

STATUTORY INSTRUMENTS

1997 No. 1984

The Rent Officers (Housing Benefit Functions) Order 1997

Exceptions

6.—(1) No determination^{F1}, redetermination, board and attendance determination or board and attendance redetermination] shall be made if the application for it is withdrawn.

(2) No determination shall be made under paragraph 3, 4 or 5 of Part I of Schedule 1 if the tenancy is of residential accommodation, within the meaning of ^{F2}^{F3} regulation 9(4) of the Housing Benefit Regulations or, as the case may be, regulation 9(4) of the Housing Benefit (State Pension Credit) Regulations] (registered homes etc.) ^{M1}, or in a hostel.

(3) No determination shall be made under paragraph 5 of Part I of Schedule 1 unless the local authority states in the application that the claimant is, or may be, a young individual (which has the same meaning as in ^{F4}^{F5} the Housing Benefit Regulations and the Housing Benefit (State Pension Credit) Regulations]).

(4) If the rent officer becomes aware that an application is not one which gives rise to a duty to make a determination^{F6}, redetermination, board and attendance determination or a board and attendance redetermination], the rent officer shall give the local authority notice to that effect.

Textual Amendments

- F1** Words in art. 6(1) substituted (24.9.2003) by [Rent Officers \(Housing Benefit Functions\) \(Local Housing Allowance\) Amendment Order 2003 \(S.I. 2003/2398\)](#), arts. 1(1), **2(7)(a)**
- F2** Words in art. 6(2) substituted (7.4.2008) by [Rent Officers \(Housing Benefit Functions\) Amendment Order 2007 \(S.I. 2007/2871\)](#), arts. 1(4), **10(5)(a)** (with art. 2)
- F3** Words in art. 6(2) 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(8)(a)** (with regs. 2, 3, Sch. 3, 4)
- F4** Words in art. 6(3) substituted (7.4.2008) by [Rent Officers \(Housing Benefit Functions\) Amendment Order 2007 \(S.I. 2007/2871\)](#), arts. 1(4), **10(5)(b)** (with art. 2)
- F5** Words in art. 6(3) 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(8)(b)** (with regs. 2, 3, Sch. 3, 4)
- F6** Words in art. 6(4) substituted (24.9.2003) by [Rent Officers \(Housing Benefit Functions\) \(Local Housing Allowance\) Amendment Order 2003 \(S.I. 2003/2398\)](#), arts. 1(1), **2(7)(b)**

Marginal Citations

- M1** Paragraph (3) was added by [S.I. 1990/2564](#).

Changes to legislation:

There are currently no known outstanding effects for the The Rent Officers (Housing Benefit Functions) Order 1997, Section 6.