

SCHEDULE 10

Pathfinder authorities

PART 2

Application of the Regulations

Amendment of regulations 95 and 96

13.—(1) In regulation 95 (circumstances in which payment is to be made to a landlord) after paragraph (2) insert the following paragraph—

“(2A) In a case where—

- (a) a pathfinder authority has determined a maximum rent (standard local rate) in accordance with regulation 13A(1); and
- (b) the rent allowance exceeds the amount which the claimant is liable to pay his landlord by way of rent,

any payment of rent allowance made to a landlord pursuant to this regulation or to regulation 96 may include all or part of any amount by which the rent allowance exceeds the amount which the claimant is liable to pay his landlord as rent but shall not include any amount by which the rent allowance exceeds the amount which the claimant is liable to pay his landlord as rent and arrears of rent.”

(2) In regulation 96 (circumstances in which payment may be made to a landlord)—

- (a) in paragraph (1) for the words “paragraph (3)” substitute the words “ paragraphs (3) and (3A) ”;
- (b) in sub-paragraph (a) of paragraph (3) after the words “paragraph (1)” insert the words “ or (3A) ”;
- (c) after paragraph (3) insert the following paragraph—

“(3A) In a case where a pathfinder authority has determined a maximum rent (standard local rate) in accordance with regulation 13A—

- (a) sub-paragraphs (a) and (b) of paragraph (1) shall not apply; and
- (b) payment of a rent allowance to a person's landlord may be made where—
 - (i) the eligible rent was determined by reference to a maximum rent (standard local rate) which was determined by virtue of regulation 13A(1)(a) and—
 - (aa) the maximum rent (standard local rate) was determined less than six months previously;
 - (bb) no subsequent maximum rent (standard local rate) has been determined in accordance with regulation 13A(1); and
 - (cc) the claimant has, since the date the maximum rent (standard local rate) was determined, been continuously entitled to, and in receipt of, housing benefit in relation to the dwelling he occupied as his home at that date;
 - (ii) the pathfinder authority considers that the claimant is likely to have difficulty in managing his affairs;
 - (iii) the pathfinder authority considers that it is improbable that the claimant will pay his rent; or

Status: Point in time view as at 06/03/2006.

Changes to legislation: There are currently no known outstanding effects for the The Housing Benefit Regulations 2006, Paragraph 13. (See end of Document for details)

- (iv) a direct payment has previously been made by the pathfinder authority to the landlord in accordance with regulation 95 in respect of the current award of housing benefit.”.

Status:

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Changes to legislation:

There are currently no known outstanding effects for the The Housing Benefit Regulations 2006, Paragraph 13.