
STATUTORY INSTRUMENTS

2017 No. 725

The Loans for Mortgage Interest Regulations 2017

The offer of loan payments

3.—(1) The Secretary of State may make an offer of loan payments to a claimant in respect of any owner-occupier payments the claimant is, or is to be treated as, liable to make in respect of the accommodation which the claimant is, or is to be treated as, occupying as the claimant's home, unless paragraph (4) applies.

(2) For the purposes of paragraph (1)—

(a) owner-occupier payments are—

(i) in the case of a legacy benefit claimant or SPC claimant, payments within the meaning of Part 1 of Schedule 1;

(ii) in the case of a UC claimant, payments within the meaning of Part 2 of Schedule 1;

(b) the circumstances in which a claimant is, or is to be treated as, liable to make owner-occupier payments are—

(i) in the case of a legacy benefit claimant or SPC claimant, the circumstances specified in Part 1 of Schedule 2;

(ii) in the case of a UC claimant, the circumstances specified in Part 2 of Schedule 2;

(c) the circumstances in which a claimant is, or is to be treated as, occupying accommodation as the claimant's home are—

(i) in the case of a legacy benefit claimant or SPC claimant, the circumstances specified in Part 2 of Schedule 3;

(ii) in the case of a UC claimant, the circumstances specified in Part 3 of Schedule 3.

(3) Where the liability for owner-occupier payments is shared with a person not in the benefit unit, the claimant shall be, or shall be treated as, liable to make owner-occupier payments by reference to the appropriate proportion of the payments for which the claimant is responsible.

(4) A UC claimant shall not be eligible for the offer of loan payments if—

(a) where the claimant is a single person, the claimant has any earned income; or

(b) where the claimant is a member of a couple, either member of the couple has any earned income.