

STATUTORY INSTRUMENTS

1997 No. 1984

The Rent Officers (Housing Benefit Functions) Order 1997

[^{F1}Board and attendance determinations and notifications

[^{F2}Where a relevant authority makes an application to a rent officer in accordance with regulation 13D(10) of the Housing Benefit Regulations or, as the case may be, regulation 13D(10) of the Housing Benefit (State Pension Credit) Regulations, a rent officer shall determine whether or not a substantial part of the rent under the tenancy at the relevant time is fairly attributable to board and attendance.]

[^{F2}Where a rent officer determines that a substantial part of the rent under the tenancy at the relevant time is fairly attributable to board and attendance, he shall—

- (a) notify the relevant authority accordingly; and
- (b) treat the application as if it had been made in accordance with regulation 14(1) of the Housing Benefit Regulations or, as the case may be regulation 14(1) of the Housing Benefit (State Pension Credit) Regulations.]

(3) Where a rent officer determines that a substantial part of the rent under the tenancy at the relevant time is not fairly attributable to board and attendance, he shall notify the pathfinder authority accordingly.

[^{F5}Where an application for a board and attendance determination is treated as if it had been made in accordance with regulation 14(1) of the Housing Benefit Regulations or, as the case may be, regulation 14(1) of the Housing Benefit (State Pension Credit) Regulations, then, for the purposes of paragraph (a)(ii) of the definition of “relevant period” in article 2(1), it shall be treated as having been received on the day on which the further information provided in accordance with regulation 114A(4) of the Housing Benefit Regulations or regulation 95A(4) of the Housing Benefit (State Pension Credit) Regulations is received.]

Textual Amendments

- F1** Art. 4B–4E inserted (24.9.2003) by [Rent Officers \(Housing Benefit Functions\) \(Local Housing Allowance\) Amendment Order 2003](#) (S.I. 2003/2398), arts. 1(1), **2(5)**
- F2** Art. 4C(1)(2) substituted (7.4.2008) by [Rent Officers \(Housing Benefit Functions\) Amendment Order 2007](#) (S.I. 2007/2871), arts. 1(4), **6(5)** (with arts. 2, 6(1), (2))
- F3** Words in art. 4C(1) substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006](#) (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 11(6)(a)** (with regs. 2, 3, Sch. 3, 4)
- F4** Words in art. 4C(2)(b) substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006](#) (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 11(6)(b)** (with regs. 2, 3, Sch. 3, 4)
- F5** Art. 4C(4) substituted (7.4.2008) by [Rent Officers \(Housing Benefit Functions\) Amendment Order 2007](#) (S.I. 2007/2871), arts. 1(4), **7(2)** (with arts. 2, 7(1))
- F6** Words in art. 4C(4) substituted (6.3.2006) by [The Housing Benefit and Council Tax Benefit \(Consequential Provisions\) Regulations 2006](#) (S.I. 2006/217), reg. 1(1), **Sch. 2 para. 11(6)(c)** (with regs. 2, 3, Sch. 3, 4)

Changes to legislation:

There are currently no known outstanding effects for the The Rent Officers (Housing Benefit Functions) Order 1997, Section 4C.