

## SCHEDULE 3

Circumstances in which a claimant is, or is to be, treated as occupying accommodation

### PART 3

#### UC claimants

##### Living in other accommodation due to fear of violence

15.—(1) [<sup>F1</sup>Sub paragraphs (2) and (3) apply] where—

- (a) a claimant is occupying accommodation (“the other accommodation”) other than the accommodation which the claimant occupies as the claimant’s home (“the home accommodation”);
- (b) it is unreasonable to expect the claimant to return to the home accommodation on account of the claimant’s reasonable fear of violence in the home, or by a former partner, against the claimant or any child or qualifying young person for whom the claimant is responsible; and
- (c) the claimant intends to return to the home accommodation.

(2) The claimant is to be treated as occupying both the home accommodation and the other accommodation as the claimant’s home if—

- (a) the claimant is liable to make payments in respect of both the other accommodation and the home accommodation; and
- (b) it is reasonable to make loan payments in respect of both the home accommodation and the other accommodation.

(3) Where the claimant is liable to make [<sup>F2</sup>owner-occupier] payments in respect of one accommodation only, the claimant is to be treated as occupying that accommodation as the claimant’s home but only if it is reasonable to make loan payments in respect of that accommodation.

(4) No claimant may be treated as occupying both the home accommodation and the other accommodation under this paragraph for more than 12 months.

##### Textual Amendments

- F1** Words in Sch. 3 para. 15(1) substituted (15.3.2021) by [The Loans for Mortgage Interest \(Amendment\) Regulations 2021 \(S.I. 2021/131\)](#), regs. 1(b), **2(6)(a)**
- F2** Word in Sch. 3 para. 15(3) inserted (15.3.2021) by [The Loans for Mortgage Interest \(Amendment\) Regulations 2021 \(S.I. 2021/131\)](#), regs. 1(b), **2(6)(b)**

**Changes to legislation:**

There are currently no known outstanding effects for the The Loans for Mortgage Interest Regulations 2017, Paragraph 15.