
STATUTORY INSTRUMENTS

2007 No. 1356

The Housing Benefit (Amendment) Regulations 2007

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

3.—(1) The Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 (1) are amended as follows.

(2) In regulation 2(1) (interpretation) in sub-paragraph (a) of the definition of “shared ownership tenancy” for “tenancy” substitute “lease”.

(3) In regulation 9 (circumstances in which a person is to be treated as not liable to make payments in respect of a dwelling) after paragraph (1)(h) insert—

“(ha) he or his partner—

(i) was a tenant under a long tenancy in respect of the dwelling, and

(ii) less than five years have elapsed since that tenancy ceased,

except where he satisfies the appropriate authority that he or his partner could not have continued to occupy that dwelling without relinquishing the tenancy;”.

(4) In regulation 12(2)(rent)—

(a) in sub-paragraph (a) omit “granted by a housing association or a housing authority”;

(b) after sub-paragraph (e) insert—

“(f) payments by a person in respect of a dwelling where his partner is an owner of that dwelling.”.

(5) In regulation 13(15) (maximum rent)—

(a) after “claimant” insert “, or the claimant’s partner;”;

(b) for “his” substitute “the claimant’s”.

(6) In regulation 16(1)(c) (application for redetermination by rent officer) for “6 weeks” substitute “one month”.

(7) After Schedule 2, paragraph 11 (excluded tenancies) insert—

“**11A.** This paragraph applies to a shared ownership tenancy.”.

(8) Paragraph (6) shall only apply to decisions notified by the relevant authority to the person affected on or after 1st October 2007.