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STATUTORY INSTRUMENTS

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**1996 No. 2890**

**The Housing Renewal Grants Regulations 1996**

**PART II**

**MEANS TEST FOR OWNER-OCCUPIER'S AND TENANT'S APPLICATIONS**

*CHAPTER I: GENERAL*

**Definition of non-dependant**

**6.—(1)** In these Regulations, “non-dependant” means any person, except someone to whom paragraph (2) applies, who normally resides with a relevant person or with whom a relevant person normally resides.

(2) This paragraph applies to—

- (a) any member of the relevant person's family;
- (b) if the relevant person is polygamously married, any partner of his and any child or young person who is a member of his household and for whom he or one of his partners is responsible;
- (c) a child or young person who is living with the relevant person but who is not a member of his household by virtue of regulation 9 (membership of the same household);
- (d) subject to paragraph (3), a person who jointly occupies the relevant person's dwelling and is either a co-owner of that dwelling with the relevant person or his partner (whether or not there are other co-owners) or is liable with the relevant person or his partner to make payments in respect of his occupation of the dwelling;
- (e) subject to paragraph (3)—
  - (i) any person who is liable to make payments on a commercial basis to the relevant person or the relevant person's partner in respect of the occupation of the dwelling,
  - (ii) any person to whom or to whose partner the relevant person or the relevant person's partner is liable to make payments on a commercial basis in respect of the occupation of the dwelling, or
  - (iii) any other member of the household of the person to whom or to whose partner the relevant person or the relevant person's partner is liable to make payments on a commercial basis in respect of the occupation of the dwelling;
- (f) a person who lives with the relevant person in order to care for him or a partner of his and who is engaged by a charitable or voluntary organisation which makes a charge to the relevant person or his partner for the services provided by that person.

(3) Excepting persons to whom sub-paragraphs (a) to (c) and (f) of paragraph (2) refer, a person shall be a non-dependant if he resides with a relevant person to whom he is liable to make payments in respect of the dwelling and either—

- (a) that relevant person is a close relative of his or his partner, or

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- (b) the tenancy or other agreement between them is other than on a commercial basis.
- (4) For the purposes of this regulation—
  - (a) a person resides with another only if they share any accommodation except a bathroom, a lavatory or a communal area but not if each person is separately liable to make payments in respect of his occupation of the dwelling to the landlord;
  - (b) “communal area” means an area, other than a room or rooms, of common access (including halls and passageways).