
STATUTORY INSTRUMENTS

2017 No. 91

The Social Housing Rents (Exceptions and Miscellaneous Provisions) (Amendment) Regulations 2017

Insertion of regulations 11A and 11B

6. After regulation 11 insert—

“Domestic violence refuge accommodation – modifications of Part 1 of Schedule 2

11A.—(1) Subject to paragraph (2), where the exception in regulation 4(m)(1) applies, Part 1 of Schedule 2 to the Act has effect with the modifications specified by regulation 11B.

(2) This regulation does not apply if an absolute exception applies.

11B. The modifications to the application of Part 1 of Schedule 2 to the Act mentioned in regulation 11A are as follows—

(a) in paragraph 1(4)(a) for “the rate of formula rent” substitute “110% of the rate of formula rent”;

(b) in paragraph 1(4)(c) for “making a 1% reduction in the rate” substitute “adjusting the rate by the specified percentage”;

(c) in paragraph 1(5)(c) for “making a 1% reduction in the rate” substitute “adjusting the rate by the specified percentage”;

(d) after paragraph 1(8) insert—

“(9) The specified percentage is determined by—

(a) finding the percentage change in the consumer prices index over the specified period, and

(b) adding 1% to that percentage.

(10) In sub-paragraph (9)—

“consumer prices index” means the general index of consumer prices (for all items) published by the Statistics Board or, if that index is not published for any month, any substituted index or index figures published by that Board; and

“specified period” means the period of 12 months up to and including the September which falls before the 31st March immediately preceding the relevant year.”;

(e) after paragraph 3(1) insert—

“(1A) If the tenancy begins before the beginning of the first relevant year, the registered provider must secure that the maximum amount of rent payable to the registered provider by the tenant in respect of the first relevant year is the higher of the amounts described in sub-paragraphs (1B) and (1C).

(1) Sub-paragraph (m) was inserted by regulation 4(2)(a) of the Social Housing Rents (Exceptions and Miscellaneous Provisions) (Amendment) Regulations 2017.

- (1B) The amount found by—
 - (a) determining the rate of the market rent for that social housing when the tenancy began, and
 - (b) determining the amount that is the sum of—
 - (i) 80% of the amount that would be payable in respect of the part of the relevant year that preceded the anniversary of the beginning of the tenancy if that rate had applied during that period, and
 - (ii) 80% of the amount that would be payable in respect of the part of the relevant year beginning with the anniversary of the beginning of the tenancy if that rate had applied during that period adjusted by the specified percentage.

(1C) The amount that would be payable in respect of that relevant year if the tenant were paying rent at the social rent rate.”;

- (e) in paragraph 3(2) omit “before or”;
- (f) in paragraph 3(5) omit from “higher of” to the end and substitute “higher of the amounts described in sub-paragraphs (1B) and (1C).”;
- (g) in paragraph 3(6) for “sub-paragraph (2)” in each place it occurs substitute “sub-paragraph (1A), (2)”;
- (h) after paragraph 4(8) insert—
 - “(9) The specified percentage is determined by—
 - (a) finding the percentage change in the consumer prices index over the specified period, and
 - (b) adding 1% to that percentage.

- (10) In paragraph (9)—
 - “consumer prices index” means the general index of consumer prices (for all items) published by the Statistics Board or, if that index is not published for any month, any substituted index or index figures published by that Board; and
 - “specified period” means the period of 12 months up to and including the September which falls before the 31st March immediately preceding the relevant year.”.