

SCHEDULE 1

Meaning of payments in respect of accommodation

Rent payments

Rent payments

2. “Rent payments” are such of the following as are not excluded by paragraph 3—
- (a) payments of rent;
 - (b) payments for a licence or other permission to occupy accommodation;
 - (c) mooring charges payable for a houseboat;
 - (d) in relation to accommodation which is a caravan or mobile home, payments in respect of the site on which the accommodation stands;
 - (e) contributions by residents towards maintaining almshouses (and essential services in them) provided by a housing association which is—
 - (i) a registered charity, or
 - (ii) an exempt charity within Schedule 3 to the Charities Act 2011.

Payments excluded from being rent payments

3. The following are excluded from being “rent payments”—
- (a) payments of ground rent;
 - (b) payments in respect of a tent or the site on which a tent stands;
 - (c) payments in respect of approved premises;
 - (d) payments in respect of a care home;
 - ^{F1}(e)
 - (f) payments which are owner-occupier payments [^{F2}within the meaning of Schedule 1 of the Loans for Mortgage Regulations 2017];
 - (g) payments which are service charge payments within the meaning of paragraph 7;
 - ^{F3}(h) payments in respect of accommodation specified in paragraph 3A];
 - ^{F4}(i) payments in respect of accommodation specified in paragraph 3B.]

Textual Amendments

- F1** Sch. 1 para. 3(e) omitted (3.11.2014) by virtue of [The Housing Benefit and Universal Credit \(Supported Accommodation\) \(Amendment\) Regulations 2014 \(S.I. 2014/771\)](#), regs. 1(3), **2(2)(b)(i)**
- F2** Words in Sch. 1 para. 3(f) substituted (with effect in accordance with regs. 19 - 21 of the amending S.I.) by [The Loans for Mortgage Interest Regulations 2017 \(S.I. 2017/725\)](#), reg. 1(2)(a), **Sch. 5 para. 5(e)(i)**
- F3** Sch. 1 para. 3(h) added (3.11.2014) by [The Housing Benefit and Universal Credit \(Supported Accommodation\) \(Amendment\) Regulations 2014 \(S.I. 2014/771\)](#), regs. 1(3), **2(2)(b)(ii)**
- F4** Sch. 1 para. 3(i) inserted (11.4.2018) by [The Universal Credit \(Miscellaneous Amendments, Saving and Transitional Provision\) Regulations 2018 \(S.I. 2018/65\)](#), regs. 1(4), **3(12)(a)** (with reg. 8(2)(3))

[^{F5}Specified accommodation

3A.—(1) The accommodation referred to in paragraph 3(h) is accommodation to which one or more of the following sub-paragraphs applies.

- (2) This sub-paragraph applies to accommodation which is exempt accommodation.
- (3) This sub-paragraph applies to accommodation—
 - (a) which is provided by a relevant body;
 - (b) into which the claimant has been admitted in order to meet a need for care, support or supervision; and
 - (c) where the claimant receives care, support or supervision.
- (4) This sub-paragraph applies to accommodation which—
 - (a) is provided by a local authority or a relevant body to the claimant because the claimant has left the home as a result of domestic violence; and
 - (b) consists of a building, or part of a building, which is used wholly or mainly for the non-permanent accommodation of persons who have left their homes as a result of domestic violence.
- (5) This sub-paragraph applies to accommodation—
 - (a) which would be a hostel within the meaning of paragraph 29(10) (renters excepted form shared accommodation) of Schedule 4 (housing costs element for renters) but for it being owned or managed by a local authority; and
 - (b) where the claimant receives care, support or supervision.
- (6) In this paragraph—
 - “domestic violence” has the meaning given in regulation 98 (victims of domestic violence);
 - “relevant body” means a—
 - (a) council for a county in England for each part of which there is a district council;
 - (b) housing association;
 - (c) registered charity; or
 - (d) voluntary organisation.]

Textual Amendments

F5 Sch. 1 para. 3A inserted (3.11.2014) by [The Housing Benefit and Universal Credit \(Supported Accommodation\) \(Amendment\) Regulations 2014 \(S.I. 2014/771\)](#), regs. 1(3), **2(2)(e)**

[^{F6}Temporary Accommodation

3B.—(1) The accommodation referred to in paragraph (3)(i) is accommodation which falls within Case 1 or Case 2.

- (2) Case 1 is where—
 - (a) rent payments are payable to a local authority;
 - (b) the local authority makes the accommodation available to the renter—
 - (i) to discharge any of the local authority's functions under Part II of the Housing (Scotland) Act 1987 , Part VII of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014 , or

Changes to legislation: There are currently no known outstanding effects for the The Universal Credit Regulations 2013, Rent payments. (See end of Document for details)

- (ii) to prevent the person being or becoming homeless within the meaning of Part II of the Housing (Scotland) Act 1987, Part VII of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014; and
 - (c) the accommodation is not exempt accommodation.
- (3) Case 2 is where—
- (a) rent payments are payable to a provider of social housing other than a local authority;
 - (b) that provider makes the accommodation available to the renter in pursuance of arrangements made with it by a local authority—
 - (i) to discharge any of the local authority's functions under Part II of the Housing (Scotland) Act 1987, Part VII of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014, or
 - (ii) to prevent the person being or becoming homeless within the meaning of Part II of the Housing (Scotland) Act 1987, Part VII of the Housing Act 1996 or Part 2 of the Housing (Wales) Act 2014; and
 - (c) the accommodation is not exempt accommodation.
- (4) Sub-paragraph (1) applies irrespective of whether the renter is also liable to make service charge payments.
- (5) In sub-paragraph (3), “provider of social housing” has the meaning given in paragraph 2 of Schedule 4.]

Textual Amendments

- F6** Sch. 1 para. 3B inserted (11.4.2018) by [The Universal Credit \(Miscellaneous Amendments, Saving and Transitional Provision\) Regulations 2018 \(S.I. 2018/65\)](#), regs. 1(4), **3(12)(b)** (with reg. 8(2)(3))

Changes to legislation:

There are currently no known outstanding effects for the The Universal Credit Regulations 2013, Rent payments.