

## SCHEDULES

### SCHEDULE 10

#### Capital to be disregarded

##### *Premises or land*

- 1.—(1) Premises or land occupied by a person as their home.  
(2) For the purposes of this paragraph and paragraphs 2 to 5, only one set of premises or land may be treated as a person's home.
2. Premises or land occupied by a close relative of a person as their home where that close relative has limited capability for work or has reached the qualifying age for state pension credit.
3. Premises or land occupied by a person's former partner as their home where the person and their former partner are not estranged, but living apart by force of circumstances, for example where the person is in residential care.
- 4.—(1) Premises or land that a person intends to occupy as their home where—
  - (a) the person has acquired the premises or land within the past 6 months but not yet taken up occupation,
  - (b) the person is taking steps to obtain possession and has commenced those steps within the past 6 months, or
  - (c) the person is carrying out essential repairs or alterations required to render the premises or land fit for occupation and these have been commenced within the past 6 months.(2) A person is to be taken to have commenced steps to obtain possession of premises or land on the date that legal advice is first sought or proceedings are commenced, whichever is earlier.
5. Premises or land that a person has ceased to occupy as their home following an estrangement from their former partner where—
  - (a) the person has ceased to occupy the premises or land within the past 6 months, or
  - (b) the person's former partner is a lone parent and occupies the premises or land as their home.
6. Premises or land that a person is taking reasonable steps to dispose of where those steps have been commenced within the past 6 months.