

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2016 No. 224**

**The Social Security (Overpayments and Recovery) Regulations (Northern Ireland) 2016**

**PART 4**

**Calculation of recoverable amount of an overpayment**

**Sums to be deducted: change of dwelling**

**9.—(1)** This regulation applies where an overpayment of housing costs has occurred in the following circumstances—

- (a) the claimant has moved from the dwelling previously occupied as the claimant’s home (“dwelling A”) to another dwelling which the claimant occupies as the claimant’s home (“dwelling B”);
- (b) the claimant has been awarded housing costs in respect of dwelling A to which the claimant is not entitled because of no longer occupying or being treated as occupying dwelling A as the claimant’s home; and
- (c) housing costs are payable to the same person in respect of the claimant’s occupation of dwelling B as it was paid to in respect of dwelling A.

(2) In calculating the recoverable amount of the overpayment, the Department may, at its discretion, deduct an amount equal to the claimant’s entitlement to housing costs for the assessment period in respect of dwelling B for the number of assessment periods equal to the number of assessment periods during which the claimant was overpaid housing costs in respect of dwelling A.

(3) Where a sum has been deducted under paragraph (2), an equivalent sum is to be treated as having been paid in respect of the claimant’s entitlement to housing costs in respect of dwelling B for the number of assessment periods equal to the number of assessment periods during which the claimant was overpaid housing costs in respect of dwelling A.

---

**Commencement Information**

**II** [Reg. 9](#) comes into operation in accordance with [reg. 1\(3\)](#), see [reg. 1\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Overpayments and Recovery) Regulations (Northern Ireland) 2016, Section 9.