



APP 1/ME

**FIRST-TIER TRIBUNAL**

**SOCIAL ENTITLEMENT CHAMBER**

Held at **Liverpool**

on **04/07/14**

Before Tribunal Judge J Flanagan

<b>Appellant:</b> [REDACTED]	<b>Tribunal Ref.</b> SC068/13/14707
	<b>NI No</b> [REDACTED]
<b>Respondent:</b> Liverpool City Council	

**DECISION NOTICE**

1. The Housing Benefit appeal is allowed.
2. The decision made on 11/03/2013 is set aside by virtue of section 3 (1) Human Rights Act the provisions of Reg b 13(5) (a) HB Regs being read as follows.

'(a) A couple (within the meaning of part 7 of the act) or one member of a couple who is unable to share a bedroom because of his or her disability or the disability of the other member of that couple.'

3. Accordingly the appellant is entitled to two bedrooms under the provision of Reg b 13 (5) and no under occupancy reduction of 14 % should be made in the Housing Benefit entitlement is allowed.
4. Although the appellant's representative had requested a stay of the proceedings in a letter to the tribunal dated 20/04/2014, that application was not pursued at the hearing today and was specifically withdrawn, the appellant wishing to proceed today to final determination of the appeal.

Signed Tribunal Judge: [Signature] Date: 04/07/14	
Decision Notice issued to	Appellant on:
	Respondent on: