

## SCHEDULE 5

### Housing costs element for owner-occupiers

## PART 4

### Calculation of amount of housing costs element for owner-occupiers

#### Payments to be taken into account

8.—(1) Where an owner-occupier meets the payment condition, liability condition and occupation condition in respect of one or more relevant payments and the qualifying period has ended, each of the relevant payments is to be taken into account for the purposes of the calculation under this Part.

(2) No account is to be taken of any amount of a relevant payment to the extent that the conditions referred to in sub-paragraph (1) are not met in respect of that amount.

(3) Any particular payment for which an owner-occupier is liable is not to be brought into account more than once, whether in relation to the same or a different owner-occupier (but this does not prevent different payments of the same description being brought into account in respect of an assessment period).

#### The amount of housing costs element

9. The amount of the owner-occupier's housing costs element under this Schedule is [<sup>F1</sup>the amount resulting from paragraph 13] in respect of all relevant payments which are to be taken into account under paragraph 8.

#### Textual Amendments

F1 Words in Sch. 5 para. 9 substituted (with effect in accordance with regs. 19 - 21 of the amending S.I.) by [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 5(f)(iv)**

#### Amount in respect of interest on loans

<sup>F2</sup>10. ....

#### Textual Amendments

F2 Sch. 5 para. 10 omitted (with effect in accordance with regs. 19 - 21 of the amending S.I.) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 5(f)(v)**

#### Modifications etc. (not altering text)

C1 Sch. 5 para. 10(2) sum maintained (coming into force in accordance with art. 1(3)(p) of the amending S.I.) (where reg. 20 of [S.I. 2017/725](#) applies) by [The Social Security Benefits Up Rating Order 2021 \(S.I. 2021/162\)](#), **art. 33(4)(a)**

#### Amount in respect of alternative finance arrangements

<sup>F3</sup>11. ....

*Status: Point in time view as at 12/04/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations 2013, PART 4. (See end of Document for details)*

**Textual Amendments**

**F3** Sch. 5 para. 11 omitted (with effect in accordance with regs. 19 - 21 of the amending S.I.) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 5(f)(v)**

**Modifications etc. (not altering text)**

**C2** Sch. 5 para. 11(2) sum maintained (coming into force in accordance with art. 1(3)(p) of the amending S.I.) (where reg. 20 of [S.I. 2017/725](#) applies) by [The Social Security Benefits Up Rating Order 2021 \(S.I. 2021/162\)](#), **art. 33(4)(b)**

**Standard rate to be applied under paragraphs 10 and 11**

<sup>F4</sup>**12.** .....

**Textual Amendments**

**F4** Sch. 5 para. 12 omitted (with effect in accordance with regs. 19 - 21 of the amending S.I.) by virtue of [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 5(f)(v)**

**Amount in respect of service charge payments**

**13.**—(1) This paragraph provides for the calculation of the amount to be included in the owner-occupier's housing costs element under this Schedule in respect of relevant payments which are service charge payments.

(2) The amount in respect of the service charge payments is to be calculated as follows.

*Step 1*

Determine the amount of each service charge payment.

*Step 2*

Determine the period in respect of which each service charge payment is payable and determine the amount of the payment in respect of a month (see sub-paragraphs (3) and (4)).

*Step 3*

If there is more than one service charge payment, add together the amounts determined in step 2. The result is the amount to be included under this Schedule in respect of service charge payments.

(3) Where the period in respect of which an owner-occupier is liable to make a service charge payment is not a month, an amount is to be calculated as the monthly equivalent, so for example—

- (a) weekly payments are multiplied by 52 and divided by 12;
- <sup>F5</sup>(aa) two-weekly payments are multiplied by 26 and divided by 12;]
- (b) four-weekly payments are multiplied by 13 and divided by 12;
- (c) three-monthly payments are multiplied by 4 and divided by 12; and
- (d) annual payments are divided by 12.

(4) Where an owner-occupier is liable for service charge payments under arrangements that provide for one or more service charge free periods, [<sup>F6</sup>subject to sub-paragraph (4A),] the monthly equivalent is to be calculated over 12 months by reference to the total number of service charge payments which the owner-occupier is liable to make in that 12 month period.

[<sup>F7</sup>(4A) Where sub-paragraph (4) applies and the service charge payments in question are—

- (a) weekly payments, the total number of weekly service charge payments which the owner-occupier is liable to make in any 12 month period shall be calculated by reference to the formula—

52–SCFP;

- (b) two-weekly payments, the total number of two-weekly service charge payments which the owner-occupier is liable to make in any 12 month period shall be calculated by reference to the formula—

26–SCFP;

- (c) four weekly payments, the total number of four-weekly service charge payments which the owner-occupier is liable to make in any 12 month period shall be calculated by reference to the formula—

13–SCFP;

where “SCFP” is the number of service charge free periods in the 12 month period in question.]

(5) “Service charge free period” means any period in respect of which the owner-occupier has no liability to make one or more of the service charge payments which are to be taken into account under paragraph 8.

#### **Textual Amendments**

**F5** Sch. 5 para. 13(3)(aa) inserted (28.4.2014) by [The Universal Credit and Miscellaneous Amendments Regulations 2014 \(S.I. 2014/597\)](#), regs. 1, **2(14)(e)(i)**

**F6** Words in Sch. 5 para. 13(4) inserted (28.4.2014) by [The Universal Credit and Miscellaneous Amendments Regulations 2014 \(S.I. 2014/597\)](#), regs. 1, **2(14)(e)(ii)**

**F7** Sch. 5 para. 13(4A) inserted (28.4.2014) by [The Universal Credit and Miscellaneous Amendments Regulations 2014 \(S.I. 2014/597\)](#), regs. 1, **2(14)(e)(iii)**

**Status:**

Point in time view as at 12/04/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Universal Credit Regulations 2013, PART 4.