

SCHEDULE 4

Housing costs element for renters

PART 4

Private rented sector ^{F1} ...

Textual Amendments

- F1** Words in Sch. 4 Pt. 4 heading omitted (11.4.2018) by virtue of [The Universal Credit \(Miscellaneous Amendments, Saving and Transitional Provision\) Regulations 2018 \(S.I. 2018/65\)](#), regs. 1(4), **3(13)(d)** (with reg. 8(2)(3))

Further provisions about size criteria for cases to which this Part applies

Four bedroom limit

26. In calculating the amount of a renter's housing costs element under paragraph 22, no renter is entitled to more than 4 bedrooms.

Specified renters entitled to shared accommodation only

27.—(1) In calculating the amount of a renter's housing costs element under paragraph 22, any specified renter (within the meaning of paragraph 28) is entitled to shared accommodation only.

(2) “Shared accommodation” means the category of accommodation specified in paragraph 1(a) of Schedule 1 to the Rent Officers Order 2013.

Meaning of “specified renters”

28.—(1) For the purposes of paragraph 27, “specified renter” means a renter in respect of whom all of the following conditions are met.

(2) The first condition is that the renter is a single person (or a member of a couple claiming as a single person) who—

- (a) is under 35 years old; and
- (b) is not an excepted person under paragraph 29.

(3) The second condition is that the renter is not responsible for any children or qualifying young persons.

(4) The third condition is that no person is a non-dependant in relation to the renter.

Renters excepted from shared accommodation

29.—(1) “Excepted person” means any renter (“E”) who falls within any of sub-paragraphs (2) to [^{F1}9C].

[^{F2}2) E is at least 18 but under [^{F3}25 years] old and was a care leaver (within the meaning of regulation 8) before reaching the age of 18.]

(4) E is at least [^{F4}16] but under 35 years old and—

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations 2013, Cross Heading: Further provisions about size criteria for cases to which this Part applies. (See end of Document for details)

- (a) has, for a total of at least 3 months (whether or not continuously), lived in one or more hostels for homeless people; and
 - (b) whilst E was living in such a hostel, was offered and has accepted services which the Secretary of State considers are intended to assist E to be rehabilitated or resettled within the community.
- (5) E is under 35 years old and is in receipt of—
- (a) the care component of disability living allowance at the middle or highest rate;
 - [^{F5}(aa) the care component of child disability payment at the middle or highest rate in accordance with regulation 11(5) of the DACYP Regulations;]
 - (b) attendance allowance; ^{F6}...
 - (c) the daily living component of personal independence payment [^{F7}or;]
 - [^{F7}(d) the daily living component of adult disability payment at the standard or enhanced rate]
- (6) In relation to England and Wales, E is under 35 years old and is the subject of active multi-agency management pursuant to arrangements established by a responsible authority under section 325(2) of the Criminal Justice Act 2003 (arrangements for assessing etc. risks posed by certain offenders) ^{M1}.
- (7) In relation to Scotland, E is under 35 years old and is the subject of active multi-agency risk management pursuant to arrangements established by the responsible authorities under section 10(1) of the 2005 Act (arrangements for assessing and managing risks posed by certain offenders).
- (8) In relation to Scotland, E is under 35 years old and—
- (a) section 10(1) of the 2005 Act does not apply to E by reason only of the fact that section 10(1)(b) or (d) has not been brought fully into force; and
 - (b) E is considered by the Secretary of State to be a person who may cause serious harm to the public at large.
- (9) In relation to Scotland, E is under 35 years old and—
- (a) section 10(1) of the 2005 Act does not apply to E by reason only of the fact that section 10(1)(e) has not been brought fully into force; and
 - (b) by reason of an offence of which E has been convicted, E is considered by the Secretary of State to be a person who may cause serious harm to the public at large.
- [^{F8}(9A) E is under 35 years old and satisfies the foster parent condition (within the meaning of paragraph 12(4)).]
- [^{F9}(9B) E is under 35 years old and—
- (a) after attaining the age of 16 had domestic violence inflicted upon or threatened against them (“the victim”) by their partner or former partner, or by a relative; and
 - (b) provides evidence from a person acting in an official capacity which demonstrates that—
 - (i) the victim’s circumstances are consistent with their having had domestic violence inflicted upon or threatened against them; and
 - (ii) the victim has contacted a person acting in an official capacity in relation to such an incident.
- (9C) E is under 35 years old and has been the subject of a positive conclusive grounds determination relating to modern slavery.]
- (10) In this paragraph—
- “the 2005 Act” means the Management of Offenders etc. (Scotland) Act 2005 ^{M2};

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“care home”, “registered charity” and “voluntary organisation” have the meaning given in Schedule 1;

[^{F10}“competent authority” means a person who is a competent authority within the meaning of the Trafficking Convention;

“compulsory labour”, “forced labour”, “servitude” and “slavery” have the same meaning as in Article 4 of the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4th November 1950 as it has effect for the time being in relation to the United Kingdom;]

“hostel” means a building—

- (a) in which there is provided, for persons generally or for a class of persons, domestic accommodation, otherwise than in separate and self-contained premises, and either board or facilities for the preparation of food adequate to the needs of those persons, or both; and
- (b) which—
 - (i) is managed or owned by a provider of social housing other than a local authority, or
 - (ii) is operated other than on a commercial basis and in respect of which funds are provided wholly or in part by a government department or agency or a local authority, or
 - (iii) is managed by a voluntary organisation or a registered charity and provides care, support or supervision with a view to assisting those persons to be rehabilitated or resettled within the community; and
- (c) which is not a care home;

“hostel for homeless people” means a hostel the main purpose of which is to provide accommodation together with care, support or supervision for homeless people with a view to assisting such persons to be rehabilitated or resettled within the community.

[^{F11}“person acting in an official capacity” means a health care professional (within the meaning given by regulation 98(4)), a police officer, a registered social worker (within the meaning given by regulation 98(4)), the victim’s employer, or any public, voluntary, or charitable body which has had direct contact with the victim in connection with domestic violence;

“positive conclusive grounds determination relating to modern slavery” means a determination made by a competent authority that an individual is a victim of trafficking in human beings, slavery, servitude or forced or compulsory labour;

“the Trafficking Convention” means the Council of Europe Convention on Action against Trafficking in Human Beings (done at Warsaw on 16th May 2005);

“trafficking in human beings” has the same meaning as in the Trafficking Convention.]

Textual Amendments

- F1** Word in Sch. 4 para. 29(1) substituted (1.10.2022) by [The Housing Benefit and Universal Credit \(Victims of Domestic Abuse and Victims of Modern Slavery\) \(Amendment\) Regulations 2022 \(S.I. 2022/942\)](#), regs. 1(1), **3(3)(a)**
- F2** Sch. 4 para. 29(2) substituted for Sch. 4 para. 29(2)(3) (26.5.2016) by [The Universal Credit \(Care Leavers and Looked After Children\) Amendment Regulations 2016 \(S.I. 2016/543\)](#), regs. 1, **3**
- F3** Words in Sch. 4 para. 29(2) substituted (31.5.2021) by [The Housing Benefit and Universal Credit \(Care Leavers and Homeless\) \(Amendment\) Regulations 2021 \(S.I. 2021/546\)](#), regs. 1, **3(2)(a)**
- F4** Word in Sch. 4 para. 29(4) substituted (31.5.2021) by [The Housing Benefit and Universal Credit \(Care Leavers and Homeless\) \(Amendment\) Regulations 2021 \(S.I. 2021/546\)](#), regs. 1, **3(2)(b)**

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations 2013, Cross Heading: Further provisions about size criteria for cases to which this Part applies. (See end of Document for details)

- F5** Sch. 4 para. 29(5)(aa) inserted (26.7.2021) by The Social Security (Scotland) Act 2018 (Disability Assistance for Children and Young People) (Consequential Modifications) Order 2021 (S.I. 2021/786), art. 1(2), **Sch. 11 para. 8(4)**
- F6** Word in Sch. 4 para. 29(5)(b) omitted (21.3.2022) by virtue of The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **13(8)(g)(i)**
- F7** Sch. 4 para. 29(5)(d) and word inserted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **13(8)(g)(ii)**
- F8** Sch. 4 para. 29(9A) inserted (28.11.2018) by The Universal Credit and Jobseeker's Allowance (Miscellaneous Amendments) Regulations 2018 (S.I. 2018/1129), regs. 1(2), **3(6)(d)(ii)**
- F9** Sch. 4 para. 29(9B)(9C) inserted (1.10.2022) by The Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Modern Slavery) (Amendment) Regulations 2022 (S.I. 2022/942), regs. 1(1), **3(3)(b)**
- F10** Words in Sch. 4 para. 29(10) inserted (1.10.2022) by The Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Modern Slavery) (Amendment) Regulations 2022 (S.I. 2022/942), regs. 1(1), **3(3)(c)(i)**
- F11** Words in Sch. 4 para. 29(10) inserted (1.10.2022) by The Housing Benefit and Universal Credit (Victims of Domestic Abuse and Victims of Modern Slavery) (Amendment) Regulations 2022 (S.I. 2022/942), regs. 1(1), **3(3)(c)(ii)**

Marginal Citations

- M1** 2003 c.44. Section 10(1) was amended by S.I. 2008/ 912. See “MAPPA Guidance (2012) Version 4” published in May 2012 by the Secretary of State.
- M2** 2005 asp 14. See Justice and Communities Circular JD/01/2012, “Sections 10 and 11 of the Management of Offenders etc. (Scotland) Act 2005: Multi Agency Public Protection Arrangements (MAPPA) National Guidance 2012”, Version 1, published by Scottish Ministers in January 2012.

Changes to legislation:

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