
EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers functions on rent officers in connection with housing benefit and rent allowance subsidy. Article 3 provides that where a local authority applies to a rent officer for determinations relating to a tenancy or other right of occupancy of a dwelling, the rent officer must make the determinations (and give notice to the local authority) in accordance with Schedule 1 to the Order. The determinations relate to the level of rent, the size of the dwelling and rent attributable to the provision of services. Article 4 provides for a rent officer, with the advice of one or two other rent officers, to make a re-determination if a local authority applies for one.

Article 5 prevents determinations and re-determinations being made if the tenancy is one of those described in Schedule 2 to the Order or if the application is withdrawn and certain determinations and re-determinations cannot be made if the tenancy is an assured tenancy and the circumstances are those described in article 5(2).