

Status: Point in time view as at 01/04/2016. This version of this provision has been superseded.
Changes to legislation: There are currently no known outstanding effects for the The Employment and Support Allowance Regulations 2008, Paragraph 10. (See end of Document for details)

SCHEDULE 6

HOUSING COSTS

General exclusions from [^{F1}paragraphs 8 and 9][^{F1}paragraph 9]

- 10.—(1) [^{F2}Paragraphs 8 and 9][^{F2}Paragraph 9] will not apply where—
- (a) [^{F3}the claimant or the claimant’s partner] has attained the qualifying age for state pension credit;
 - (b) the housing costs are payments—
 - (i) under a co-ownership agreement;
 - (ii) under or relating to a tenancy or licence of a Crown tenant; or
 - (iii) where the dwelling occupied as the home is a tent, in respect of the tent and the site on which it stands.
- (2) In a case falling within sub-paragraph (1), the housing costs to be met are—
- (a) where paragraph (a) of sub-paragraph (1) applies, an amount—
 - (i) determined in the manner set out in paragraph 11 by applying the standard rate to the eligible capital for the time being owing in connection with a loan which qualifies under paragraph 16 or 17; and
 - (ii) equal to the payments which qualify under paragraph 18;
 - (b) where paragraph (b) of sub-paragraph (1) applies, an amount equal to the payments which qualify under paragraph 18(1)(d) to (f).

Textual Amendments

- F1** Words in Sch. 6 para. 10 heading substituted (1.4.2016) by [The Social Security \(Housing Costs Amendments\) Regulations 2015 \(S.I. 2015/1647\)](#), regs. 1, **4(2)(d)(ii)** (with reg. 8)
- F2** Words in Sch. 6 para. 10(1) substituted (1.4.2016) by [The Social Security \(Housing Costs Amendments\) Regulations 2015 \(S.I. 2015/1647\)](#), regs. 1, **4(2)(d)(i)** (with reg. 8)
- F3** Words in Sch. 6 para. 10(1)(a) substituted (28.6.2010) by [The Social Security \(Miscellaneous Amendments\) \(No. 3\) Regulations 2010 \(S.I. 2010/840\)](#), regs. 1, **9(18)**

Modifications etc. (not altering text)

- C1** Sch. 6 para. 10 applied (with modifications) (5.1.2009) by [The Social Security \(Housing Costs Special Arrangements\) \(Amendment and Modification\) Regulations 2008 \(S.I. 2008/3195\)](#), regs. 1(3), **9(d)(i)** (with reg. 8)
- C2** Sch. 6 para. 10(1) applied (with modifications) (5.1.2009) by [The Social Security \(Housing Costs Special Arrangements\) \(Amendment and Modification\) Regulations 2008 \(S.I. 2008/3195\)](#), regs. 1(3), **9(d)(ii)** (with reg. 8)

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