

SCHEDULE 5

Housing costs element for owner-occupiers

PART 2

Exception to inclusion of housing costs element

No housing costs element where owner-occupier has any earned income

4.—(1) Section 11(1) of the Act (housing costs) does not apply to any owner-occupier in relation to an assessment period where—

- (a) the owner-occupier has any earned income; or
- (b) if the owner-occupier is a member of a couple, either member of the couple has any earned income.

(2) Sub-paragraph (1) applies irrespective of the nature of the work engaged in, its duration or the amount of the earned income.

(3) Nothing in this paragraph prevents an amount calculated under Schedule 4 from being included in the award of any claimant who falls within regulation 26(4) to (6) (shared ownership).