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# Housing Act 1988

## 1988 CHAPTER 50

### PART V

#### MISCELLANEOUS AND GENERAL

##### *Rent Officers*

#### **120 Appointment etc. of rent officers.**

Section 63 of the <sup>M1</sup> Rent Act 1977 (schemes for the appointment of rent officers) shall have effect subject to the amendments in Part I of Schedule 14 to this Act and after section 64 of that Act there shall be inserted the sections set out in Part II of that Schedule.

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#### **Marginal Citations**

M1 1977 c.42.

#### **121 Rent officers additional functions relating to housing benefit etc.**

- (1) The Secretary of State may by order require rent officers to carry out such functions as may be specified in the order in connection with housing benefit and rent allowance subsidy [<sup>F1</sup>and applications to which section 110 of the Local Government and Housing Act 1989 applies].
- (2) An order under this section—
  - (a) shall be made by statutory instrument which, except in the case of the first order to be made, shall be subject to annulment in pursuance of a resolution of either House of Parliament;
  - (b) may make different provision for different cases or classes of case and for different areas; and

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- (c) may contain such transitional, incidental and supplementary provisions as appear to the Secretary of State to be desirable;  
 and the first order under this section shall not be made unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.
- (3) In subsection (7) of section 63 of the Rent Act 1977 (expenditure arising in connection with rent officers etc.), in paragraph (a) after the words “this section” there shall be inserted “or an order under section 121 of the Housing Act 1988”.
- (4) At the end of section 21(6) of the <sup>M2</sup> Social Security Act 1986 (regulations prescribing maximum family credit and maximum housing benefit) there shall be added the words “and regulations prescribing the appropriate maximum housing benefit may, provide for benefit to be limited by reference to determinations made by rent officers in exercise of functions conferred under section 121 of the Housing Act 1988”.
- [<sup>F2</sup>(5) In section 30 of that Act (housing benefit finance) at the end of subsection (2) there shall be added the words “and, in relation to rent allowance subsidy, the Secretary of State may exercise his discretion as to what is unreasonable for the purposes of paragraph (b) above by reference to determinations made by rent officers in exercise of functions conferred under section 121 of the Housing Act 1988”.]
- (6) In section 51(1)(h) of that Act (regulations may require information etc. needed for determination of a claim) the reference to information or evidence needed for the determination of a claim includes a reference to information or evidence required by a rent officer for the purpose of a function conferred on him under this section.
- (7) In this section “housing benefit” and “rent allowance subsidy” have the same meaning as in Part 11 of the <sup>M3</sup> Social Security Act 1986.

#### Textual Amendments

- F1** Words added by [Local Government and Housing Act 1989 \(c. 42, SIF 61, SIF 75:1\)](#) for the purpose referred to in s. 110(3) of that 1989 Act
- F2** [S. 121\(5\)](#) repealed by [Social Security Act 1989 \(c. 24, SIF 113:1\)](#), ss. 31(2), 33(2), [Sch. 9](#) (*prosp.* except to the extent that the repeal is consequential on any provision specified in s. 33(3)(a)–(f) of that Act)

#### Marginal Citations

- M2** [1986 c.50.](#)
- M3** [1986 c.50](#)

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