

SCHEDULES

SCHEDULE 4

Housing costs element for renters

PART 3

General provisions about calculation of amount of housing costs element for renters

Room allocation

Additional room

11.—^{F1}(A1) A renter is entitled to an additional bedroom if one or more of the following persons satisfies the overnight care condition (see sub-paragraph (3))—

- (a) the renter;
- (b) a person in the renter's extended benefit unit;
- (c) a child in respect of whom the renter satisfies the foster parent condition (see sub-paragraphs (4) and (5)).]

(1) A renter is entitled to an additional bedroom if they satisfy any of the following conditions—

- ^{F2}(a)
- (b) the foster parent condition ^{F3} ...; ^{F4} ...
- (c) the disabled child condition (see sub-paragraph (6)); [^{F5}or]
- ^{F6}(d) the disabled person condition (see sub-paragraph (6A)).]

^{F7}(2) Sub-paragraphs (A1) and (1) apply subject to sub-paragraphs (8) and (9).]

(3) [^{F8}A person satisfies] the overnight care condition if—

- (a) they are in receipt of—
 - (i) the care component of disability living allowance at the middle or highest rate;
 - (ii) attendance allowance; or
 - (iii) the daily living component of personal independence payment;
- (b) one or more persons who do not live in the renter's accommodation are engaged to provide overnight [^{F9}care for the person] and to stay overnight in the accommodation on a regular basis; and
- (c) overnight care is provided under arrangements entered into for that purpose.

(4) A renter satisfies the foster parent condition if the renter is—

- (a) a foster parent; or
- (b) an adopter with whom a child has been placed for adoption.

*Status: Point in time view as at 27/09/2017. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations (Northern Ireland) 2016, Paragraph 11. (See end of Document for details)*

(5) For the purposes of sub-paragraph (4) “foster parent” includes a person who would be a foster parent, but for the fact that they do not currently have any child placed with them, provided that any period since the date when their last placement ended (or, if they have not yet had a child placed with them, since the date when they were approved to be a foster parent) does not exceed 12 months.

(6) A renter satisfies the disabled child condition if they or another member of their extended benefit unit are responsible for a child who would (but for the provisions of this paragraph) be expected to share a bedroom and that child is—

- (a) in receipt of the care component of disability living allowance at the middle or highest rate; and
- (b) by virtue of their disability, not reasonably able to share a room with another child.

[^{F10}(6A) A renter satisfies the disabled person condition if they would (but for the provisions of this paragraph) be expected to share a bedroom with a joint renter and—

- (a) the renter is in receipt of—
 - (i) the care component of disability living allowance at the middle or highest rate;
 - (ii) attendance allowance at the higher rate;
 - (iii) the daily living component of personal independence payment; and
- (b) the renter is, by virtue of their disability, not reasonably able to share a bedroom with the joint renter.]

^{F11}(7)

(8) Where a renter, or one or both of joint renters, satisfy the disabled child condition in relation to one or more children, they are entitled to as many additional bedrooms as are necessary to ensure that each such child has their own bedroom.

[^{F12}(9) The renter is, or joint renters are, entitled to one additional bedroom for each of the following that apply—

- (a) one or more persons satisfy the overnight care condition;
- (b) the renter, or one or both of joint renters, satisfies the foster parent condition;
- (c) the renter, or one or both of joint renters, satisfies the disabled child condition; or
- (d) the renter, or one or both of joint renters, satisfies the disabled person condition.]

Textual Amendments

- F1** Sch. 4 para. 11(A1) inserted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(a)**
- F2** Sch. 4 para. 11(1)(a) omitted (coming into force in accordance with reg. 1(3) of the amending Rule) by virtue of [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(b)(i)**
- F3** Words in Sch. 4 para. 11(1)(b) omitted (coming into force in accordance with reg. 1(3) of the amending Rule) by virtue of [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(b)(ii)**
- F4** Word in Sch. 4 para. 11(1)(b) omitted (coming into force in accordance with reg. 1(3) of the amending Rule) by virtue of [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(b)(iii)**
- F5** Word in Sch. 4 para. 11(1)(c) inserted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(b)(iv)**

- F6** Sch. 4 para. 11(1)(d) inserted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(b)(v)**
- F7** Sch. 4 para. 11(2) substituted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(c)**
- F8** Words in Sch. 4 para. 11(3) substituted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(d)(i)**
- F9** Words in Sch. 4 para. 11(3)(b) substituted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(d)(ii)**
- F10** Sch. 4 para. 11(6A) inserted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(e)**
- F11** Sch. 4 para. 11(7) omitted (coming into force in accordance with reg. 1(3) of the amending Rule) by virtue of [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(f)**
- F12** Sch. 4 para. 11(9) substituted (coming into force in accordance with reg. 1(3) of the amending Rule) by [The Housing Benefit and Universal Credit \(Size Criteria\) \(Miscellaneous Amendments\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/70\)](#), regs. 1(3), **4(g)**

Status:

Point in time view as at 27/09/2017. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit Regulations (Northern Ireland) 2016, Paragraph 11.