

SCHEDULE 7

Extended payments of housing benefit

PART 2

Calculation and payment of an extended payment

3.—(1) Subject to the following provisions of this paragraph and except in the case of a mover, the amount of the extended payment shall be equal to the amount of housing benefit which was payable to the claimant for the last benefit week before he ceased to be entitled to housing benefit.

(2) In a case where the last benefit week referred to in sub-paragraph (1) fell, in whole or in part, within a rent free period, the last benefit week for the purposes of that sub-paragraph shall be taken to be the last benefit week that did not fall within a rent free period.

(3) Where the last benefit week before he ceased to be entitled to housing benefit was a week in which the claimant's eligible rent was calculated in accordance with regulation 80(4)(c) (claimant ceases to occupy the dwelling as his home), sub-paragraph (1) shall have effect as if the reference to the last benefit week before he ceased to be entitled to housing benefit was a reference to the week before that week.

(4) Subject to sub-paragraph (5) the extended payment shall be payable for each of the weeks in the period specified in regulation 72(6) and shall be paid at such time and in such manner as is appropriate, having regard to—

- (a) the times at which and the frequency with which a person's liability to make payment of rent arises; and
- (b) the reasonable needs and convenience of the person entitled thereto.

(5) No extended payment shall be payable for a week which is a rent free period for the purposes of regulation 81(1).

Movers

4. Paragraphs 5 to 7 below apply to movers from—

- (a) the day the move takes place where that day is a Monday; or
- (b) from the Monday following the day the move takes place where that day is not a Monday.

Movers and rent allowances

5.—(1) Subject to sub-paragraph (2), in the case of a mover whose housing benefit was in the form of a rent allowance, the authority which, prior to the mover ceasing to be entitled to housing benefit, was paying that allowance, shall make an extended payment to that mover calculated on the same basis as in paragraph 3 and, for these purposes, the mover shall be treated as continuing to occupy and be liable to make payments in respect of the dwelling he was occupying as his home immediately before he ceased to be entitled to housing benefit.

(2) Notwithstanding sub-paragraph (1), in a case where that mover's liability to make payments in respect of the second dwelling would be to a housing authority, any extended payment shall be made by that housing authority and shall be determined as provided in paragraph 7(b).

Movers and rent rebates

6. Where, in a case of a mover—

Status: This is the original version (as it was originally made).

- (a) his housing benefit was in the form of a rent rebate; and
- (b) he claims an extended payment,

the authority in which the second dwelling is situated or, as the case may be, where the mover's liability to make payments in respect of the second dwelling is to a housing authority, that housing authority, shall upon receiving the mover's claim for an extended payment, which meets the requirements of regulation 72(1), make an extended payment, calculated in accordance with paragraph 7, to that mover.

Movers and extended payments

7. In a case to which paragraph 5(2) or 6 applies and a mover's liability referred to in that paragraph is—

- (a) other than to a housing authority, the extended payment shall be a payment by way of rent allowance calculated in accordance with paragraph 3;
- (b) to a housing authority, the extended payment shall be by way of a rent rebate to the value of such part of the rent in respect of the period specified in regulation 72(6) as is eligible for housing benefit, calculated in accordance with regulations 11 to 13, less, in a case where the rebate to which paragraph 6 refers, or the rent allowance to which paragraph 5 refers, as the case may be, was subject to any deductions in respect of non-dependants pursuant to regulations 70 (maximum housing benefit) and 74 (non-dependant deductions), the amount of those deductions.

Maximum housing benefit

8. In a case to which sub-paragraph 7(b) applies the maximum housing benefit of a mover shall be calculated in accordance with regulation 70, save that no deduction shall be made in respect of non-dependants, other than any that fall to be taken into account pursuant to that sub-paragraph.

Movers with two homes

9. Subject to Part 3 of this Schedule, any extended payment under this Part shall be without prejudice to any entitlement the claimant may have pursuant to regulation 7(6) (liability to make payments in respect of two homes).