**WEXFORD COUNTY COUNCIL**

**DIFFERENTIAL RENTS SCHEME 2019**

This scheme will apply with effect from the 8th July 2019 and supersedes all previous rent schemes.

**Principal Earner** is the tenant, joint tenant or tenant’s partner with the highest income.

**Subsidiary Earner** is a member of the household, other than the principal earner, who has an income.

**1. CALCULATION OF RENT**

Differential rent will be calculated on the basis of the assessable income of the Principal Earner, together with a contribution from any subsidiary earners in the household.

 **Principal Earners Calculation:**

€30.00 rent on income up to €171.00 with an extra €0.24 rent for every additional €1.00 income thereafter.

**Subsidiary Earner**s **Calculation**:

One-seventh of that part of the assessable income of each subsidiary earner which exceeds **€25.00** per week shall be added.

The maximum contribution for subsidiary earners is €20.

**2. ASSESSABLE INCOME**

Assessable income is the full income reduced by statutory deductions, (i.e. gross taxable pay less income tax, pay-related social insurance, USC, income levy and any statutory and voluntary pension contributions) from the following sources:

1. Income from employment including self-employment.
2. All social insurance and social assistance payments, allowances and pensions, health board allowances, except payments listed under disregarded income below.

(c) All income from pensions or sources not already included at (b) above.

**In the case of employed persons**

If the nett weekly Income, as per the payslips supplied, is less than the Full Standard Social Welfare Rate, rent will be assessed on Full Standard Social Welfare Rate.

Persons working part time will be assessed on employment income and any Social Welfare income.

**In the case of Social Welfare Recipients**

Where declared income is less than that of the standard rate of Jobseekers Allowance, the standard social welfare rate will be applied for rent purposes.

**In the case of Split Social Welfare Recipients**

Where a couple have their social welfare payment split, assessment for rent purposes will be based on the total social welfare payment for their family size, and not the method of payment, to ensure a fair and equitable rents system.

**In the case of Self-Employed Persons**

The most recent Notice of Tax Assessment from The Revenue Commissioners must be submitted and rent will be based on nett disposable income or an amount determined by the Council from other satisfactory evidence.

**3. DISREGARDED INCOME**

Income from the following sources is disregarded for the purposes of rent calculation:

1. Income from children under 18 years
2. Child Benefit, Orphan's Benefit and related allowances / pensions payable under the Social Welfare (Consolidation) Act, 1981, as amended and child maintenance payments
3. Scholarships & higher education grants
4. Allowances payable under the Boarding Out of Children Regulations, 1954
5. Allowances for domiciliary care of handicapped children under the Health Act, 1970
6. Lump sum compensation payments
7. Any extra income derived from participation in government incentive schemes, e.g. TÚS & Job Bridge, in excess of the Full Social Welfare Standard Rate where such schemes do not provide for full-time working
8. Back to Work Allowance / Enterprise Allowance

Rent will be assessed on the higher of either Earnings from Employment or Back to Work / Enterprise Allowances or similar schemes

1. Working Family Payment (Family Income Supplement)
2. Rent will be assessed on the higher of either Earnings from Employment or Social Welfare payment if a tenant is on Disability Benefit / Allowance / Invalidity pension
3. Carers Allowance will not be assessed for rent purposes. In the case where a Carers Allowance is the only income in the household, the rent will be calculated at the minimum rent of €30.00 per week. In the case where a Carers Allowance is not the only income in the household, the rent be calculated on that household income
4. Any full-time student who is in receipt of Disability Allowance should not be assessed for rent purposes
5. Increase in Old Age Social Welfare Allowance for over 80’s to be disregarded for rent purposes
6. Fuel Allowance and other seasonal Social Welfare incomes to be disregarded

**4. ALLOWANCES AND DEDUCTIONS**

**Deductions for Children:**

A deduction of **€1.75** for each of the first four children under the age of 16.

A deduction of **€3.00** per child for the fifth and subsequent child under the age of 16.

A deduction of **€3.00** per child aged between 16 and 21 years of age who are attending full-time education.

**Older Person Allowance:**

A deduction of **€4.50 i**f the principal earner is aged 66 or over.

**Living Alone Allowance:**

A deduction of **€2.00** for tenants living alone, who’s only income is from a social welfare payment.

**Invalidity Allowance:**

A deduction of **€2.00** if the Principal Earner is on a long term Invalidity Pension.

**5. MAXIMUM RENT:**

 No maximum rent applies. The rent as calculated will be charged.

**6. MINIMUM RENT:**

Where the rent calculated in accordance with paragraph 1 above results in a rent of less than **€30.00** a minimum of **€30.00** will apply.

**7. MOBILE HOMES / CARAVANS:**

The weekly rent for a Mobile Home / Caravan is **€13.50**

The weekly rent for a Mobile Home / Caravan for those over 66 is **€11.50**

The weekly rent for a Residential Caravan Bay (including Chalet) is **€12.50**

The weekly rent for a Serviced Bay/Temporary Halting Site is **€6.35**

**8. HARDSHIP CLAUSE:**

The Hardship Clause is applicable to households when, in **exceptional circumstances**, payment of their calculated rent would, in the opinion of the Housing Authority, give rise to hardship to the tenant or tenant’s family. In such cases, the Authority may agree to accept a smaller sum from the tenant for a specified period. Such a smaller sum should not be less than 6% of the total assessable household income.

**9. HAP SPECIFIC HARDSHIP CLAUSE:**

Where a household is in receipt of HAP (Housing Assistance Payment) Support, a HAP specific Hardship Clause may be applicable when:

1. the HAP Monthly Payment to the landlord has already been increased to the maximum prescribed HAP Limit + 20%

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1. the tenants total weekly outgoing on rent, still exceeds 30% of their total weekly income. The tenants total weekly outgoing on rent is calculated as the differential rent contribution to the Housing Authority plus any additional payment to the landlord calculated weekly

In such cases, the Authority may agree to accept a smaller differential rent from the tenant for a specified period. Such a smaller sum should not be less than €20.00.

**10. REVIEW OF INCOME:**

The tenant is obliged, under the Tenancy Agreement, to notify the Housing Authority **immediately** of any change in income or in family circumstances as well as at any rent review processes being undertaken.

**11. PENALTY RENT:**

A penalty rent can be charged where tenants do not return necessary rent forms, proofs of income and other requested documentation to facilitate calculation of rent .

**12. TRANSFERS AND NEW TENANCIES:**

In the case of a new let or transfer of tenancy, assessable income will be calculated based on the income of the family at the date of the commencement of tenancy.