
STATUTORY INSTRUMENTS

2008 No. 586

The Housing Benefit (Local Housing Allowance, Information Sharing and Miscellaneous) Amendment Regulations 2008

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⁾ shall be amended as follows.

(2) In regulation 82 (persons from whom recovery may be sought)—

(a) after paragraph (2) insert—

“(2A) Where an overpayment is made in a case where a relevant authority has determined a maximum rent (LHA) in accordance with regulation 13D (determination of a maximum rent (LHA)), and the housing benefit payable exceeds the amount which the claimant is liable to pay his landlord by way of rent, the relevant authority must not recover from the landlord more than the landlord has received.”; and

(b) in paragraph (3) for “paragraph (1)” substitute “paragraphs (1) and (2A)”.

⁽¹⁾ [S.I. 2006/214](#); the relevant amending instrument is [S.I. 2005/2904](#) (as amended by [S.I. 2007/217](#)).