

Affordable Homes Bill

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TO

Make provision about the availability of affordable homes; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Application of section 2

The provisions of section 2 apply where—

- (a) the claimant is a person in receipt of Housing Benefit; or
- (b) the claimant is in receipt of Universal Credit which includes an amount in respect of the housing costs element of Universal Credit; and 5
- (c) the property to which the claim relates is a dwelling of which the landlord is a local housing authority or a registered provider of social housing.

2 Calculation of Housing Benefit or the housing costs element of Universal Credit 10

- (1) The appropriate maximum Housing Benefit or the amount to be included as the housing cost elements of a Universal Credit award shall not be less than the actual amount of the liability in a case where—

- (a) an adaptation has been made to the dwelling to provide assistance to meet a disability need of the claimant, the claimant's partner or a close relative of the claimant or the claimant's partner who resides at the dwelling and the claimant has provided the relevant authority with such certificates, documents, information or evidence as to demonstrate, to the reasonable satisfaction of the relevant authority— 15
 - (i) the disability need of a person referred to above; 20
 - (ii) that an adaptation has been made to meet that need; and
 - (iii) that the cost of the adaptation is not less than an amount prescribed in regulations made by the Secretary of State;
- (b) the claimant, the claimant's partner or a close relative of the claimant or the claimant's partner— 25

- (i) resides at the dwelling;
 - (ii) is in receipt of any component of Disability Living Allowance or of Personal Independence Payment (whichever is applicable);
 - (iii) has satisfied the relevant authority that, due to their disability, they are not reasonably able to share a bedroom with another person; 5
 - (iv) as a result of paragraphs (i) to (iii), an additional bedroom is required to accommodate any person residing at the premises who would otherwise, pursuant to regulation B13(5) of the Housing Benefit Regulations 2006 be able to share a bedroom with them; and 10
 - (v) the dwelling does not have additional bedrooms exceeding those needed to accommodate any person falling under (iv) above, save as may be provided by other legislative provisions; 15
 - (c) neither the claimant’s landlord nor a local authority, where it is not the landlord, has made a reasonable offer of alternative accommodation.
- (2) Regulations made under this section may define “reasonable offer of alternative accommodation” for the purposes of sub-section (1)(c) above.
- 3 Review of the availability of affordable homes and the intermediate housing market 20**
- (1) During the period of 12 months commencing with the coming into force of this Act, the Secretary of State shall carry out a review of the availability of affordable homes and intermediate housing and produce and lay before Parliament a report which must set out the conclusions of the review. 25
- (2) The report may assess, in particular –
- (a) the extent of the need for affordable homes and intermediate housing and any impediments to the meeting of the need;
 - (b) progress made in meeting any need identified and an assessment of the potential for the development of the market for intermediate housing; 30
 - (c) the financial products to support the market and the role of registered providers and community land trusts;
 - (d) whether the Secretary of State should issue –
 - (i) guidance under section 46 of the Housing and Regeneration Act 2008, or 35
 - (ii) directions under section 47 of the Housing and Regeneration Act 2008,
 so as to contribute to meeting the need or the development of the market.
- 4 Orders and regulations 40**
- (1) Any power to make an order or regulations under this Act is exercisable by statutory instrument.
- (2) A statutory instrument containing an order or regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament. 45

5 Interpretation

- (1) In sections 1 and 2—
- (a) in any instance where the provisions apply to Scotland or Wales for “registered provider of social housing” substitute “registered social landlord”; 5
 - (b) “close relative” means a parent, parent-in-law, son, son-in-law, daughter, daughter-in-law, step-parent, step-son, step-daughter, brother, sister, or if any of the preceding persons is one member of a couple, the other member of that couple;
 - (c) “relevant authority” means an authority administering Housing Benefit or the housing costs element of Universal Credit. 10
- (2) In section 3—
- (a) “affordable homes” means intermediate housing provided to eligible households whose needs are not met by the market and eligibility is determined with regard to local incomes and local house prices and which housing remains at an affordable price for future eligible households; 15
 - (b) “community land trust” means a body corporate which satisfies the conditions laid down in section 79(4) and (5) of the Housing and Regeneration Act 2008 (“the 2008 Act”) and where “local community” has the meaning provided in section 79(3) of the 2008 Act; 20
 - (c) “financial product” includes loans, mortgages, guarantees, overdrafts and such other forms of financial assistance which exist to enable the purchase of an interest in property;
 - (d) “intermediate housing” means homes for sale and rent provided at a cost above social rent, but below market levels as determined by local house prices. These may include shared ownership, co-operative housing where members have an equity interest, equity loans and other low cost homes for sale and intermediate rent but shall not include affordable rented housing; 25
 - (e) “registered provider” means a person listed in the register of providers of social housing established under Chapter 3 of Part 2 of the 2008 Act. 30

6 Financial provisions

There is to be paid out of money provided by Parliament—

- (a) *any expenditure incurred under or by virtue of this Act by the Secretary of State], and* 35
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

7 Short title, commencement and extent

- (1) This Act may be cited as the Affordable Homes Act 2014. 40
- (2) This Act comes into force at the end of the period of 3 months beginning with the day on which it is passed.
- (3) Sections 1 and 2 of this Act extends to England and Wales and Scotland.
- (4) Section 3 of this Act extends to England only.

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To make provision about the availability of affordable homes; and for connected purposes.

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supported by
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