

2023 No. 6

HOUSING

The Rent Officers (Housing Benefit and Universal Credit Functions) (Modification) Order 2023

<i>Made</i>	- - - -	<i>6th January 2023</i>
<i>Laid before Parliament</i>		<i>9th January 2023</i>
<i>Coming into force</i>	- -	<i>31st January 2023</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 122(1) and (6) of the Housing Act 1996(a).

Citation, Commencement and Extent

1.—(1) This Order may be cited as the Rent Officers (Housing Benefit and Universal Credit Functions) (Modification) Order 2023 and comes into force on 31st January 2023.

(2) This Order extends to England and Wales and Scotland.

Modifications to the Rent Officers (Housing Benefit Functions) Order 1997

2. For the purposes of determining the local housing allowances in 2023, Schedule 3B to the Rent Officers (Housing Benefit Functions) Order 1997 (broad rental market area determinations and local housing allowance determinations)(b) is to be read as if for paragraph 2(2) there were substituted—

“(2) For all broad rental market areas the local housing allowance for any category of dwelling is the allowance determined for that category of dwelling on 31st March 2020.”.

Modifications to the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997

3. For the purposes of determining the local housing allowances in 2023, Schedule 3B to the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 (broad rental market area determinations and local housing allowance determinations)(c) is to be read as if for paragraph 2(2) there were substituted—

“(2) For all broad rental market areas the local housing allowance for any category of dwelling is the allowance determined for that category of dwelling on 31st March 2020.”.

(a) 1996 c. 52. Section 122(1) was amended by paragraph 36 of Schedule 2 to the Welfare Reform Act 2012 (c. 5).
(b) S.I. 1997/1984. Schedule 3B was inserted by S.I. 2007/2871 and the relevant amending instruments are S.I. 2013/2978, 2015/1753, 2020/27 and 371. Paragraph 2(2) was modified by S.I. 2020/1519 for the purposes of local housing allowance determinations in 2021 and by S.I. 2021/1380 for the purposes of local housing allowance determinations in 2022.
(c) S.I. 1997/1995. Schedule 3B was inserted by S.I. 2007/2871 and the relevant amending instruments are S.I. 2013/2978, 2015/1753, 2020/27 and 371. Paragraph 2(2) was modified by S.I. 2020/1519 for the purposes of local housing allowance determinations in 2021 and by S.I. 2021/1380 for the purposes of local housing allowance determinations in 2022.

Modifications to the Rent Officers (Universal Credit Functions) Order 2013

4. For the purposes of determining the local housing allowances in 2023, Schedule 1 to the Rent Officers (Universal Credit Functions) Order 2013 (local housing allowance determinations)(a) is to be read as if for paragraph 2(2) there were substituted—

“(2) For all broad rental market areas the local housing allowance for any category of accommodation is the allowance determined for that category of accommodation on 31st March 2020.”.

Signed by the authority of the Secretary of State for Work and Pensions

Mims Davies
Parliamentary Under Secretary of State
Department for Work and Pensions

6th January 2023

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies the Rent Officers (Housing Benefit Functions) Order 1997 (S.I. 1997/1984), the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 (S.I. 1997/1995) and the Rent Officers (Universal Credit Functions) Order 2013 (S.I. 2013/382) to make changes to how the local housing allowance is determined.

Articles 2, 3 and 4 provide that, for all broad rental market areas, the local housing allowance for any category of dwelling or accommodation is the allowance determined for that category of dwelling or accommodation on 31st March 2020. The modification will apply for the purposes of determining local housing allowances in 2023.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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(a) S.I. 2013/382. The relevant amending instruments are S.I. 2013/2978, 2015/1753, 2020/27 and 371. Paragraph 2(2) was modified by S.I. 2020/1519 for the purposes of local housing allowance determinations in 2021 and by S.I. 2021/1380 for the purposes of local housing allowance determinations in 2022.

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