
STATUTORY INSTRUMENTS

2008 No. 3156

The Rent Officers (Housing Benefit Functions) Amendment (No. 2) Order 2008

Amendment of the Rent Officers (Housing Benefit Functions) Order 1997

2.—(1) The Rent Officers (Housing Benefit Functions) Order 1997(1) shall be amended as follows.

(2) In article 4B(3A)(2) (broad rental market area determinations and local housing allowance determinations) omit “working”.

(3) In Schedule 1—

(a) in paragraph 4(3) (local reference rents)—

(i) in sub-paragraph (2) for “locality” substitute “broad rental market area (local reference rent)”; and

(ii) for sub-paragraph (6) substitute—

“(6) For the purposes of this paragraph and paragraph 5 “broad rental market area (local reference rent)” means the area within which a tenant of the dwelling could reasonably be expected to live having regard to facilities and services for the purposes of health, education, recreation, personal banking and shopping, taking account of the distance of travel, by public and private transport, to and from those facilities and services.

(7) A broad rental market area (local reference rent) must contain—

(a) residential premises of a variety of types, including such premises held on a variety of tenures; and

(b) sufficient privately rented residential premises, to ensure that, in the rent officer’s opinion, the local reference rents for tenancies in the area are representative of the rents that a landlord might reasonably be expected to obtain in that area.”; and

(b) in paragraph 5 (single room rents) in sub-paragraph (2), for “locality” substitute “broad rental market area (local reference rent)”.

(4) In Schedule 3B(4) (broad rental market area determinations and local housing allowance determinations)—

(a) in paragraph 2, omit sub-paragraph (8); and

(b) for paragraph 4 substitute—

“4. In this Schedule “broad rental market area” means an area within which a person could reasonably be expected to live having regard to facilities and services for the purposes of health, education, recreation, personal banking and shopping, taking account

(1) S.I. 1997/1984.

(2) Article 4B was inserted by S.I. 2003/2398 and paragraph (3A) was inserted by S.I. 2007/2871.

(3) The relevant amending instrument is S.I. 2001/3561.

(4) Schedule 3B was inserted by S.I. 2007/2871.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

of the distance of travel, by public and private transport, to and from those facilities and services.

5. A broad rental market area must contain—
 - (a) residential premises of a variety of types, including such premises held on a variety of tenures; and
 - (b) sufficient privately rented residential premises to ensure that, in the rent officer's opinion, the local housing allowance for the categories of dwelling in the area for which the rent officer is required to determine a local housing allowance is representative of the rents that a landlord might reasonably be expected to obtain in that area.”.