
STATUTORY INSTRUMENTS

1987 No. 1971

The Housing Benefit (General) Regulations 1987

PART II

PROVISIONS AFFECTING ENTITLEMENT TO HOUSING BENEFIT

Circumstances in which a person is to be treated as liable to make payments in respect of a dwelling

6.—(1) The following persons shall be treated as if they were liable to make payments in respect of a dwelling—

- (a) the person who is liable to make those payments;
- (b) a person who is a partner of the person to whom sub-paragraph (a) applies;
- (c) a person who has to make the payments if he is to continue to live in the home because the person liable to make them is not doing so and either—
 - (i) he was formerly a partner of the person who is so liable, or
 - (ii) he is some other person whom it is reasonable to treat as liable to make the payments;and
- (d) a person whose liability to make such payments is waived by his landlord as reasonable compensation in return for works actually carried out by the tenant in carrying out reasonable repairs or redecoration which the landlord would otherwise have carried out or be required to carry out but this sub-paragraph shall apply only for a maximum of 8 benefit weeks in respect of any one waiver of liability.

(2) A person shall be treated as liable to make a payment in respect of a dwelling for the whole of the period in respect of which the payment is to be made notwithstanding that the liability is discharged in whole or in part either before or during that period and, where the amount which a person is liable to pay in respect of a period is varied either during or after that period, he shall, subject to regulations 68 to 70 (dates of relevant changes of circumstances, weekly amounts and housing benefit for rent or rate free periods), be treated as liable to pay the amount as so varied during the whole of that period.

(3) Where there is no liability to pay rates in any benefit week because, exceptionally, the rating authority has failed to make a rate, but the claimant makes a payment by way of rates otherwise than to a rating authority and the amount of his rent treated as such a payment which he is liable to pay remains constant, he shall be treated as liable to make payments by way of rates.