

THE LOANS FOR MORTGAGE INTEREST (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2021

Contents	Paragraphs
Introduction	1 – 2
Background	3
Domestic Violence	4 – 5
Cold Weather Payments	6
Annotations	
Contacts	

INTRODUCTION

- 1 This Memo provides guidance on the Loans for Mortgage Interest (Amendment) Regulations (Northern Ireland)¹, which come into force on 15.3.21.

1 SR 2021 No.28; LMI(Amdt) Regs (NI)

- 2 The regulations make minor changes in respect of Domestic Violence and Cold Weather Payments¹.

Note : See ADM Memo 04/18 for detailed guidance on the Loans for Mortgage Interest.

1 LMI (Amdt) Regs (NI), reg 3

- 3 Support for mortgage interest loans are secured against the claimant's property through a legal or equitable charge against the property title and the loan is recoverable from any equity on the sale, transfer of ownership of the property or when the claimant dies. There is currently no exception to this provision¹.

1 LMI Regs (NI), reg 16

Domestic Violence

- 4 Currently, a claimant fleeing domestic violence can be treated as occupying two properties for up to 12 months **only** where they have a liability to make owner occupier payments on both properties.

- 5 From 15.3.21 the claimant will be treated as occupying the family home, and qualify for a support for mortgage interest loan, if that is the only property the claimant is liable to make owner-occupier payments on¹. Housing costs may also be payable in respect of the property the claimant is living in temporarily².

1 LMI Regs (NI), Sch 3, para 15; 2 IS Gen Regs (NI), Sch3, para 4(6)(a); JSA Regs (NI), Sch2, para 3(6)(a); ESA Regs (NI), Sch 6 para 5(6)(a); SPC Regs (NI), Sch 2, para 4(6)(a)

Cold Weather Payments

- 6 In the circumstances where a person is awarded owner-occupier loan payments and is entitled to State Pension Credit it is confirmed that they do not have to meet the second condition of entitlement¹ and therefore they do not have to have a family member under 5 years of age.

1 SFCWP (Gen) Regs (NI), reg 1A(3)

ANNOTATIONS

Please annotate the number of this memo (DMG Memo Vol 4/150, 7/52, 8/98 & 13/122) against the following DMG paragraphs and memos:

23441, 44256, 78231, Heading Chapter 39

ADM Memo 04/18, heading and paragraphs 62 and 175

CONTACTS

If you have any queries about this memo, please contact:

Decision Making Services
Section 1
5th Floor
9 Lanyon Place
Belfast BT1 3LP

Telephone Ext: 38529

DECISION MAKING SERVICES

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