

SoI 382/95

Social welfare
Consolidated

RT III. Rent and Mortgage Supplements.

Entitlement to rent supplement.

9. (1) Subject to these Regulations, a person shall be entitled to a supplement towards the amount of rent payable by him in respect of his residence.

(2) It shall be a condition of any claimant's entitlement to a supplement under sub-article (1) that—

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(a) he is a *bona fide* tenant;

(b) he has made application, on being so required by the health board, to a housing authority to be assessed for a housing need under section 9 of the Housing Act, 1988 (No. 28 of 1988);

(c) his name has not been excluded from an assessment made by a housing authority pursuant to section 9 of the Housing Act, 1988 by reason of his failure to accept an offer of accommodation or if his name has been so excluded, the health board is satisfied that there was valid reason for his failure to accept such offer;

(d) he has not vacated accommodation provided by a housing authority or if he has vacated such accommodation the health board is satisfied that he had good cause for so doing;

(e) he is not in receipt of, or entitled to, an allowance in accordance with regulations made under section 23 of the Housing (Private Rented Dwellings) Act, 1982 (No. 6 of 1982);

(f) the person beneficially entitled to the rent payable under the tenancy is not:

(i) a housing authority,

(ii) a health board,

(iii) a body which provides services on behalf of, or similar or ancillary to, a health board using residential care staff and which receives a subvention from the Minister for Health in respect of the claimant, or

(iv) a voluntary housing body which receives a subsidy under the scheme, known as the "rental subsidy scheme", administered by housing authorities under section 7 of the Housing (Miscellaneous Provisions) Act, 1992 (No. 18 of 1992);

(g) the health board is satisfied that—

(i) the claimant is in need of accommodation and is unable to provide for it from his own resources,

(ii) the residence is reasonably suited to the residential and other needs of the claimant, and

(iii) the rent payable by the claimant is just and proper having regard to the nature, character and location of the residence;

and for this purpose the health board shall at such time and in respect of such class or classes of persons as the Minister may direct, determine the appropriate maximum amount of rent in respect of which a supplement is payable having regard to the family circumstances and the location of the residence of such persons, and

(h) where the person beneficially entitled to the rent payable under the tenancy is an approved body in receipt of assistance under the scheme of capital assistance for the provision of housing accommodation operated under section 6 of the Housing (Miscellaneous Provisions) Act, 1992 and section 15 of the Housing Act, 1988 , the health board receives confirmation from the relevant housing authority that the rent has been fixed in accordance with the terms of the scheme.