihau eich Budd-dal Tai bob wythnos i adennill y gordaliad. Os nad oes gennych hawl i dderbyn Budd-dal Tai, byddwn yn anfon Anfoneb am y gordaliad atoch.

Os na allwch dalu'r swm cyfan, gallwn drefnu i chi ei ad-dalu drwy randaliadau bob mis. Cysylltwch â ni i drefnu'r rhandaliadau – nodir ein rhifau ffôn drosodd.

Beth fydd yn digwydd os na thalaf yr Anfoneb?

Byddwn yn anfon llythyrau atgoffa atoch rhag ofn eich bod wedi anghofio talu, ond os byddwch dal yn methu talu neu ddod i gytundeb ynghylch â thalu'r anfoneb, bydd yn rhaid i ni gymryd camau pellach.

Gallai'r camau pellach olygu cofrestru'r ddyled gyda'r Llys Sirol a / neu gyfeirio'r ddyled at Asiantaeth Adennill Dyledion y Cyngor er mwyn iddynt gymryd camau i orfodi adennill.

Byddwn yn anfon llythyr Cyn Llys atoch i'ch hysbysu cyn i ni gymryd camau o'r fath.

Beth fydd yn digwydd os cofrestrir y ddyled gyda'r Llys Sirol?

Byddwch yn cael rhagor o Gostau Llys a Ffioedd Cyfreithiwr a fydd yn cynyddu'r ddyled. Mae'r costau hyn yn amrywio gan eu bod yn dibynnu ar swm y gordaliad, ac maent yn amrywio o £60.00 i £100.00.

Pan roddir Gorchymyn Llys, gallwn ofyn i'r Llys orfodi'r adennill drwy Atafaelu Enillion. Bydd y Llys yn cysylltu â'ch cyflogwr ac yn gofyn i arian gael ei ddidynnu o'ch cyflog i ad-dalu'r gordaliad. Eto, bydd Costau Llys ychwanegol o ganlyniad i hyn, sef £65.00.

Os nad ydych yn gyflogedig, bydd y Llys yn mynnu eich bod yn mynd i wrandawriad lle gofynnir i chi ddarparu prawf o'ch incwm. Yna, bydd y Llys yn cymryd camau gorfodi i adennill y gordaliad a'r costau ychwanegol drwy drefnu rhandaliadau bob mis.

What is an overpayment?

An overpayment occurs when you or your landlord are paid an amount of Housing Benefit that you were not entitled to receive.

If we have paid you too much benefit, we will ask you to pay back the amount you have been overpaid.

This is called a "recoverable overpayment".

Can this overpayment be reduced?

We may be able to reduce the amount of the overpayment if you can show that you had an "underlying" entitlement to benefit for the period you were overpaid.

To assess "underlying" entitlement we will need you to supply documentary evidence of your income and capital and also confirm details about who was living in the property with you, for the period of the overpayment.

You must send in this information within one month of the date of the letter advising you that you have been overpaid.

What should I do if I think the overpayment is incorrect?

There is a procedure whereby you can ask us to **reconsider** our decision, you also have the right to make a formal **appeal**.

For further information please see our Appeals leaflet or request a disputes form.

How will the overpayment be recovered?

If you are still entitled to Housing Benefit, we will reduce your benefit every week to recover the overpayment.

We can ask the Department for Work and Pension to make deductions from your social security benefit to recover the overpayment.

If you have moved out of the area, we can ask another Local Authority to reduce your Housing Benefit every week to recover the overpayment.

If you are not entitled to Housing Benefit, we will issue an Invoice for the overpayment. If you cannot pay the full amount, we can arrange for you to pay it back in monthly instalments. Please contact us to arrange the instalments - the telephone number is detailed on the enclosed Invoice.

What will happen if I do not pay the Invoice?

We will send you reminders in case you have forgotten to pay, but if you still fail to pay or to come to an agreement to clear the invoice, we will have to take further action..

Further action may involve registering the debt with the County Court and / or referring the debt to the Council's Debt Recovery Agents for them to enforce recovery.

We will issue a Pre-Court letter to notify you before such action is taken.

What will happen if the debt is registered with the County Court ?

You will incur additional Court Costs and Solicitor's Fees which will increase the amount of the debt.

These costs vary depending on the amount of the overpayment, but range from £60.00 to £100.00. When a Court Order is awarded, we can ask the Court to enforce recovery via an Attachment of Earnings.

The Court will contact your employer and request that deductions are made from your wages to repay the overpayment. You will again incur further Court Costs of £65.00.

If you are not in employment, the Court will require you to attend a hearing when you will be asked to provide proof of your income.

The Court will then enforce recovery of the overpayment and the additional costs by arranging monthly instalments.

I gael rhagor o gyngor, cysylltwch â:

Yr Adain Budd-dal Tai
Cyngor Sir Caerfyrddin
Ty Elwyn, Llanelli SA15 3AP

Rhif ffôn: 01554 742100 neu 742156

Rhif ffacs: 01554 742277

Gwefan: www.sirgar.gov.uk

E-bost:

gordaliadaubudddal@sirgar.gov.uk

Fel arall, gallwch alw yn un o'n Canolfannau Gwasanaethau Cwsmeriaid yn:

Ty Elwyn, Neuadd y Dref, Llanelli
3 Heol Spilman, Caerfyrddin
Rhydaman

ORIAU AGOR

8.45am – 5.00pm (dydd Llun - Iau)

8.45am – 4.30pm (dydd Gwener)

I gael cyngor annibynnol, gallwch gysylltu â:

Canolfan Cyngor ar Bopeth

Llanelli 01554 759626

Caerfyrddin 01267 234488

Rhydaman 01269 591091

Shelter Cymru

01267 229206

CATCHUP Ltd

01554 776850

01554 774570

National Debtline

0808 808 4000

www.nationaldebtline.co.uk

Os hoffech gael un o'r ffurflenni hyn mewn llythrennau bras, cysylltwch â ni drwy ddefnyddio'r manylion cyswllt uchod.

If you require any further advice please contact:

The Housing Benefits Section,
Carmarthenshire County Council,
Ty Elwyn, Llanelli SA15 3AP

Tel: 01554 742100 or 742156

Fax: 01554 742277

Website:

www.carmarthenshire.gov.uk

E-mail: benefitoverpayments@carmarthenshire.gov.uk

Alternatively, you can call at one of our customer service centres located at:

Ty Elwyn, Town Hall, Llanelli,
3 Spilman Street, Carmarthen, or
Ammanford

OPENING HOURS

8.45am – 5.00pm (Mon-Thu),

8.45am – 4.30pm (Friday)

For independent advice, you can contact:

Citizens Advice Bureau

Llanelli 01554 759626

Carmarthen 01267 234488

Ammanford 01269 591091

Shelter Cymru

01267 229206

CATCHUP Ltd

01554 776850

01554 774570

National Debtline

0808 808 4000

www.nationaldebtline.co.uk

If you would like either of these forms in large print or braille, please contact us at the above.