
STATUTORY INSTRUMENTS

2006 No. 213

The Housing Benefit Regulations 2006

PART 9

Calculation of weekly amounts and changes of circumstances

Calculation of weekly amounts

80.—(1) A person's entitlement to housing benefit in any benefit week shall be calculated in accordance with the following provisions of this regulation.

(2) The weekly amount of a claimant's eligible rent shall be—

- (a) subject to paragraph (3), where rent is payable at intervals of one week or a multiple thereof, the amount of eligible rent payable weekly or, where it is payable at intervals of a multiple of a week, the amount determined by dividing the amount of eligible rent payable by the number equal to the number of weeks in respect of which it is payable; or
- (b) subject to paragraph (4), where rent is payable at intervals of one month or any other interval which is not a week or a multiple thereof, the amount determined by dividing an amount of that eligible rent by the number equal to the number of days in the period in respect of which it is payable and multiplying the quotient so obtained (referred to in paragraph (4) as the "daily rent") by 7.

(3) In the case of a claimant whose weekly amount of eligible rent falls to be calculated in accordance with paragraph (2)(a)—

- (a) in a case to which regulation 76(2) applies (date on which entitlement is to commence), his eligible rent for the benefit week in which he becomes liable to make payments in respect of the dwelling which he occupies as his home shall be calculated by reference to the amount of eligible rent payable in respect of a week, whether or not his liability to make those payments relates to the whole of that benefit week;
- (b) where the amount which the claimant is liable to pay is altered during a benefit week his eligible rent for that benefit week shall be calculated by reference to the new amount of eligible rent so payable;
- (c) where the claimant ceases to occupy as his home the dwelling in respect of which he is entitled to housing benefit, his eligible rent for the benefit week in which he ceases to be liable to make payments in respect of the dwelling which he occupies as his home shall be nil, unless he is liable to make payments in respect of that dwelling for the whole of that benefit week.

(4) In the case of a claimant whose weekly eligible rent falls to be calculated in accordance with paragraph (2)(b)—

- (a) in a case to which regulation 76(2) (date on which entitlement is to commence) applies, his eligible rent for the benefit week in which he becomes liable to make payments in respect of the dwelling which he occupies as his home shall be calculated by multiplying his daily rent by the number equal to the number of days in that week for which he is liable to make such payments;

- (b) where the amount of eligible rent which the claimant is liable to pay is altered during a benefit week, his eligible rent for that week shall be calculated by multiplying his old and new daily rent by the number equal to the number of days in that week which relate respectively to the old and new amounts which he is liable to pay;
- (c) where the claimant ceases to occupy as his home the dwelling in respect of which he is entitled to housing benefit, his eligible rent for the week in which he ceases to be so liable shall be calculated by multiplying his daily rent by the number equal to the number of days in that week for which he is liable to make such payments.

(5) In the case of a claimant whose weekly eligible rent falls to be calculated in accordance with paragraph (4)(a) or (c) by reference to the daily rent in his case, his weekly applicable amount, weekly income, the weekly amount of any non-dependant deductions and the minimum amount payable in his case shall be calculated in the same manner as his weekly eligible rent by reference to the amounts determined in his case in accordance with Parts 5 to 8 (applicable amounts, income and capital, students and amount of benefit).

(6) Where a change in the amount of a claimant's applicable amount, income or non-dependant deductions falls to be taken into account in the same benefit week as a change in his eligible rent to which paragraph (4)(b) applies, it shall be taken into account in that week on a daily basis in the same manner and as if it had occurred on the same day as that change in his eligible rent.

(7) In any case where a claimant has received an extended payment or an extended payment (severe disablement allowance and incapacity benefit), his entitlement shall be adjusted in such circumstances and by such amount as are prescribed in Part 3 of Schedule 7 or paragraph 9 of Schedule 8, as the case may be.

(8) Any amount determined under these Regulations may, if it is appropriate, be rounded to the nearest whole penny by disregarding any amount less than half a penny and treating any amount of half a penny or more as a whole penny.