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## STATUTORY INSTRUMENTS

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# 2006 No. 214

## The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006

### PART 3

#### Payments in respect of a dwelling

##### Eligible housing costs

11.—<sup>F1</sup>(1) Subject to the following provisions of this regulation, housing benefit shall be payable in respect of the payments specified in regulation 12(1) (rent) and a claimant's maximum housing benefit shall be calculated under Part 7 (amount of benefit) by reference to the amount of his eligible rent determined in accordance with—

- (a) regulation 12B (eligible rent);
- (b) regulations 12C (eligible rent and maximum rent), 13 (maximum rent), 13ZA (protection on death and 13 week protection) and 13ZB (change in reckonable rent);
- (c) regulations 12D (eligible rent and maximum rent ( LHA )), 13C (when a maximum rent ( LHA ) is to be determined) and 13D (determination of a maximum rent ( LHA )); or
- (d) regulations 12 (rent) and 13 (restrictions on unreasonable payments) as set out in paragraph 5 of Schedule 3 to the Consequential Provisions Regulations ,

whichever is applicable in his case.]

(2) Where any payment for which a person is liable in respect of a dwelling and which is specified in regulation 12(1) (payments of rent for which housing benefit is payable), is increased on account of—

- (a) outstanding arrears of any payment or charge; or
- (b) any other unpaid payment or charge,

to which <sup>F2</sup>paragraphs (1) or (2) of that regulation or paragraph (2) of regulation 12B] or Schedule 1 (ineligible service charges) refer and which is or was formerly owed by him in respect of that or another dwelling, a rent rebate or, as the case may be, a rent allowance shall not be payable in respect of that increase.

##### Textual Amendments

- F1** Reg. 11(1) substituted (with application in accordance with reg. 1(5)(6)(7) of the amending S.I.) by [Housing Benefit \(State Pension Credit\) \(Local Housing Allowance and Information Sharing\) Amendment Regulations 2007 \(S.I. 2007/2869\)](#), regs. 1(3), **4(3)(a)**
- F2** Words in reg. 11(2) substituted (with application in accordance with reg. 1(5)(6)(7) of the amending S.I.) by [Housing Benefit \(State Pension Credit\) \(Local Housing Allowance and Information Sharing\) Amendment Regulations 2007 \(S.I. 2007/2869\)](#), regs. 1(3), **4(3)(b)**

**Status:**

Point in time view as at 01/04/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006, Section 11.