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STATUTORY INSTRUMENTS

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**1996 No. 2890**

**The Housing Renewal Grants Regulations 1996**

**PART II**

**MEANS TEST FOR OWNER-OCCUPIER'S AND TENANT'S APPLICATIONS**

*CHAPTER II: REDUCTION IN AMOUNT OF GRANT*

**Reduction in amount of grant**

**12.**—(1) The amount of any grant which may be paid in respect of an application which is accompanied by owner-occupation certificate shall, if the financial resources of the applicants exceed the applicable amount, be reduced from what it would otherwise have been by an amount equal to the aggregate of the amounts determined—

- (a) by multiplying by 18.46 such part of that excess as is £47.95 or less;
- (b) by multiplying by 36.92 such part of that excess as is greater than £47.95 but not more than £95.89;
- (c) by multiplying by 147.68 such part of that excess as is greater than £95.89 but not more than £191.78; and
- (d) by multiplying by 369.21 such part of that excess as is greater than £191.78.

(2) The amount of any grant which may be paid in respect of an application which is accompanied by a tenant's certificate shall, if the financial resources of the applicant or applicants exceed the applicable amount, be reduced from what it would otherwise have been by an amount equal to the aggregate of the amounts determined—

- (a) by multiplying by 10.77 such part of that excess as is £47.95 or less;
- (b) by multiplying by 21.54 such part of that excess as is greater than £47.95 but not more than £95.89;
- (c) by multiplying by 86.16 such part of that excess as is greater than £95.89 but not more than £191.78; and
- (d) by multiplying by 215.40 such part of that excess as is greater than £191.78.

**Successive applications**

**13.**—(1) In this regulation “current application” means an application to which regulation 12 refers.

(2) The amount by which a grant in respect of a current application is reduced shall, except where paragraph (4) applies, be abated—

- (a) in a case to which paragraph (3)(a) or (b) applies, by the amount by which any grant paid in respect of any application there referred to was itself reduced by virtue of regulation 12 and this regulation, regulations 10 and 11 of the Housing Renovation etc. grants (Reduction

of Grant) Regulations 1990(1) or regulations 10 and 11 of the Housing Renovation etc. Grants (Reduction of Grant) Regulations 1994(2);

- (b) in a case to which paragraph (3)(c) or (d) applies, by the amount by which any grant paid in respect of any application there referred to was itself reduced, by virtue of section 111(4) of the 1989 Act or section 32(4) of the Act (apportionment in tenants' common parts application), by reference to persons (other than participating landlords) who are relevant persons in the current application;
  - (c) in a case to which paragraph (3)(e) applies, by the amount of any contribution notified under section 129(1) of the 1989 Act or section 67(1) of the Act (contributions by participants) to any person who is a relevant person in the current application.
- (3) Subject to paragraph (4), this paragraph applies where—
- (a) within the 10 years preceding the date of approval of the current application, at least one application, accompanied by an owner-occupation certificate under section 106(2) of the 1989 Act (certificates for renovation grant or disabled facilities grant applications) or section 8(2) of the Act (renovation grants: certificates required for owner's application) or an owner's certificate under section 21(2) of the Act (disabled facilities grant: certificate required for owner's application), relating to the same dwelling or building was made, in respect of which at least one of the relevant persons is a relevant person in the current application;
  - (b) within the 5 years preceding the date of approval of the current application, at least one application, accompanied by a tenant's certificate, relating to the same dwelling or building was made, in respect of which at least one of the relevant persons is a relevant person in the current application;
  - (c) within the 10 years preceding the date of approval of the current application, at least one tenants' common parts application relating to the same building was made, in respect of which at least one of the relevant persons in the current application was an occupying tenant in relation to a flat in the building by virtue of a fixed term tenancy of which not less than five years remained unexpired at the date of the application and was also an applicant;
  - (d) within the 5 years preceding the date of approval of the current application, at least one tenants' common parts application relating to the same building was made, in respect of which at least one of the relevant persons in the current application was an occupying tenant in relation to a flat in the building by virtue of such an interest as is mentioned in any of paragraphs (c) to (e) of section 105(4) of the 1989 Act, or in any of paragraphs (a) to (d) of section 14(2) of the Act, and was also an applicant; or
  - (e) within the 10 years preceding the date of approval of the current application, at least one of the relevant persons in the current application signified scheme consent under section 129(1) of the 1989 Act, or under section 65(1) of the Act, in respect of at least one group repair scheme in relation to which the same dwelling, building or flat was, or was part of, a qualifying building.
- (4) Paragraph (2) does not apply in any case where, by reason of reduction of grant referred to in paragraph (2)(a) or (b), no grant was paid in respect of the application, except where the eligible works in respect of which the application was approved were executed to a satisfactory standard.

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(1) S.I. 1990/1189, amended by S.I. 1991/897, 1992/705, and 1993/551 and revoked by S.I. 1994/648.

(2) S.I. 1994/648; regulation 10 was amended by S.I. 1995/838 and 1996/1331, and regulation 11 by 1995/838. S.I. 1994/648 is to be revoked, with savings, by S.I. 1996/2842 (c. 83) with effect from 17th December 1996.