

## SCHEDULE II

### HOUSING COSTS

#### Persons residing with the claimant

14.—(1) Subject to the following provisions of this paragraph, the following deductions from the amount to be met under the preceding paragraphs of this Schedule in respect of housing costs shall be made—

- (a) in respect of a non-dependant aged 18 or over who is engaged in any remunerative work, [<sup>F1</sup>£124.55];
- (b) in respect of a non-dependant aged 18 or over to whom paragraph (a) does not apply, [<sup>F2</sup>£19.30].

(2) In the case of a non-dependant aged 18 or over to whom sub-paragraph [<sup>F3</sup>(1)(a)] applies because he is in remunerative work, where the claimant satisfies the Secretary of State that the non-dependant's gross weekly income is—

- (a) less than [<sup>F4</sup>£176.00] the deduction to be made under this paragraph shall be the deduction specified in sub-paragraph [<sup>F5</sup>(1)(b)];
- (b) not less than [<sup>F6</sup>£176.00] but less than [<sup>F7</sup>£256.00], the deduction to be made under this paragraph shall be [<sup>F8</sup>£44.40];
- (c) not less than [<sup>F9</sup>£256.00] but less than [<sup>F10</sup>£334.00], the deduction to be made under this paragraph shall be [<sup>F11</sup>£60.95];
- (d) not less than [<sup>F12</sup>£334.00] but less than [<sup>F13</sup>£445.00], the deduction to be made under this paragraph shall be [<sup>F14</sup>£99.65];
- (e) not less than [<sup>F15</sup>£445.00] but less than [<sup>F16</sup>£554.00], the deduction to be made under this paragraph shall be [<sup>F17</sup>£113.50].

[<sup>F18</sup>(2A) Where a non-dependant deduction is being made under the Loans for Mortgage Interest Regulations 2017, the amount of the deduction under sub-paragraph (1) or (2) is to be reduced by an amount equal to that non-dependant deduction.]

(3) Only one deduction shall be made under this paragraph in respect of partners and where, but for this sub-paragraph, the amount that would fall to be deducted in respect of one partner is higher than the amount (if any) that would fall to be deducted in respect of the other partner, the higher amount shall be deducted.

(4) In applying the provisions of sub-paragraph (2) in the case of partners, only one deduction shall be made in respect of the partners based on the partners' joint weekly income.

(5) Where a person is a non-dependant in respect of more than one joint occupier of a dwelling (except where the joint occupiers are partners), the deduction in respect of that non-dependant shall be apportioned between the joint occupiers (the amount so apportioned being rounded to the nearest penny) having regard to the number of joint occupiers and the proportion of the housing costs in respect of the dwelling occupied as the home payable by each of them.

(6) No deduction shall be made in respect of any non-dependants occupying the dwelling occupied as the home of the claimant, if the claimant or any partner of his is—

- [<sup>F19</sup>(a) certified as severely sight impaired or blind by a consultant ophthalmologist, or who is within 28 weeks of ceasing to be so certified; or]
- (b) receiving in respect of himself either—
  - (i) an attendance allowance; [<sup>F20</sup> ...

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- (ii) the care component of the disability living allowance<sup>F21</sup>; <sup>F22</sup> ...
- (iii) the daily living component of personal independence payment<sup>F23</sup>; <sup>F24</sup> ...  
  - [ the daily living component of adult disability payment; or
- <sup>F25</sup>(iiiia) (iv) armed forces independence payment.]
- (7) No deduction shall be made in respect of a non-dependant—
  - (a) if, although he resides with the claimant, it appears to the Secretary of State that the dwelling occupied as his home is normally elsewhere; or
  - (b) if he is in receipt of a training allowance paid in connection with <sup>F26</sup>youth training] under section 2 of the Employment and Training Act 1973 <sup>M1</sup> or section 2 of the Enterprise and New Towns (Scotland) Act 1990<sup>M2</sup>; or
  - (c) if he is a full-time student <sup>F27</sup> ...; or
  - <sup>F28</sup>(cc) .....
  - (d) if he is aged under 25 and in receipt of income support or an income-based jobseeker’s allowance; or
  - <sup>F29</sup>(dd) in respect of whom a deduction in the calculation of a rent rebate or allowance falls to be made under regulation 55 (non-dependant deductions) of the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006; or]
  - (e) if he is not residing with the claimant because he has been <sup>F30</sup>an in-patient residing in a hospital or similar institution] for a period in excess of <sup>F31</sup>52] weeks, or is a prisoner; and in calculating any period of <sup>F31</sup>52] weeks, any 2 or more distinct periods separated by one or more intervals each not exceeding 28 days shall be treated as a single period; <sup>F32</sup>or]
  - <sup>F33</sup>(f) if he is in receipt of state pension credit.]
  - <sup>F34</sup>(g) if he is aged less than 25 and is in receipt of <sup>F35</sup>income-related] employment and support allowance which does not include an amount under section <sup>F36</sup>... 4(4) <sup>F37</sup>... of the Welfare Reform Act <sup>F38</sup>(component) or is not a member of the work-related activity group]]<sup>F39</sup>; or
  - (h) if he is aged less than 25 and is entitled to an award of universal credit which is calculated on the basis that he does not have any earned income]
- (8) In the case of a non-dependant to whom sub-paragraph (1) applies because he is in remunerative work, there shall be disregarded from his gross income—
  - <sup>F40</sup>(a) any attendance allowance, disability living allowance, armed forces independence payment, personal independence payment or adult disability payment received by him;]
  - (b) any payment from the Macfarlane Trust, the Macfarlane (Special Payments) Trust, the Macfarlane (Special Payments) (No. 2) Trust (“the Trusts”), the Fund, the Eileen Trust <sup>F41</sup>, MFET Limited]]<sup>F42</sup>, the Skipton Fund, the Caxton Foundation]]<sup>F43</sup>, the Scottish Infected Blood Support Scheme]]<sup>F44</sup>, an approved blood scheme]]<sup>F45</sup>, the London Emergencies Trust, the We Love Manchester Emergency Fund]]<sup>F46</sup>, the National Emergencies Trust]]<sup>F47</sup>, the Victims of Overseas Terrorism Compensation Scheme] or the Independent Living <sup>F48</sup>Fund (2006)]; and
  - <sup>F49</sup>(ba) any Grenfell Tower payment;]
  - <sup>F50</sup>(bb) any child abuse payment;
  - (bc) any Windrush payment;]

[<sup>F51</sup>(bd) any Post Office compensation payment;]

(c) any payment in kind.

[<sup>F52</sup>(d) any payment made under or by a trust, established for the purpose of giving relief and assistance to disabled persons whose disabilities were caused by the fact that during their mother's pregnancy she had taken a preparation containing the drug known as Thalidomide, and which is approved by the Secretary of State.]

[<sup>F53</sup>(9) For the purposes of sub-paragraph (7)(h), "earned income" has the meaning given in regulation 52 of the Universal Credit Regulations 2013.]

### Textual Amendments

- F1** Sum in Sch. 2 para. 14(1)(a) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(a)**
- F2** Sum in Sch. 2 para. 14(1)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(b)**
- F3** Word in Sch. 2 para. 14(2) substituted (6.10.2003) by [The State Pension Credit \(Consequential, Transitional and Miscellaneous Provisions\) \(No. 2\) Regulations 2002 \(S.I. 2002/3197\)](#), reg. 1(1)(b), **Sch. para. 9(g)(i)**
- F4** Sum in Sch. 2 para. 14(2)(a) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(c)**
- F5** Words in Sch. 2 para. 14(2)(a) substituted (2.10.2006) by [The Social Security \(Miscellaneous Amendments\) \(No. 4\) Regulations 2006 \(S.I. 2006/2378\)](#), **regs. 1(3), 14(5)(b)(i)**
- F6** Sum in Sch. 2 para. 14(2)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(d)(ii)**
- F7** Sum in Sch. 2 para. 14(2)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(d)(iii)**
- F8** Sum in Sch. 2 para. 14(2)(b) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(d)(i)**
- F9** Sum in Sch. 2 para. 14(2)(c) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(e)(ii)**
- F10** Sum in Sch. 2 para. 14(2)(c) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(e)(iii)**
- F11** Sum in Sch. 2 para. 14(2)(c) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(e)(i)**
- F12** Sum in Sch. 2 para. 14(2)(d) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(f)(ii)**
- F13** Sum in Sch. 2 para. 14(2)(d) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by [The Social Security Benefits Up-rating Order 2024 \(S.I. 2024/242\)](#), arts. 1(3)(k), **29(4)(f)(iii)**

**Changes to legislation:** There are currently no known outstanding effects for the The State Pension Credit Regulations 2002, Paragraph 14. (See end of Document for details)

- F14** Sum in Sch. 2 para. 14(2)(d) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(f)(i)**
- F15** Sum in Sch. 2 para. 14(2)(e) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(g)(ii)**
- F16** Sum in Sch. 2 para. 14(2)(e) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(g)(iii)**
- F17** Sum in Sch. 2 para. 14(2)(e) substituted (coming into force in accordance with art. 1(3)(k) of the amending S.I.) by The Social Security Benefits Up-rating Order 2024 (S.I. 2024/242), arts. 1(3)(k), **29(4)(g)(i)**
- F18** Sch. 2 para. 14(2A) inserted (with effect in accordance with regs.19 - 21 of the amending S.I.) by The Loans for Mortgage Interest Regulations 2017 (S.I. 2017/725), reg. 1(2)(a), **Sch. 5 para. 4(e)**
- F19** Sch. 2 para. 14(6)(a) substituted (with effect in accordance with reg. 1(2) of the amending S.I.) by The Universal Credit and Miscellaneous Amendments (No.2) Regulations 2014 (S.I. 2014/2888), regs. 1(1), **3(4)(b)(ii)**
- F20** Word in Sch. 2 para. 14(6)(b)(i) omitted (8.4.2013) by virtue of The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 27(5)(b)(i)**
- F21** Sch. 2 para. 14(6)(b)(iii) and word inserted (8.4.2013) by The Personal Independence Payment (Supplementary Provisions and Consequential Amendments) Regulations 2013 (S.I. 2013/388), reg. 2, **Sch. para. 27(5)(b)(ii)**
- F22** Word in Sch. 2 para. 14(6)(b)(ii) omitted (8.4.2013) by virtue of The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 23(5)(b)**
- F23** Words in Sch. 2 para. 14(6)(b)(iv) inserted (8.4.2013) by The Armed Forces and Reserve Forces Compensation Scheme (Consequential Provisions: Subordinate Legislation) Order 2013 (S.I. 2013/591), art. 2(2), **Sch. para. 23(5)(c)**
- F24** Word in Sch. 2 para. 14(6)(b)(iii) omitted (21.3.2022) by virtue of The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **8(4)(a)**
- F25** Sch. 2 para. 14(6)(b)(iiia) inserted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **8(4)(b)**
- F26** Words in Sch. 2 para. 14(7)(b) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **5(4)(c)**
- F27** Words in Sch. 2 para. 14(7)(c) omitted (6.12.2018) by virtue of The Social Security (Miscellaneous Amendments No. 5) Regulations 2017 (S.I. 2017/1187), regs. 1(2)(b), **5(2)(a)**
- F28** Sch. 2 para. 14(7)(cc) omitted (6.12.2018) by virtue of The Social Security (Miscellaneous Amendments No. 5) Regulations 2017 (S.I. 2017/1187), regs. 1(2)(b), **5(2)(b)**
- F29** Sch. 2 para. 14(7)(dd) inserted (2.10.2006) by The Social Security (Miscellaneous Amendments) (No. 4) Regulations 2006 (S.I. 2006/2378), **regs. 1(3), 14(5)(b)(ii)**
- F30** Words in Sch. 2 para. 14(7)(e) sum substituted (10.4.2006) by The Social Security (Hospital In-Patients) Regulations 2005 (S.I. 2005/3360), regs. 1(a), **8(4)(b)**
- F31** Word in Sch. 2 para. 14(7)(e) substituted (21.5.2003) by The Social Security (Hospital In-Patients and Miscellaneous Amendments) Regulations 2003 (S.I. 2003/1195), regs. 1(a), **8(2)**
- F32** Word in Sch. 2 para. 14(7)(e) inserted (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), 7(5)(aa)**(b)(ii)**
- F33** Sch. 2 para. 14(7)(f) added (4.4.2005) by The Social Security (Housing Benefit, Council Tax Benefit, State Pension Credit and Miscellaneous Amendments) Regulations 2004 (S.I. 2004/2327), regs. 1(1)(c), **7(5)(b)(ii)(bb)**

- F34** Sch. 2 para. 14(7)(g) added (27.10.2008) by The Employment and Support Allowance (Consequential Provisions) (No. 2) Regulations 2008 (S.I. 2008/1554), regs. 1(2)(b), **4(8)(e)**
- F35** Words in Sch. 2 para. 14(7)(g) inserted (2.4.2013) by The Social Security (Miscellaneous Amendments) Regulations 2013 (S.I. 2013/443), regs. 1, **6(3)(b)**
- F36** Words in Sch. 2 para. 14(7)(g) omitted by SI 2008/1554 reg. 4(8)(e) (as amended) (27.10.2008) by virtue of The Employment and Support Allowance (Miscellaneous Amendments) Regulations 2008 (S.I. 2008/2428), regs. 1(2), **41(4)**
- F37** Words in Sch. 2 para. 14(7)(g) omitted (3.4.2017) by virtue of The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (S.I. 2017/204), reg. 1, **Sch. 1 para. 5(3)(b)(i)** (with Sch. 2 paras. 1-7)
- F38** Words in Sch. 2 para. 14(7)(g) substituted (3.4.2017) by The Employment and Support Allowance and Universal Credit (Miscellaneous Amendments and Transitional and Savings Provisions) Regulations 2017 (S.I. 2017/204), reg. 1, **Sch. 1 para. 5(3)(b)(ii)** (with Sch. 2 paras. 1-7)
- F39** Sch. 2 para. 14(7)(h) and word inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **33(6)(b)(i)**
- F40** Sch. 2 para. 14(8)(a) substituted (21.3.2022) by The Social Security (Disability Assistance for Working Age People) (Consequential Amendments) Order 2022 (S.I. 2022/177), arts. 1(2), **8(4)(c)**
- F41** Words in Sch. 2 para. 14(8)(b) inserted (6.4.2010) by The Social Security (Miscellaneous Amendments) (No. 2) Regulations 2010 (S.I. 2010/641), regs. 1(1), **6(3)(b)**
- F42** Words in Sch. 2 para. 14(8)(b) inserted (31.10.2011) by The Social Security (Miscellaneous Amendments) (No. 3) Regulations 2011 (S.I. 2011/2425), regs. 1(2), **15(5)**
- F43** Words in Sch. 2 para. 14(8)(b) inserted (3.4.2017) by The Social Security (Scottish Infected Blood Support Scheme) Regulations 2017 (S.I. 2017/329), regs. 1, **5(3)(a)**
- F44** Words in Sch. 2 para. 14(8)(b) inserted (23.10.2017) by The Social Security (Infected Blood and Thalidomide) Regulations 2017 (S.I. 2017/870), regs. 1, **5(3)(a)**
- F45** Words in Sch. 2 para. 14(8)(b) inserted (19.6.2017) by The Social Security (Emergency Funds) (Amendment) Regulations 2017 (S.I. 2017/689), regs. 1, **4(3)(a)**
- F46** Words in Sch. 2 para. 14(8)(b) inserted (15.7.2020) by The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **4(3)(a)**
- F47** Words in Sch. II para. 14(8)(b) inserted (27.10.2023) by The Social Security (Habitual Residence and Past Presence, and Capital Disregards) (Amendment) Regulations 2023 (S.I. 2023/1144), regs. 1(1), **5(3)(a)**
- F48** Words in Sch. 2 para. 14(8)(b) substituted (17.11.2008) by The Social Security (Miscellaneous Amendments) (No.6) Regulations 2008 (S.I. 2008/2767), regs. 1(2), **5(4)(d)**
- F49** Sch. 2 para. 14(8)(ba) inserted (15.7.2020) by The Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (S.I. 2020/618), regs. 1, **4(3)(b)**
- F50** Sch. 2 para. 14(8)(bb)(bc) inserted (1.1.2022) by The Social Security (Income and Capital Disregards) (Amendment) Regulations 2021 (S.I. 2021/1405), regs. 1, **4(3)**
- F51** Sch. 2 para. 14(8)(bd) inserted (9.7.2023) by The Social Security (Income and Capital Disregards) (Amendment) Regulations 2023 (S.I. 2023/640), regs. 1(1), **4(3)**
- F52** Sch. 2 para. 14(8)(d) inserted (23.10.2017) by The Social Security (Infected Blood and Thalidomide) Regulations 2017 (S.I. 2017/870), regs. 1, **5(4)**
- F53** Sch. 2 para. 14(9) inserted (29.4.2013) by The Universal Credit (Consequential, Supplementary, Incidental and Miscellaneous Provisions) Regulations 2013 (S.I. 2013/630), regs. 1(2), **33(6)(b)(ii)**

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#### Marginal Citations

- M1** 1973 c. 50.  
**M2** 1990 c. 35.

**Changes to legislation:**

There are currently no known outstanding effects for the The State Pension Credit Regulations 2002, Paragraph 14.